



**State of Alaska**  
**Department of Labor and Workforce Development**  
**Division of Labor Standards and Safety**

**AKOSH Program Directive #19-02**

Date: October 8, 2018  
To: All AKOSH Staff  
From: Deborah Kelly, Director <sup>DK</sup>  
Subject: National Emphasis Program on Trenching and Excavation

This Program Directive, PD 19-02, is formal notice that the Alaska Department of Labor and Workforce Development, Division of Labor Standards and Safety recognizes and will implement OSHA's CPL-02- 00-161 "National Emphasis Program on Trenching and Excavation".

This program directive becomes effective immediately and cancels AKOSH PD 85-10. Please ensure that all members of your staff receive this program directive, and understand how to implement it.

Attachment: AKOSH NEP on Trenching and Excavation

cc: Barbara Goto, Acting Regional Administrator, OSHA, Region X  
Jack A. Rector, Deputy Regional Administrator, OSHA, Region X  
Loren Delicana, Acting Assistant Regional Administrator of Cooperative and State Programs, OSHA, Region X  
Abby Lopez, State Programs Manager, OSHA, Region X  
Arlene Lamont, Area Director, Anchorage, OSHA, Region X  
Heidi Drygas, Commissioner, State of Alaska, DOL&WD  
Greg Cashen, Deputy Commissioner, State of Alaska, DOL&WD  
Krystyna Markiewicz, Chief, DOL&WD, AKOSH  
Krista Childers, Assistant Chief, Consultation & Training, DOL&WD, AKOSH  
Yana Rekoun, Project Assistant, DOL&WD, AKOSH  
Tina Cochran, Administrative Officer, DOL&WD, LS&S

## **Executive Summary**

This directive provides updated guidance to Alaska Occupational Safety and Health for continued implementation of an OSHA National Emphasis Program (NEP) to reduce or eliminate workplace hazards associated with trenching and excavation operations. In 1985, OSHA implemented CPL 02-00-069 - Special Emphasis: Trenching and Excavation, in response to the continuing incidence of trench/excavation collapses and accompanying loss of life. AKOSH adopted this instruction in Program Directive 85-10. In light of the recent resurgent number of trenching/excavation fatalities and serious injuries, the agency has determined that these worksites continue to warrant an increased enforcement presence.

## **Significant Changes**

This updated directive continues support for compliance assistance and inspection programs related to the implementation of an EP for trenching and excavation operations. Specifically, it:

- Replaces AKOSH PD 85-10 - Special Emphasis Program: Trenching and Excavation;
- Provides a national reporting system for all OSHA trenching and excavation inspections by updating guidance for recording trenching and excavation inspections in OIS;
- Establishes the requirement for AKOSH to develop and implement outreach programs in support of this emphasis program. These programs should include providing compliance assistance material to excavation employers, permitting and other municipal organizations, industry associations, equipment rental organizations, water works supply companies and major/local plumbing companies.

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**I. Purpose.**

This directive describes policies and procedures for continued implementation of a NEP to reduce or eliminate workplace hazards associated with trenching/excavation operations.

**II. Scope.**

This directive applies AKOSH-wide. All inspections of trenching and excavation operations will be reported pursuant to this NEP.

**III. References.**

- A. [Department of Labor Agency Priority Goal - Worker Safety: Reduce Trenching and Excavation Hazards.](#)
- B. [29 CFR Part 1904](#), Recording and Reporting Occupational Injuries and Illnesses.
- C. [29 CFR Part 1926, Subpart P](#) - Excavations; Final Rule 54 FR 45894-45991, October 31, 1989, and as amended.
- D. [29 CFR Part 1926](#), Safety and Health Regulations for Construction.
- E. [29 CFR Part 1960](#), Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters (and [Executive Order 12196](#), Section 1-201).
- F. [CPL 02-00-025](#), Scheduling System for Programmed Inspections, January 4, 1995.
- G. [CPL 02-00-051](#), Enforcement Exemptions and Limitations under the Appropriation Act, May 28, 1998, or successor guidance.
- H. [CPL 02-00-087](#), Inspection Procedures for Enforcing the Excavation Standard, 29 CFR 1926, Subpart P, February 20, 1990.
- I. [CPL 02-00-135](#), Recordkeeping Policies and Procedures Manual (RKM), December 30, 2004.
- J. [AKOSH PD 18-05](#), AKOSH Field Operations Manual (FOM), May 1, 2018.
- K. [OSHA Technical Manual \(OTM\), Section V, Chapter 2](#) - Excavations: Hazard Recognition in Trenching and Shoring.
- L. OSHA OTI Training Course #3015 - Excavation, Trenching, and Soil Mechanics [https://www.osha.gov/dte/edcenters/course\\_description.html#3015](https://www.osha.gov/dte/edcenters/course_description.html#3015).

**IV. Cancellations.**

This directive will supersede AKOSH PD 85-10, 100 days after this directive becomes

effective. Enforcement under PD 85-10 shall continue during the outreach period in Section IX of this directive.

**V. Expiration Date.**

This directive will remain in effect until canceled, or superseded by another directive or notice.

**VI. Background.**

- A. Because of the continuing incidence of trench/excavation collapses and accompanying loss of life, the agency has determined that these worksites continue to warrant an increased enforcement presence. OSHA has long maintained that employees exposed to potential cave-ins must be protected before the excavation face is in imminent danger of collapse, because OSHA believes that there is a potential for a collapse in virtually all excavations. [54 FR 45894, 45895, 45927]
- B. Trenching and excavation work exposes workers to extremely dangerous hazards. According to the Census of Fatal Occupational Injuries (CFOI) data, published by the Bureau of Labor Statistics (BLS), there were 130 fatalities recorded in trenching and excavation operations between 2011 and 2016. The private construction industry accounted for 80%, or 104, of those fatalities. An alarming 49% of those construction fatalities occurred between 2015 and 2016. In summary, of the 104 fatalities in this industry:
  - 1. 40 (38%) were at industrial places and premises;
  - 2. 39 (38%) were at private residences; and
  - 3. 21 (20%) occurred at streets or highways.
- C. OSHA believes that the rate of deaths and serious injuries resulting from trenching and excavation incidents (mostly collapses) can be significantly reduced if OSHA concentrates resources to effectively engage trenching and excavation operations through both enforcement and compliance assistance activities.
- D. The construction scheduling procedures outlined in the AKOSH FOM can be used to schedule inspections of trenching and excavation operations. However, these operations tend to begin and end quickly and must be inspected while they are ongoing. Consequently, the following procedures are prescribed for scheduling excavation inspections.

**VII. Procedures.**

- A. Compliance Safety and Health Officers (CSHOs) shall initiate inspections under this NEP whenever they observe an open trench or an open excavation, regardless of whether or not a violation is readily observed. These observations may occur

during the course of their normal work-day travel or while engaged in programmed or un-programmed inspections. Trenching and excavation operations will also be assigned for inspection as the result of incidents, referrals, and complaints.

- B. When CSHOs observe trenching or excavation operations but are unable to begin an immediate inspection (i.e., responding to an incident, etc.), they shall notify the Assistant Chief of Enforcement of their observations. CSHOs will provide the Assistant Chief of Enforcement with the following information:
  - 1. The name, address and/or location of the worksite;
  - 2. The state and condition of the operation, including any apparent serious hazards; and,
  - 3. The name of contractor performing the operation (if known), and the number of workers observed;
  - 4. Because trenching and excavations are often of a short duration, CSHOs will also attempt to document the conditions of the trench/excavation through photographs and sketches.
- C. When CSHOs observe trenching or excavation operations, they shall attempt to contact the Assistant Chief of Enforcement to obtain supervisory authorization to begin an immediate inspection.
- D. If the CSHO cannot contact the Assistant Chief of Enforcement (i.e., no phone service) to get authorization, the CSHO will begin an immediate inspection of the trench and associated activities provided this activity will not interfere with higher priority inspections or assignments. In these cases, the CSHO will give highest priority to preventing further employee exposure if trenching or excavation hazards were observed.
- E. Any unprotected trench or excavation that is brought to the attention of the Assistant Chief of Enforcement shall be evaluated, and, if appropriate, inspected (i.e., referrals from city inspectors, DOT and other third parties).
- F. Whenever an inspection is initiated under this NEP on the basis of a CSHO self-referral, the CSHO shall include in the case file narrative a description of the circumstances which prompted the inspection. The case file shall indicate if supervisory consent for the inspection was obtained prior to the start of the inspection, or an explanation why this consent was not obtained.
- G. During all programmed safety and health inspections (such as national, regional or local emphasis programs), and during all un-programmed inspections (incidents, complaints and referrals), CSHOs will observe the surrounding area for open trenches or excavations and conduct an inspection under this NEP if any are present.
- H. The scope of inspections scheduled under this NEP will be in accordance with the AKOSH FOM.

- I. Inspections under this NEP shall normally be limited to evaluating worker exposure to safety and health hazards associated with the excavation. However, a CSHO may expand the scope of an inspection if other safety and health hazards or violations are observed in plain view and/or brought to their attention. CSHOs shall follow the guidelines in the FOM when expanding the scope of any inspection (Chapter 3.III.B.).
- J. At the end of each NEP inspection, the CSHO will provide the employer with information concerning trenching and excavation hazards. For example, the CSHO may give the employer the website address for OSHA's excavation standards and related outreach materials, or provide copies of OSHA publications (resource dependent).

**VIII. Recording in OIS.**

- A. All enforcement activities (inspections, complaints, and referrals) conducted under this NEP must be coded with the NEP code, "TRENCH," entered in the OIS. Consultation request/visit forms will also be completed with the NEP code "TRENCH."
- B. All consultation activities (Request, Visit, and Compliance Assistance) conducted in response to this NEP will also be coded "TRENCH" into OIS.
- C. Enforcement and consultation activities related to trenching and excavation hazards under other NEPs and/or LEPs must be coded for all the NEPs and LEPs. For example, consultation activities related trenching and excavation hazards conducted under the Amputations NEP must be coded "AMPUTATE" as well as "TRENCH."

**IX. Outreach.**

- A. AKOSH will develop and implement a comprehensive excavation safety outreach program for 90 days prior to initiating inspections under this revised NEP. Enforcement under PD 85-10 will continue during the pre-enforcement outreach period. AKOSH will continue outreach efforts after the 90 day outreach period has concluded. Outreach activities may include:
  - 1. Letters and news releases can assist with disseminating information about this NEP.
  - 2. Conduct outreach activities such as seminars/informational sessions for employer groups, trade associations, as well as worker groups.
  - 3. Provide outreach material to local licensing/permitting and other municipal agencies for distribution to employers when they request dig permits.
  - 4. Provide outreach material to underground utilities, water works supply

companies, and major/local plumbing companies for distribution to employers.

5. Provide outreach material to industry associations and equipment rental organizations for distribution to membership and clients.
6. Collaborate with cooperative program participants, including Voluntary Protection Programs, SHARP, and CHASE, to share success stories and technical information concerning effective means of controlling, reducing or eliminating excavation hazards.
7. Develop strategic approaches for Consultation and Training to assist employers with trenching and excavation safety at worksites.

B. OSHA compliance assistance resources for this industry include:

1. [Trenching and Excavation Safety - OSHA 2226-10R 2015](#).
2. Trenching and Excavation Safety OSHA Fact Sheet - DOC FS-3476 September 2011 ([English](#)) and DOC FS-3480 September 2011 ([Spanish](#)).
3. Working Safely in Trenches OSHA Quick Card - OSHA 3243-09R 2011 ([English](#) and [Spanish](#)).
4. “Protect Workers in Trenches” OSHA Poster - OSHA 3215-06R 2018 ([English](#)) and OSHA 3255-06R 2018 ([Spanish](#)).
5. [OSHA Construction eTool - Trenching and Excavation August 2014](#) ([English](#) and [Spanish](#)).
6. [OSHA v-Tool - Excavations in Construction/Trenching](#).
7. [OSHA v-Tool - Excavations in Construction/Soil Classification](#).
8. [Heat Stress Safety and Health Topics Page](#).
9. [Construction Focus Four Topics Page](#).
10. Common Ground Alliance’s Best Practices guide <http://commongroundalliance.com/programs/best-practices>.

C. AKOSH will consider establishing partnerships with groups representing employers and workers in the trenching and excavation industry to share information concerning effective means of controlling and reducing employee exposures.

D. Small businesses should contact AKOSH Consultation and Training for assistance. AKOSH Consultation and Training offers no-cost and confidential safety and health services to small- and medium-sized businesses in Alaska, with priority given to high-hazard worksites. Consultants work with employers to identify workplace hazards, provide advice for compliance with AKOSH standards, and assist in establishing and improving safety and health programs. Consultation services are separate from enforcement and do not result in penalties or citations.