

**Public Employee Safety & Health Bulletin #31**  
**ATTENTION: All Public Employers**  
***October 2010***

**National Statistics Indicate That Two-Thirds of All  
Confined Space Fatalities Involve Rescue and Emergency  
Services Team Members Who Attempt Confined Rescue  
Without Proper Training, Equipment And Fail To Follow  
Rescue Team Requirements As Contained In 29CFR  
1910.146 (k).**

Recent investigations conducted by the Office of Public Employees Occupational Safety and Health, (OPEOSH) revealed that many public employers who rely on outside emergency rescue services as part of their permit required confined space entry procedures, are in violation of the requirements as specified under 29CFR 1910.146 . The health and safety of confined space entrants is compromised when procedures as outlined under 29CFR 1910.146 (k) (rescue and emergency services) are not followed.

**In Order To Prevent Serious Injury Or Death Related To Confined Space Emergency Rescue Operations, Employers Are Required To Comply with 29CFR1910.146(d)(9) “Develop And Implement Procedures For Summoning Rescue and Emergency Services , For Rescuing Entrants From Permit Spaces, For Providing For Necessary Emergency Services To Rescued Employees And For Preventing Unauthorized Personnel From Attempting Rescue”.**

Employers who name first responders as their rescue team as part of their permit required confined space rescue teams must follow all procedures as outlined under 29CFR 1910.146 (k) Rescue and emergency services:

***29CFR 1910.146(k)(1)(i) Evaluate a prospective rescuer's ability to respond to a rescue summons in a timely manner, considering the hazard(s) identified;***

***Note to paragraph (k)(1)(i): What will be considered timely will vary according to the specific hazards involved in each entry. For example, 29CFR 1910.134, Respiratory Protection, requires that employers provide a standby person or persons capable of immediate action to rescue employee(s) wearing respiratory protection while in work areas defined as Immediately Dangerous to Life and Health (IDLH) atmospheres.***

***29CFR 1910.146(k)(1)(ii) Evaluate a prospective rescue service's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from the particular permit space or types of permit spaces identified;***

**29CFR 1910.146(k)(1)(iii) *Select a rescue team or service from those evaluated that:***

**29CFR 1910.146(k)(1)(iii)(A) *Has the capability to reach the victim(s) within a time frame that is appropriate for the permit space hazard(s) identified;***

**29CFR 1910.146(k)(1)(iii)(B) *Is equipped for and proficient in performing the needed rescue services;***

**29CFR 1910.146(k)(1)(iv) *Inform each rescue team or service of the hazards they may confront when called on to perform rescue at the site; and***

**29CFR 1910.146(k)(1)(v) *Provide the rescue team or service selected with access to all permit spaces from which rescue may be necessary so that the rescue service can develop appropriate rescue plans and practice rescue operations.***

**Note to paragraph (k)(1): Non-mandatory Appendix F contains examples of criteria which employers can use in evaluating prospective rescuers as required by paragraph (k)(1) of this section.**

**Note: 29CFR 1910.146 Non Mandatory Appendix F: A.I. *At a minimum, if an off-site rescue service is being considered, the employer must contact the service to plan and coordinate the evaluations required by the standard. Merely posting the service's number or planning to rely on the 911 emergency phone number to obtain these services at the time of a permit space emergency would not comply with paragraph (k)(1) of 29CFR 1910.146.***

### **Notice to In-House and Off-Site Rescue/Emergency Services!**

**Employers who have designated their own employees to perform permit required rescues and emergency services must comply with all the requirements outlined under 29CFR 1910.146(k)(2) and (k)(3). In addition to the requirement for employers to provide personal protective equipment and training, the employer must also ensure those employees practice making permit space rescues at least every 12 months by means of simulated rescue operations in which they remove dummies, manikins, or actual persons from the actual permit spaces or from representative permit spaces [Ref: 29CFR1910.146(k)(2)(iv)].**

Additional guidance is provided in 29CFR 1910.146 Non Mandatory Appendix F, *Rescue team or rescue service evaluation criteria.*

The 29CFR 1910.146, *Permit-required confined spaces standard* can be viewed in its entirety at the Federal OSHA website:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=9797](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9797)

## ***SAFE WORK PRACTICES SAVE LIVES***

**Additional public employee safety and health information can be obtained from our web sites:**

[http://lwd.dol.state.nj.us/labor/lsse/safetyhealth\\_index.html](http://lwd.dol.state.nj.us/labor/lsse/safetyhealth_index.html)

<http://www.state.nj.us/health/eoh/peoshweb/>

**NJ Department of Labor &  
Workforce Development**

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