



Excavation safety: requirements for competent persons

OAR 437
Division 3
Subdivision P



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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 that:

- *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 doesn't have the authority to correct them or make sure exposed employees are quickly removed, is not a competent person.

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 safe and is knowledgeable about Oregon OSHA's Division 3, Subdivision P, Excavation rules. **Excavation rules with competent person responsibilities are summarized below:**

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

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

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.

Water accumulation / 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.

Inspections / 1926.651(k)(2)

When the competent person finds evidence that employees may be in danger from 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 five 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)

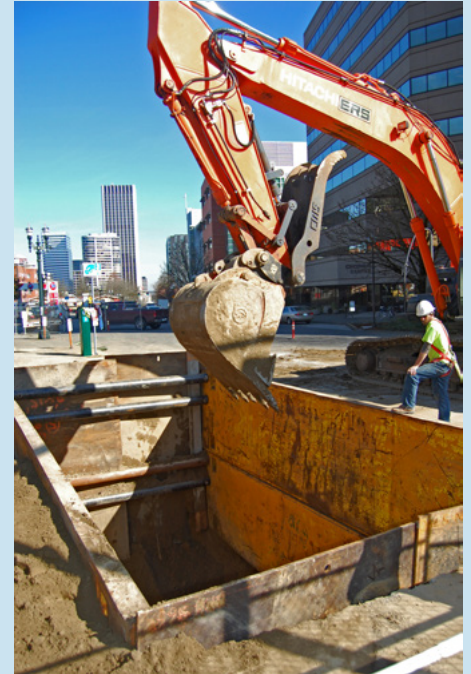
If after classifying soil or rock deposits, the properties, factors, or conditions affecting the deposit's classification change in any way, the changes shall be **evaluated** by a competent person. The deposit shall then be reclassified to reflect the circumstances.

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

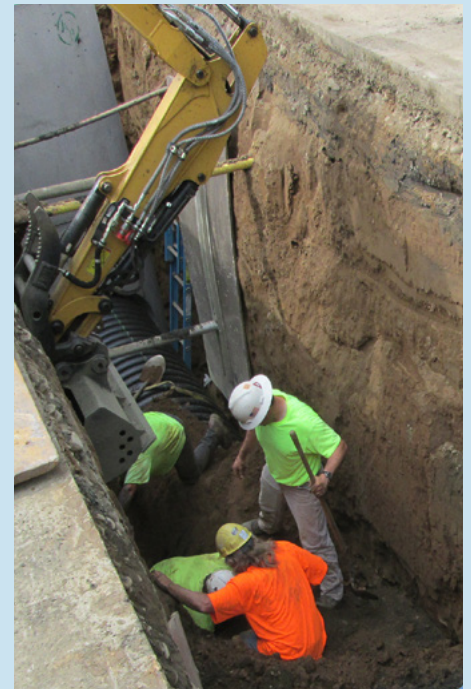
When surcharged loads (a load on ground adjacent to an excavation) from stored materials or equipment, operating equipment, or traffic is present near a sloped or benched excavation – a competent person must **determine** how much the slope must be reduced below the maximum allowable, and must ensure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

References

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



Competent person using a personal fall arrest system while inspecting an excavation.



These employees are exposed to excavation hazards!