

Confined Space Entry and Grain Handling Safety

Introduction

Certain classes of University of Minnesota employees are required to enter and work in grain bins. This most commonly occurs at the Research and Outreach Centers (ROCs) located throughout the state.

There are at least two regulations that would seem to apply to this type of work: the “Permit-Required Confined Space Entry” regulation (29 CFR 1910.146) and the “Grain Handling Safety” regulation (29 CFR 1910.272).

While both of these regulations include requirements for this type of work, the requirements are inconsistent, and supervisors and managers are often confused as to which set of requirements to follow.



Permit-Required Confined Space Entry Regulation

This regulation was intended to apply to any type of work in which employees enter into any type of permit-required confined spaces, such as manholes, sewers, crawl spaces, pits, etc.

Because it is intended to apply to a much broader class of confined spaces, the requirements are much more general, and open to interpretation. It's very important to note that it is known as a “horizontal regulation”: in other words, it applies to all industry types.

Grain Handling Safety Regulation

This regulation addresses numerous types of hazards and controls associated with grain handling operations. These include explosion prevention, machine guarding, and most notably, entry into grain storage structures.

Unlike the permit-required confined space entry rule, the grain handling regulation is known as a “vertical regulation”, meaning that it was written to apply to a specific industry.

Comparison

There are many similarities between the permit-required confined space regulation and the portions of the grain handling safety regulation that discuss entry into grain bins. For instance, both regulations focus on controlling atmospheric hazards, including explosion hazards. When properly administered, both regulations provide a high degree of protection for workers involved in this type of work.

However, there are also some important differences. Most notably, the grain handling regulation is much simpler to interpret and administer. Additionally, certain provisions of the confined space entry regulation that would be difficult or even impossible to comply with in agricultural settings are absent in the grain handling rule.

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The Bottom Line...

OSHA's grain handling regulation supersedes the permit-required confined space regulation.

Documentation of this can be found in a February 8, 2005 OSHA letter of interpretation:

http://osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=25055

Work involving employees entering into grain bins should be conducted in compliance with the grain handling regulation, not the permit-required confined space entry regulation.

There are many reasons for this, but the most important one is based on the legal theory that vertical standards are almost always much more specific and customized to the type of industry and hazards at hand.

Questions

If you have questions on this topic, please contact University Health and Safety at (612) 626-6002.

