

Standard Interpretations

09/07/1995 - Concerns with the OSHA June 30 memorandum concerning the application of 29 CFR 1926.652 to house foundation/basement excavations.

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• **Standard Number:** [1926.652](#)

September 7, 1995

Dr. Jack L. Mickle, Ph.D.
Civil and Construction
Engineering Department
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Ames, Iowa 50011

Dear Dr. Mickle:

Thank you for your letter of July 10, in which you express your concerns with the Occupational Safety and Health Administration's (OSHA) June 30 memorandum concerning the application of 29 CFR 1926.652 to house foundation/basement excavations.

We agree with you and the statistics you sent that trenches, in general, are dangerous. However, we do not believe that house foundation/basement excavations should be treated in the same way as utility trenches or similar excavations when the conditions outlined in the memorandum are present. As you point out, the memorandum does not mention a depth limit for the exemption. This is not thought to be a problem, as the average depth of house foundation/basements is seven to eight feet.

At this time, it is not likely that OSHA will revise the policy set forth in the June 30 memorandum. However, your comments have been forwarded to the appropriate offices for a further detailed review to determine whether or not the policy needs to be revised sometime in the future.

Thank you for your interest in this matter.

Sincerely,

John B. Miles
Director
Directorate of Compliance Programs