

WorkSafe Services

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Services de travail sécuritaire

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September 25, 2009

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated September 11, 2009 requesting a deviation from Section 279(1) of the General Regulation 91-191 under the *Occupational Health and Safety Act* which states:

Section 279(1)(b) An employer shall ensure that welding, cutting, burning or soldering operation is not undertaken on a container or pipe ... containing ... explosive and flammable substances.

The employer indicates the following in the employer's request:

- The employer will be completing one hot tap for the owner requesting the tie in. The employer will be installing a 2" x 16" branch connection. The employer will NDT inspect, weld, install the nipple, observe a 48 hour delay, NDT, weld on FES, Flange and install valve. Then the connection will be drilled out and blinded for tie-in by the owner;
- The very nature of hot tapping work is to leave product flow at full pressure in the pipeline during welding. This is the reason the employer is requesting a deviation from the OHS Regulation. It is also not feasible or environmentally friendly to bleed off and purge out a line of this capacity;
- Hot tapping is an industry acceptable practice. Through the employer's procedures and research and development, the employer has proven it can be done very safely. Last year alone the employer completed 500 hot taps in both pipeline and plant facilities. The employer completed a Hot Tap back in December 2006 for the owner, for which the owner had requested and were granted a deviation.

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

- Crew Qualifications
 - Hot Tap Technician
 - Hot Tap Assistant
 - Certified Welder
 - CGSB UT II Inspector
- Hot Tap Procedures
- Engineering Assessment including API 2201 review.

As a result of the information provided, a deviation from Section 279(1) of Regulation 91-191 under the *Occupational Health & Safety Act* is granted for installing a 2" x 16" branch connection with the following conditions, some of which the employer may have provided for in the employer's procedure:

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.

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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.
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 WorkSafeNB staff of the decision.

Yours truly,

Chief Compliance Officer