



VOSH PROGRAM DIRECTIVE: 02-072B

ISSUED: May 15, 1994

**SUBJECT: Index of General Industry Standards Applicable to the Construction Industry**

**A. Purpose.**

This directive transmits to field personnel a revised list identifying general industry safety and health standards having applicability to the construction industry for which no corresponding 1926 standard exists and establishes a coordinated system of enforcement between general industry standards, § 1910, and construction standards, § 1926.

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 VOSH-wide.

**C. References.**

Construction Standards--OSHA 2207 (11-14-90 Edition)

VOSH Field Operations Manual (FOM), Chapter XVII, B.1.b.

58 Fed. Reg. 35076 (June 30, 1993)

**D. Cancellation.**

VOSH Program Directive 02-072A (June 15, 1993).

**E. Action.**

The Assistant Commissioner for Enforcement, Directors and Supervisors shall assure that Part 1910 standards are enforced under appropriate circumstances, with the relevant sections of Part 1926, in a manner consistent with their respective scopes and definitions.

**F. Effective Date.**

March 15, 1994

**G. Expiration Date.**

Not Applicable.

**H. Background and Summary.**

The construction industry standards are applicable to all construction operations within the Commonwealth. In addition, employers covered by VOSH are also required to adhere to VOSH's standards of general applicability in Part 1910. The relationship between the two existing sets of regulations is addressed by the agency's procedural rule § 1910.5(c) which states:

(c)(1) If a particular standard is specifically applicable to a condition, practice, means, method, operation, or process, it shall prevail over any different general standard which might otherwise be applicable to the same condition, practice, means, method, operation, or process....

(c)(2) On the other hand, any standard shall apply according to its terms to any employment and place of employment in any industry, even though particular standards are also prescribed for the industry ... to the extent that none of such particular standards applies.

Thus, some Part 1910 standards are applied to construction employment where coverage of a Part 1926 standard is either limited or absent. As a result, it may be necessary to consult both 1910 and 1926 regulations to determine which, if any, standards are applicable.

Attached to this directive is an index of those Part 1910 standards which have been identified as also applicable to construction. This index excludes the general industry standards which were incorporated into the construction standards by federal OSHA's recent publication collectively entitled, "Incorporation of General Industry Safety and Health Standards Applicable to Construction Work" (58 Fed. Reg. 35076, June 30, 1993). (See VOSH PD 12-151, March 1, 1994).

Carol Amato  
Commissioner

Attachment: Index of General Industry Standards Applicable to Construction Industry

Distribution: Commissioner of Labor and Industry  
Assistant Commissioner - Enforcement  
Assistant Commissioner - Training and Public Services  
Directors and Supervisors  
Consultation Services  
Training Staff  
OSHA Regional Administrator, Region III

**Index of General Industry Standards Applicable to Construction where no  
other specific Construction Standard is Available**

1910.5(b)	Standards applicability
1910.6	Incorporation of standards by reference
1910.7	Nationally recognized testing laboratories
1910.106(g)(1)(i)	Flammable and combustible liquids
1910.219	Mechanical power-transmission apparatus