

OVERVIEW

TITLE: Notification of Utilities

Part 4, General Conditions
Section 4.18, Notification of utilities

1. WHAT IS THE NATURE OF THE PROBLEM TO BE SOLVED?

The province of BC has an extensive and complex infrastructure of pipes and cables. Section 4.18 of the OHS Regulation currently requires that, if a pipeline, buried electrical cable or other such utility is hit or damaged, the owner of the utility must be notified without delay. While it is generally understood by most stakeholders that they must notify the owner of the underground gas line or electrical power line when it is hit or damaged, such as through excavation work, it is not clear that the obligation for reporting a hit or damage also extends to other underground services, referred to as "other such utilities" in section 4.18. Nor is it clear that the obligation also extends to aboveground utility services, and to utility services above or below the surface of water (whether sea, lake, or river) such as power cables or fibre optic telephone cables.

Utility services include water lines, sanitary sewer lines, storm sewer lines, alarm and signal lines and communication cables (telephone, internet, cablevision, fibreoptic lines and related). Damaging these services can pose a danger to workers. For example: an underground hit could disable a critically important communication line for a chemical facility; and an aboveground hit or underwater hit could immediately disable security, fire control, and electrical power systems for an entire industrial complex. These incidents could negatively impact the safety of workers.

Hits are generally reported primarily to gas and electrical utilities (e.g., Terasen Gas, BC Hydro, Kinder-Morgan, FortisBC, Spectra Energy). BC One Call also receives calls. It is generally acknowledged by the utilities, stakeholders and WorkSafeBC that many hits remain unreported.

2. WHAT IS THE PURPOSE OF THE PROPOSED AMENDMENTS?

The purpose of the proposed amendments is to clarify that the application of section 4.18 is broader than the two underground utilities currently and specifically listed and to specify that other services or utilities are also covered by this section. This broader scope requires a new definition of "utility services", proposed to be included in Part 1 Definitions, and consequential amendments to Part 20 in order to align the language there regarding utility services. Stakeholders will be compelled to notify owners following a hit or damage of utility infrastructure thereby reducing the potential for injury of workers.

3. SOURCE OF REQUEST

BC Common Ground Alliance
Council of Construction Associations
WorkSafeBC Worker and Employer Services Division (Regulatory Practices)

PART 1: DEFINITIONS

1.1 In this Occupational Health and Safety Regulation:

"utility service"

includes a gas or oil pipeline, sanitary sewer line, storm sewer line, water line, electrical cable, telephone line, internet cable, television cable, fibre optic cable and other communication lines or cables;

Explanatory Note:

This proposed amendment was triggered by, and is required in tandem with, the proposed amendment to section 4.18, Notification of Utilities.

The purpose of the proposed amendment to section 4.18 is to clarify that the scope of section 4.18 is broader than the two utility services currently listed and to specify the main types of other utility services affected. But because examples of utility services also occur elsewhere in the Occupational Health and Safety Regulation ("OHSR") (in three sections of Part 20), a comprehensive definition of 'utility services' is therefore proposed for Part 1, Definitions, so that all types of utility services (or subsets of them) do not have to be repeated in each of the relevant sections of the OHSR.

PART 4: GENERAL CONDITIONS

EMERGENCY PREPAREDNESS AND RESPONSE

Notification of utilities utility service providers

4.18 ~~An employer whose work activities result in a hit or damage to a pipeline, buried electrical cable or other such utility must notify the owner of the utility without delay.~~ **If work activities conducted by or on behalf of an employer cause a utility service to be hit or damaged, the employer must notify the owner of the utility service without delay.**

Explanatory Note:

Section 4.18 of the Occupational Health and Safety Regulation currently requires that if a pipeline, buried electrical cable or other such utility service is hit or damaged, the owner of the utility service must be notified without delay. While it is generally understood by most stakeholders that they must notify the owner of an underground gas line or electrical power line when it is hit or damaged via ground disturbance such as excavation work, it is not clear that the obligation for reporting a hit or damage also extends to other underground utility services. Nor is it clear that the obligation also extends to aboveground utility services, and to utility services above or below the surface of water (whether sea, lake, or river) such as power cables or fibre optic telephone cables.

Damaging these utility services can pose a danger to workers. For example: an underground hit could disable a critically important communication line for a chemical facility; and an aboveground hit or underwater hit could immediately disable security, fire control, and electrical power systems for an entire industrial complex. These incidents could negatively impact the safety of workers.

Ground disturbance with a potential for damage to underground utility services could include the following activities: excavation, digging, trenching, plowing, pipe and cable drilling, vertical and horizontal augering, tunneling and boring, ditch shaping, grading, topsoil stripping, land leveling, tree planting, blasting, subsoil aeration, and driving bars, posts or anchors.

Hits on aboveground utility services such as power lines invariably pose higher risks to workers (as opposed to a hit on a buried telephone line) and often seriously damage expensive equipment such as cranes and concrete pumper trucks which come into accidental contact with overhead power cables.

The purpose of the proposed amendments is to clarify that the scope of section 4.18 is broader than the two utility services currently listed and to specify what other utility services are also covered by this section. This broader scope requires a new definition of "utility services", proposed to be included in Part 1, Definitions.

Worker safety will be improved by these amendments as the owner of the utility service, once notified, can respond in a timely fashion to ensure the hit or damage is properly assessed and repaired as necessary. This will ensure there is no further danger to the workers at the incident location or to other persons connected to, or supplied by, the utility service.

PART 20: CONSTRUCTION, EXCAVATION AND DEMOLITION

EXCAVATIONS

- Underground utilities utility services** **20.79**
- (1) Before excavating or drilling with powered tools and equipment, the location of all underground utility services in the area must be accurately determined, and any danger to workers from the **those utility** services must be controlled.
 - (2) Excavation or drilling work in proximity to an underground **utility** service must be undertaken in conformity with the requirements of the owner of the **that utility** service.
 - (3) Pointed tools must not be used to probe for underground gas **pipelines, and electrical services cables, fibre optic cables or other communication lines or cables.**
 - (4) Powered equipment used for excavating must be operated so as to avoid damage to underground utility services or danger to workers.

DEMOLITION

- Disconnecting utility services** **20.113**
- Demolition must not proceed until all electric, gas and other **utility** services which may endanger a worker have been disconnected as **in the manner** required by the owner of the applicable utility **service**.

Explanatory Note:

It is proposed that sections 20.79 and 20.113 of the Occupational Health and Safety Regulation also require minor consequential amendments for consistency, completeness and in order to align their language regarding utility services with that of sections 1.1 and 4.18.

For section 20.113 it was felt that a clarification in the language by adding "*in the manner required*" was necessary in order to emphasize not only that the owner of the utility service might require disconnection but might require it done according to a specific methodology sometimes required under other laws. For example, in the case of a natural gas pipeline, the pipeline downstream from the disconnection must be properly vented in order to discharge any natural gas from it, and this must be done according to the applicable regulations of the *Safety Standards Act*. The same is true for electrical cables. Similarly, a sewer line must be disconnected and properly vented so that sewer gas will not back up into the workplace.