

PART 1: DEFINITIONS

1.1 In this Occupational Health and Safety Regulation:

"utility service" means a petroleum pipeline, sanitary sewer line, water line, steam line, or electrical cable;

Explanatory Note:

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 definition of "utility services" is therefore proposed for Part 1, Definitions, so that the entire list of utility services (or a subset of them) does not have to be repeated in each of the relevant sections of the OHSR.

The three main types of closed-system utility services included are potable water lines, energy lines (petroleum, steam, and electrical power), and sanitary sewer lines. These can be summarized as: Water, Energy, Sewer.

As a result of consultation on the "utility service" definition, "steam line" has been added and "gas and oil" has been changed to, simply, "petroleum" to account for the full range of refined and unrefined petroleum products in both gaseous and liquid states (eg. jet fuel). "Storm sewer line" has been removed from the list since it has been represented that unlike the other utility services listed, storm sewers are open systems, therefore they cannot be breached in the same sense, and there is no significant safety threat to workers from hits or damage to them. They often consist of open ditches or culverts. Similarly, signal/communication lines have been removed from the list as WorkSafeBC has determined that breaches to these lines do not represent an immediate threat to workers in the same way that breaches to the named utility services do.

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 utility services, and regardless of their physical location.

The purpose of the proposed amendment 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 **petroleum** and electrical **utility** services.
 - (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 clarity, 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.