**Permit Required Confined Spaces in Construction Webinar Questions, July 15, 2020 (revised)**

1. Link to the video from Key Largo confined space incident

<https://www.youtube.com/watch?v=vG6K-NulTok>

1. Question on what is meant by a “space not designed for continuous occupancy”. OSHA references a letter of intent and comments from the Federal Register in which the general industry standard was first published to describe what they mean by a “space not defined for continuous human occupancy”. In the letter of intent that follows, they state - *work areas covered by this standard are unsuitable, by nature for continuous employee occupancy, because those spaces were created to contain such things as degreasers, sawdust, and sewage, not to accommodate people*. <https://www.osha.gov/laws-regs/standardinterpretations/1995-06-22>

In addition, p. 25380-25381 in the Federal Register/Vol 80. No. 85, May 4, 2015 (in which the construction confined space standard was published (<https://www.osha.gov/laws-regs/federalregister/2015-05-04>), OSHA responds to a commentator who was confused by the definition “not designed for continuous occupancy”. Here they state that the intent is to capture all spaces “where conditions are such that employees would normally exit the space relatively soon after entering, absent the construction activity”. They go on to reference several letters of interpretations that reference the design or function of the space.

1. A question was raised during our webinar about air monitoring to declassify a permit space to a non-permit space for “potential atmospheric hazards" . I replied that reclassifying a PRCS to a non-permit required confined space was only used for physical hazards. Alternate entry procedures may be used for atmospheric hazards, but monitoring must always be conducted in that case.

There is, however, a letter of interpretation that addresses a situation where there had been some historical records showing ambiguous air monitoring results that raised questions in the employer’s mind about atmospheric hazards even though they stated the only hazard was of a physical nature. OSHA responds to a series of questions related to their concerns in the following letter of interpretation. OSHA begins by asking them why they are doing air monitoring if the only potential hazard is a physical hazard. <https://www.osha.gov/laws-regs/standardinterpretations/2005-12-02>