

Excavation safety: requirements for competent persons

OAR 437 • Division 3 • Subdivision P



Safety standard for excavations

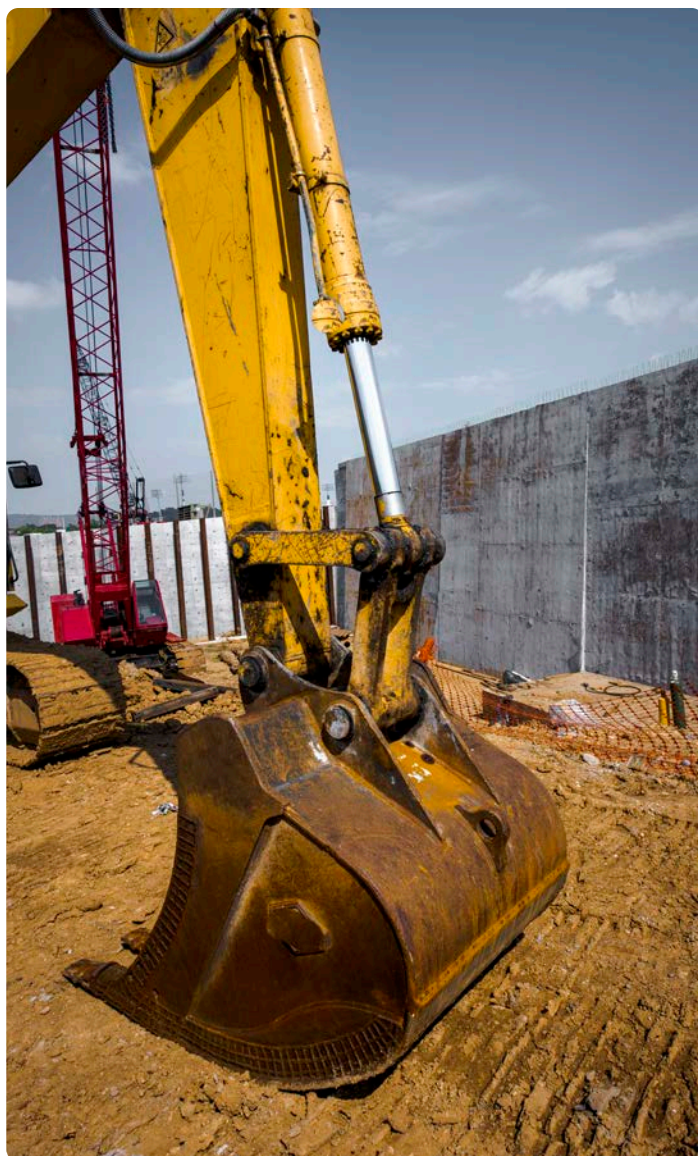
Oregon OSHA's safety standard for excavations — Division 3, Subdivision P — establishes competent person duties. These duties require a competent person to perform specific actions such as analyzing, classifying, determining, designing, evaluating, inspecting, monitoring, and ultimately — when necessary — ensuring employees are removed from hazardous areas.

A competent person for excavations is an individual designated by the employer who:

- Can identify existing and predictable hazards in the surroundings as they relate to excavations
- Has the authority to take prompt corrective measures to eliminate those hazards

An employee who is trained and can identify excavation hazards, but does not have the authority to correct them or make sure exposed employees are immediately removed, is not a competent person for purposes of Oregon OSHA's rule definition.

Responsibilities can be shared by more than one competent person at the excavation site as long as each understands their respective roles in keeping the excavation activities safe and is knowledgeable about Oregon OSHA's Division 3, Subdivision P, Excavation rules.



Excavation rules with competent person responsibilities

Access and egress / 1926.651(c)(1)(i)

Structural ramps used for equipment must be designed by a competent person qualified in structural design. Structural ramps used only by employees as a means of access or egress from excavations must be designed by a competent person.

According to the rule, “structural ramps” are ramps built of steel or wood. A “competent person qualified in structural design” is an individual with the equivalent skills as a “qualified person” who has the knowledge and experience necessary to have successfully demonstrated their ability to identify hazards, and solve or resolve problems relating to the design of structural ramps used for access or egress of equipment.

Water accumulation

1926.651(h)(2)

When equipment is used to control or prevent water from accumulating in an excavation, the equipment and the operation must be monitored by a competent person.

1926.651(h)(3)

Excavations subject to runoff from heavy rains must be inspected by a competent person.

Inspections

1926.651(k)(1)

A competent person must make daily inspections of the excavation, adjacent areas, and protective systems for evidence of a possible cave-in, hazardous atmospheres, or other hazardous conditions.

Inspections must also be made before the work

starts, as needed throughout the shift, and after every rainstorm or other hazard increasing occurrence.

These inspections are only required when employee exposure can be reasonably anticipated.

1926.651(k)(2)

When the competent person finds evidence that employees may be in danger from a possible cave-in, potential protective system failure, hazardous atmospheres, or other hazardous conditions, exposed employees must be removed from the hazardous area until the necessary precautions have been taken to ensure their safety.

Protective systems / 1926.652(a)(1)(ii)

Protective systems are required in excavations unless the excavation is made entirely in solid rock – or the excavation is less than 5 feet deep and an examination of the ground by a competent person determines there is no potential for a cave-in.

Protective systems – materials and equipment / 1926.652(d)(3)

When a protective system’s materials or equipment is damaged, a competent person must examine its suitability for continued use. Damaged systems that are unable to support intended loads must be removed from service and must be evaluated and approved by a registered professional engineer before being returned to service.

Soil classification / Appendix A-(c)(1) & (c)(2)

A competent person must classify soil and rock deposits as either Stable Rock, Type A, Type B, or Type C. The competent person shall analyze the deposit based on visual and manual soil tests.

Soil reclassification / Appendix A-(c)(5)

If after classifying soil or rock deposits, the properties, factors, or conditions affecting the deposit's classification change in any way, the changes must be evaluated by a competent person. The deposit must then be reclassified to reflect the circumstances.

Sloping and benching / Appendix B-(c)(3)(iii)

When surcharged loads (a load on ground adjacent to an excavation) from stored materials or equipment, operating equipment, or traffic is present near a sloped or benched excavation — a competent person must determine how much the slope must be reduced below the maximum allowable, and must ensure the change is made.

References

- [Division 3, Subdivision P, Excavations](#)
- [Program Directive A-176, Excavation Standards](#)
- [Excavations booklet - Safe practices for small business owners and contractors](#)
- [Excavation A-Z topic page](#)



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