

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**DIRECTOR'S OFFICE**

**CONSTRUCTION SAFETY AND HEALTH STANDARDS**

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 14, 19, 21, and 24 of 1974 PA 154, MCL 408.1014, 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

**PART 35. CONFINED SPACE IN CONSTRUCTION**

**R 408.43501 Scope.**

Rule 3501. (1) This standard sets forth requirements for practices and procedures to protect employees engaged in construction activities at a worksite with 1 or more confined spaces, subject to the exceptions in subrule (2) of this rule. Examples of locations where confined spaces may occur include, but are not limited to, those listed in table 1:

TABLE 1 EXAMPLES OF LOCATIONS WHERE CONFINED SPACES MAY OCCUR
Bins
Boilers
Pits, such as elevator, escalator, pump, valve or other equipment
Manholes, such as sewer, storm drain, electrical, communication, or other utility
Tanks, such as fuel, chemical, water, or other liquid, solid or gas
Incinerators
Scrubbers
Concrete pier columns
Sewers
Transformer vaults
Heating, ventilation, and air-conditioning (HVAC) ducts
Storm drains
Water mains
Precast concrete and other pre-formed manhole units
Drilled shafts
Enclosed beams
Vessels
Digesters
Lift Stations
Cesspools
Silos
Air receivers

Sludge gates
Air preheaters
Step up transformers
Turbines
Chillers
Bag houses
Mixers, such as reactors

(2) This standard does not apply to any of the following:

(a) Construction work regulated by Construction Safety Standard Part 9 “Excavation, Trenching, and Shoring.”

(b) Construction work regulated by Construction Safety Standard Part 14 “Tunnels, Shafts, Caissons, and Cofferdams.”

(c) Construction work regulated by Occupational Health Standard Part 504 “Diving Operations.”

(d) Construction work regulated by Occupational Health Standard Part 665 “Underground Construction, Caissons, Cofferdams, and Compressed Air.”

(3) When this standard applies and there is a provision that addresses a confined space hazard in another applicable standard, the employer shall comply with both that requirement and the applicable provisions of this standard.

(4) The following provisions of the occupational safety and health administration (OSHA) regulations, except as amended in these rules, are adopted by reference in these rules:

(a) 1926.1202 “Definitions.”

(b) 1926.1203 “General requirements.”

(c) 1926.1204 “Permit-required confined space program.”

(d) 1926.1205 “Permitting process.”

(e) 1926.1206 “Entry permit.”

(f) 1926.1207 “Training.”

(g) 1926.1208 “Duties of authorized entrants.”

(h) 1926.1209 “Duties of attendants.”

(i) 1926.1210 “Duties of entry supervisors.”

(j) 1926.1211 “Rescue and emergency services.”

(k) 1926.1212 “Employee participation.”

History: 2015 AACS.

**R 408.43505 Provision of documents.**

Rule 3505. For each document required to be retained in this standard, the retaining employer must make the document available on request to the director of the department of licensing and regulatory affairs or his or her designee.

History: 2015 AACS.

**R 408.43510 Adopted and referenced standards.**

Rule 3510. (1) The following federal occupational safety and health administration (OSHA) regulations, that are effective August 3, 2015, are adopted by reference in these rules:

- (a) 1926.1202 “Definitions.”
- (b) 1926.1203 “General requirements.”
- (c) 1926.1204 “Permit-required confined space program.”
- (d) 1926.1205 “Permitting process.”
- (e) 1926.1206 “Entry permit.”
- (f) 1926.1207 “Training.”
- (g) 1926.1208 “Duties of authorized entrants.”
- (h) 1926.1209 “Duties of attendants.”
- (i) 1926.1210 “Duties of entry supervisors.”
- (j) 1926.1211 “Rescue and emergency services.”
- (k) 1926.1212 “Employee participation.”

(2) The standards adopted in this rule are available from the United States Department of Labor, Occupational Safety and Health Administration website: [www.osha.gov](http://www.osha.gov), at no charge as of the time of adoption of these rules.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, Lansing, Michigan, 48909-8143.

(4) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, plus \$20.00 for shipping and handling.

(5) The following Michigan occupational safety and health (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, Lansing, Michigan, 48909-8143 or via the internet at website: [www.michigan.gov/mioshastandards](http://www.michigan.gov/mioshastandards). For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 9 “Excavation, Trenching, and Shoring.” R 408.40901 to R 408.40953.

(b) Construction Safety Standard Part 14 “Tunnels, Shafts, Caissons, and Cofferdams.” R 408.41401 to R 408.41483.

(c) Occupational Health Standard Part 504 “Diving Operations.” R 325.50301 to R 325.50348.

(d) Occupational Health Standard Part 665 “Underground Construction, Caissons, Cofferdams, and Compressed Air.” R 325.62991 to R 325.62996.

History: 2015 AACs.