

**WorkSafe Services**

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**Services de travail sécuritaire**

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December 11, 2006

"The Employer"

The Chief Compliance Officer is writing in response to the employer's e-mail dated December 5, 2006 requesting a deviation from Section 278(1) of the General Regulation 91-191 under the *Occupational Health and Safety Act*. More specifically, what the employer is requesting is a deviation from Section 278(1) to enable hot tapping for the owner.

Section 278(1) of Regulation 91-191 requires that flammable and explosive substances be drained from the containers before heat is applied to the container. In addition, Section 279(1)(b) states "*An employer shall ensure that welding, cutting, burning or soldering operation is not undertaken on a container or pipe ... containing ... explosive and flammable substances*".

To support the employer's request, the employer has provided the following:

1. Hot Tap Welding Analysis;
2. Safety Review of a Hot Tapping Application which has been approved by a Professional Engineer licensed to practice in the Province of New Brunswick;
3. Engineering Assessments;
4. Welding Procedure Specification prepared September 27, 2006;
5. Welding and various Safety Certificates for the four individuals;

The employer's request indicates the following:

This procedure will be completing two hot taps on a 10" hot tap off the side of a 30" line and 2" off the top of a 30" line and that these are different lines both containing sweet natural gas. This hot tapping process will take place between December 13, 2006 and December 18, 2006.

The very nature of the tapping work is to leave product flow at full pressure in the pipeline during welding and that it is not feasible or environmentally friendly to bleed off and purge out a line of this capacity. The line the employer is performing the hot tap on is a mainline that comes from off-shore NS and feeds down into the US. If this line were to be shut down and purged all customers from St. John's and into the US would be without gas service.

Hot tapping is an industry acceptable practice. Through the employer's procedures, research and development the employer has proven it can be done very safely, and that last year the employer completed over 500 hot taps in both pipeline and plant facilities.

As a result of the information provided, a deviation from Section 278(1) of Regulation 91-191 under the *Occupational Health & Safety Act* is granted for welding for the owner with the following conditions, some of which the employer may have provided for in the employer's procedure:

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1. The owner's Health & Safety Staff must take part in the planning and execution of hot tapping. It may also be appropriate to involve the Joint Health & Safety Committee as well.
2. A safe and easy access and egress must be provided from the work location for the hot tapping crew, including an alternate means for emergency evacuation.
3. Staff performing the hot tapping operation must be competent in all of the procedures involved in the process, including emergency and evacuation procedures.
4. The equipment and material involved in the process must meet the appropriate safety codes and standards including those outlined in the API Recommended Practice 2201.
5. The MSDS's for the pipe/tank contents including temperatures and pressures of the vessels to be hot tapped must be reviewed with the staff involved in the operation.
6. Appropriate protective clothing must be provided and worn by the staff performing the operation.
7. A means of communication must be established between the hot tapping crew and the emergency response staff.
8. Fire watch and extinguishing equipment must be available in the work area.
9. A means of shutting off power locally must be available.
10. Personnel working in the areas of hot tapping must be notified of the type of work being undertaken and advised of the appropriate emergency procedures.

By copy of this letter, the Chief Compliance Officer has advised WHSCC staff of the decision.

Yours truly,

Chief Compliance Officer