



VOSH PROGRAM DIRECTIVE: 12-802

ISSUED: April 1, 1995

SUBJECT: Competent Person, Shipyard Employment, §1915.7

A. Purpose.

This directive transmits to field personnel the above-referenced amended standard.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This directive applies to all VOSH personnel.

C. Reference

Not Applicable

D. Cancellation.

Not Applicable

E. Action.

The Deputy Commissioner, directors and supervisors shall assure that field personnel and employers understand and comply with the provisions of this standard.

F. Effective Date.

June 1, 1995

G. Expiration Date.

Not Applicable.

H. Background.

On November 29, 1988, federal OSHA proposed a revision §1915.7, Competent Person. The previous §1915.7, which was contained in subpart A of the Shipyard Standards, defined a competent person for the purposes of subparts B, (Explosive and Other Dangerous Atmospheres in Vessels and Vessel Sections), C (Surface Preparation and Preservation), D (Welding, Cutting, and Heating), and H (Tools and Related Equipment). The proposed revision was intended to eliminate the paperwork burden involved in designating competent persons, to clarify the skills required of them, and to simplify requirements relating to logging of inspections and tests.

In 1988, federal OSHA created the Shipyard Employment Standards Advisory Committee (SESAC) to provide OSHA with guidance in revising, consolidating, and modernizing the varying sets of regulations that were being applied in the shipyard industry into what is ultimately intended to be a truly vertical standard for all shipyard employment.

On January 14, 1993, OSHA published a final rule for Permit-Required Confined Spaces in General Industry ("permit spaces") (58 Fed. Reg. 4462). In the permit spaces standard, OSHA omitted shipyards from its scope because it would be more appropriate to address shipyards in the revision of Subparts A and B of part 1915.

I. Summary.

This standard revises many requirements related to the designation and use of competent persons.

Changes in this amended standard include the following:

- 1) Employers are required to designate one or more competent persons; and
- 2) Employers must provide a roster of competent persons which must contain the names of these persons and the dates of their training.
- 3) Employer must continue to keep records of all testing performed under subparts B, C, D, and H although the requirement for the employer to complete OSHA Forms 73 (Designation of Competent Persons) and 74 (Log of Inspection and Tests by Competent Person) has been eliminated.

Competent persons are required to:

- 1) Know and understand the requirements of subpart B (confined and enclosed spaces and other dangerous atmospheres), C (surface preparation and preservation), D (welding, cutting, and heating), and H (tools and related equipment);

- 2) Know the locations and designations of spaces where work is to be performed;
- 3) Have the ability to calibrate and use test equipment and perform the tests required by subparts B, C, D, and H;
- 4) Be able to evaluate whether spaces need to be tested further by a Marine Chemist, Certified Industrial Hygienist or Coast Guard authorized person;
- 5) Be able to understand and carry out instructions and other information provided by personnel listed in item 4, above; and
- 6) Be able to maintain the records required by §1915.7.

Theron J. Bell
Commissioner

e-Attachment: 59 Fed. Reg. 37816 (July 25, 1994)
http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=FEDERAL_REGISTER&p_toc_level=2&p_keyvalue=59&p_text_version=FALSE

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Competent Person, Shipyard Employment, §1915.7

As adopted by the
Safety and Health Codes Board

Date: December 19, 1994



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date: _____

Competent Person, Shipyard Employment, §1915.7

VR 425-02-183

When the regulations, as set forth in the amended standard for Competent Person, Shipyard Employment, §1915.7, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

October 24, 1994

June 1, 1995