b. Definitions. The definitions contained in the excavation standard shall be relied upon to interpret and apply the standard properly. In some cases terms within a definition are themselves defined within the same section.

(2) Competent Person. CSHOs shall pay particular attention to the investigation and documentation of data to establish that any person serving in this capacity possesses the capability of identifying existing and potential hazards for workers.

(a) To be a "competent person" under this standard, a person must have had training in, and be knowledgeable about, soils analysis, the use of protective systems and the requirements of this standard.

(b) The competent person having such training and knowledge must be capable of identifying existing and predictable hazards in excavation work and have the authority to take prompt measures to abate these hazards. Thus, a backhoe operator who would otherwise meet the requirements of the definition is not a competent person if the person lacks the authority to take prompt corrective measures to eliminate existing or potential hazards.