

**Standard Interpretations**

**09/23/1993 - Confined space standard for general industry.**

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• **Standard Number:** [1910.146](#); [1926.21](#); [1926.651](#)

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September 23, 1993

Ms. Suey Howe Director,  
Federal Regulations  
Associated Builders and  
Contractors, Inc.  
1300 North 17th, 8th Floor  
Rosslyn, VA 22204

Dear Ms. Howe:

This is in response to your April 8 letter requesting an interpretation on the scope of the Occupational Safety and Health Administration's (OSHA) confined space standard for general industry. I apologize for the delay in responding to your inquiry.

OSHA's enforcement policy with regard to confined spaces at construction sites has not changed with the promulgation of the general industry regulation. In those instances where a hazard is addressed by an existing part 1926 standard, OSHA will continue to cite the specific standard. In those cases where a hazard is observed that is not addressed by an existing specific construction standard but is addressed in the American National Standards Institute's Z117.1 consensus standard, OSHA will continue to cite under 5(a)(1) of the Act provided the conditions for citing the general duty clause are present. However, in no circumstance would it be appropriate to cite a construction contractor under 1926.21 or 1926.651 for failure to comply with the requirements of the new general industry rule.

If we can be of any further assistance, please contact me or Mr. Dale Cavanaugh at (202) 219-8136.

Sincerely,

Roy F. Gurnham, P.E., Esq. Director  
Office of Construction and Maritime  
Compliance Assistance