



## National Elevator Industry, Inc.

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### OSHA CONFINED SPACE REGULATIONS AS THEY PERTAIN TO ELEVATOR PITS

In response to occasional questions from customers, property owners and member companies, the National Elevator Industry, Inc. (NEII) issues this paper on the subject of elevator pits and “confined space”. Confined space is separately and distinctly defined by the Occupational Safety and Health Administration’s (“OSHA”) construction safety (29 C.F.R. § 1926.21(b)(6)(ii)) and general industry (29 C.F.R. § 1910.146) standards. OSHA construction standards (29 C.F.R. Part 1926) cover construction and modernization and general industry standards (29 C.F.R. Part 1910) cover maintenance and repair.

#### Construction and Modernization Work

Under § 1926.21(b)(6)(ii), OSHA defines a “confined space” as:

- (1) Any space having a limited means of egress, and
- (2) Which is subject to the accumulation of toxic, or
- (3) Flammable contaminants, or
- (4) Has an oxygen deficient atmosphere.

New construction and modernization of existing elevators do not generally subject the elevator pits to an accumulation of toxic or flammable contaminants and does not present oxygen deficient atmospheres. Where the elevator contractor has knowledge that hazardous or potentially hazardous operations are carried out in close proximity to the construction or modernization of an elevator pit (e.g., construction in chemical or petroleum processing plants), it is recommended that elevator companies obtain certification from the host employer that the area is neither subject to an accumulation of flammable or toxic substances nor oxygen deficient.

Elevator company employees should be trained to identify and avoid situations that may introduce toxic or flammable contaminants into the elevator pit. For example, elevator companies should instruct employees to review all Material Safety Data Sheets for toxic or flammable materials used in the elevator pit and *use only non-flammable PVC primer and cement*, as required by the Elevator Industry Field Employees Safety Handbook and/or company policies and procedures when installing hydraulic elevators.

#### Maintenance and Repair Work

Customers have occasionally requested that elevator companies comply with customer’s confined space entry procedures when performing maintenance work in elevator pits. Although the elevator industry will generally work with a customer to meet its expectations regarding

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safety and health at a jobsite, it does not accept the wholesale designation of elevator pits as permit-required confined spaces under OSHA's general industry standard, 29 C.F.R. § 1910.146. This standard and the preamble to the same support a conclusion that, absent unique circumstances, elevator pits are not "permit-required confined spaces."

OSHA's general industry standard, 29 C.F.R. § 1910.146, defines a "permit-required confined space" as a confined space that has one or more of the following characteristics:

- (1) Contains or has a potential to contain a hazardous atmosphere;
- (2) Contains a material that has the potential for engulfing the entrants;
- (3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- (4) Contains any other recognized serious safety or health hazard.

The elevator pit has, under normal circumstances, the same atmosphere as the building it serves. As a result, under normal circumstances, elevator pits do not present hazards from toxic, oxygen deficient or flammable atmospheres. Any hazards that may be associated with mechanical equipment are controlled or eliminated by elevator company employees in compliance with applicable OSHA safety regulations, elevator code requirements, standard industry work practices and/or company policies and procedures (e.g., Elevator Industry Field Employees' Safety Handbook and/or company policies and procedures and 29 C.F.R. § 1910.147). Thus, elevator pits generally should not be classified as permit-required confined spaces.

Where hazardous or potentially hazardous operations are carried out in close proximity to an elevator pit under maintenance (e.g., hazardous operations in chemical or petroleum processing plants), an atmospheric evaluation of the elevator pit should be performed by the host employer to certify that the area is safe to enter. If the host employer determines it is necessary to classify the elevator pit as a permit-required confined space, the host employer must fulfill all of the OSHA requirements pursuant to § 1910.146, including but not limited to:

- Notify the elevator contractor, in writing, of the determination that the confined space is a "permit-required confined space";
- Notify the elevator contractor, in writing, of any actual or potential hazard(s) that may be encountered in the confined space;
- Develop and implement a permit-required confined space entry procedure;
- Conduct training for the elevator contractor's employees on compliance with the host employer's permit-required confined space entry program;
- Identify and label the confined space: **DANGER – do not enter permit-required confined space**. The label must be visible from outside the confined space;

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- Conduct air sampling and monitoring of the confined space as required; and
- Provide emergency confined space rescue in the event it is needed.

Elevator companies should cooperate fully to comply with the host employer's permit-required confined space program.

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NEII Safety Committee