



**WORKERS'
COMPENSATION
BOARD** OF BRITISH
COLUMBIA

Administrative Offices, Prevention Division

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Fax 604 279-7410

November 15, 2002

Mr. Ken Webb
Manager, Corporate Safety & Health
BC Hydro
6911 Southpoint Drive, 12th Floor
Burnaby, BC V3N 4X8



Dear Mr. Webb:

Re: Application Part 19 WCB Regulations

Thank you for your letter dated October 30, 2002, in which you describe in detail the present position of BC Hydro with respect to implementation of lockout in your Generation Stations and retention of tag out/system lock procedures as outlined in your Safety Practices Regulations ("SPR") and Power System Safety Protection ("PSSP") Operating Orders on your Electrical Network.

I have reviewed the background information, the core issue assumptions and the principles you present, and in consultation with staff, conclude that your approach toward the enhancement of overall electrical safety regarding lockout and de-energized power systems is well founded. I am also encouraged by the demonstrated support of both the International Brotherhood of Electrical Workers ("IBEW") Local 258 and the Office and Professional Employees International Union ("OPEIU") Local 378.

The mission of the Workers' Compensation Board of British Columbia ("WCB") Prevention Division – as derived from the Workers' Compensation Act and the Occupational Safety and Health Regulation – is to reduce the incidence of workplace injury and disease. It is incumbent on the employer to identify and evaluate potential safety and health risks and to establish appropriate safeguards for the maintenance of a safe workplace. It is in this context that we can address the approach you are suggesting.

The assumptions and principles that BC Hydro is using for the determination of "practicability" of lockout throughout the power system appear to be reasonable. As you are well aware, the application of such an approach at the field level may on occasion present its own challenges. By this I mean that neither of us can unequivocally guarantee that the principles you have developed will satisfy the requirements of the regulation in every circumstance; however, we encourage BC Hydro to continue to enhance overall safety protection for workers through the application of the principles as described. Please work with our staff as necessary to address specific issues that may arise with regard to compliance with Part 19 of the Occupational Health and Safety Regulation.

Mr. Ken Webb
November 15, 2002

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I understand that an offer has been made by BC Hydro through Regional Manager, Al Johnson, to provide our Prevention Officers with an overview of your lockout program - including the SPR and PSSP. Such an opportunity for selected staff that typically deal with BC Hydro would be worthwhile so they are aware of the program as they encounter it in your various operations throughout the province. I encourage you to pursue this with Mr. Johnson.

Please let me know if we can be of any further assistance. If you wish to meet and discuss this issue in greater detail, please contact Virginia Caldwell, my Executive Administrative Assistant, at (604) 279-7536.

Sincerely,



Roberta Ellis
Vice President
Prevention Division

Copies to Ross Pallett, Director, Prevention Division
 Ray Roch, Assistant Director, Field Operations, Prevention Division
 Al Johnson, Regional Manager, Prevention Division
 John Naylor, Manager, Engineering, Prevention Division
 Don Dahr, Manager, Industry Services, Prevention Division
 Doug McKay, Business Manager, IBEW Local 258
 Doug Hill, Vice President, OPEIU Local 378
 Firm file

Ken K. Webb

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30 October 2002

Roberta Ellis
Vice President
Prevention Division
Workers' Compensation Board of BC
PO Box 5350 Stn Terminal
Vancouver, B.C.
V6B 5L5

Dear Ms. Ellis:

Re: Application Part 19 WCB Reg's

I am writing to request a meeting, if necessary, regarding BC Hydro's need for assurances from the highest level of the WCB that the assumptions and principals (listed below) we are applying are acceptable to the board with respect to the determination of the "practicability" of lockout.

BACKGROUND

As you are aware, BC Hydro is currently implementing a change to personal & group lock out in Generation Stations. It remains BC Hydro's contention that it is not "practicable" to apply personal and group lock out on the Electric Network. In this portion of our Power System we will continue using our tag out / system lock procedures as outlined in the Safety Practices Regulations (*referred to in your Occupational Safety & Health Guidelines 19.16.2(a) as "... The most broadly used written safe work procedures in BC and are acceptable to the board.*), and subsequently detailed in the Power System Safety Protection Operating Orders.

Our request for an assurance was denied in a July 10, 2002 letter from Mr. Al Johnson. In that letter it instructed me to direct further correspondence directly through you.

WCB SUPPORT

Since receiving that letter I have had several meetings with Mr. Johnson. I understand that he has a much more thorough understanding of the issue than he previously had, and advises me that he can now support our request. I have also met with Mr. Don Dahr who has had a long involvement with BC Hydro on these issues and can confirm he is also in support of our request.

WORKER SUPPORT

We have worked closely with our workers on these issues. The International Brotherhood of Electrical Workers, Local 258 and the Office and Professional Employees International Union Local 378 jointly support our request. Representatives from each of these unions are prepared to join our meeting with you to demonstrate their support. In addition, they have previously sent letters of support, which are attached.

CORE ISSUE – OUR ASSUMPTION

Specifically it is BC Hydro's position that Section 19 of the regulation was not intended to limit the determination of "practicability" exclusively to determining, on a device by device basis, the physical ability to apply locks. We have consider the associated risk of having workers using multiple worker protection systems, working with multiple boundary points, operational imperatives such as vast distances, a strong centralized system control, the ability to apply back up protection (safety grounding) and our safety record as factors that can, and do supersede the mere ability to physically apply a lock to a piece of equipment.

Unfortunately there has been some confusion about the exact nature of "truly non-power system equipment" (outlined in Mr. Johnson's letter of July 10 2002) that has now been clarified with Mr. Johnson. To insure that this issue does not further cloud our discussions we have also included it in our principals below.

PRINCIPLES

With respect to our Power System, we are looking to apply a set of principles to establish boundaries between our generation stations where a personal/group lockout system (WPP) will be used, and, our electrical network where tag out /system locks (SPR/PSSP) will be used.

1. All equipment "off the power system" requires personal / group lockout. This requirement is detailed in our BC Hydro Occupational Health & Safety Standard 204. This equipment can be identified by the following characteristics;
 - Belonging to a Customer
 - Identified with an OSH 204 sticker
 - Listed in the Local Operating Order as "off power system"
 - Not shown on One Line Diagrams
2. Within the Power System – Generation Stations are "practicable" to use lock out and details on the application of lock out in generation are contained in the Worker Protection Practices Code (WPP).
3. Within the Power System – the Electric Network is NOT practicable to lock out and will continue to use tag out as outlined in the Safety Practice Regulations and detailed in the Power System Safety Procedures Operating Order.

4. Boundaries between Generation Station and the Electric Network will be established on a station by station basis using the following principals.
 - Fewest number of BC Hydro workers required to use two systems
 - Fewest number of boundaries
5. Boundaries between Generation Stations and the Electric Network will be;
 - Clearly identified
 - Contained in the Local Operating Order
 - Shown on all One Line Diagrams

OUR REQUEST

We are requesting your endorsement of the assumptions and principals that we are using to establish these boundaries. The purpose of this advance endorsement is intended to ensure a uniform approach by your officers should the issue arise.

We continue to be deeply concerned about the time frame to resolve this matter and would appreciate your quick attention and availability for a meeting, should you deem it be necessary for us to obtain this assurance.

Sincerely,



Ken Webb
Manager, Corporate Safety & Health

Copies to: Ross Pallett, Director, Regional Services, WCB
Ray Roch, Acting Assistant Director, Regional Services, WCB
John Naylor, Manager, Engineering, WCB
Don Dahr, Manager, Industry Services, WCB
Al Johnson, Regional Manager Prevention Division, WCB
Brady Prentice, Assistant Business Manager, IBEW Local 258
Doug McKay, Business Manager, IBEW Local 258
Doug Hill, Vice President, OPEIU Local 378
John Berard, Manager Customer Projects & Installations, BC Hydro
John Irvine, Manager Power Facilities, BC Hydro
Larry Haffner, Manager Maintain Assets, BC Hydro



Local 258
INTERNATIONAL
BROTHERHOOD
of
ELECTRICAL
WORKERS
LOCAL-CIO, CLC

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THE UNION OF



File: 807
4444

January 15, 2002

Mr. Ajit Mehat
Director-General
Regulation Development and Policy Bureau
Workers' Compensation Board
P.O. Box 5350, Stn. Terminal
VANCOUVER, B.C. V6B 5L5

Dear Mr. Mehat:

**RE: B.C. Hydro's Request for Policy Concerning
Sections 19.18 in the Occupational Health and
Safety Regulation**

Please be advised that Local 258 of the IBEW has been working with B.C. Hydro on the project to change over the safety system in power generation to a full personal lock-out system. Further, we support the request for a Policy Statement regarding the application of Section 19.18 of the Occupational Health and Safety Regulation.

Should you arrange for a meeting to discuss this matter with B.C. Hydro, we would appreciate being in attendance.

Yours truly,

JOHN E. McGRAW
Business Manager and
Financial Secretary

c.c. Ken Webb
Doug Hill, Vice President, OPEIU

JEM/JP

opeiu 15
bch web ltr

OFFICE & PROFESSIONAL EMPLOYEES'
INTERNATIONAL UNION, Local 378

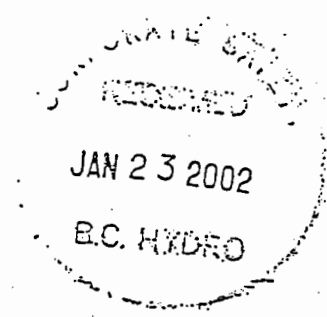


2ND FLOOR, 4595 CANADA WAY, BURNABY, B.C. V5G 4L9 BUS. (604) 299-0378 FAX (604) 299-8211
WEB SITE: www.opeiu.ca

PLEASE REFER TO OUR FILE NO.

17 January 2002

Mr. Ajit Mehat
Director-General
Regulation Development and Policy Bureau
Workers' Compensation Board
P.O. Box 5350, Stn. Terminal
Vancouver, B.C.
V6B 5L5



Dear Mr. Mehat:

BC Hydro is making a request for policy concerning Section 19.18 of the Occupational Health and Safety Regulation. OPEIU Local 378 has been involved along with BC Hydro and IBEW Local 258 in a project pursuing the transition to a full personal lockout system in power generation.

We are in support of Hydro's request for a policy statement on the applicable section/s of the regulations.

The OPEIU feel it important and request that should meeting/s take place regarding this issue, the OPEIU be in attendance.

Yours truly,

Doug Hill
Vice President
OPEIU Local 378



WORKERS' COMPENSATION BOARD

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OF BRITISH
COLUMBIA

INSPECTION REPORT

PREVENTION DIVISION

An employer who fails to comply with the Occupational Health & Safety Regulation or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act.

The Occupational Health Safety Regulation requires that one copy of this report remain posted in a conspicuous place at or near the operation inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.

Orders or directions in this report may be appealed to a Prevention Division Manager within 90 days of their issue. The time may be extended if sufficient grounds are provided.

Report Date	Number	Employee Number	Employer
1999/03/30	1999122480083	12246	BC HYDRO

Order No.	Decision	WCB Reference	OHS 19.18 (3)(a)	Action Due Date
1	A			1999/03/30

THE BOUNDARIES OF THE POWER SYSTEM OR PART ARE NOT ADEQUATELY DEFINED UNDER PSSP OR WHERE SUBCONTRACTORS ARE INVOLVED, WHERE IT IS NOT IMPRACTICABLE TO LOCK OUT PART OF THE POWER SYSTEM UNDER SECTION 10, IN THIS CASE - BOILERS UNDER MAINTENANCE, AND A VARIANCE ALLOWING SOME PORTION OF THIS WORK BUT NOT THE BROAD APPLICATION BEING USED, WAS EXPIRED IN JANUARY 1999.

THIS IS IN CONTRAVENTION OF THE OCCUPATIONAL HEALTH AND SAFETY REGULATION SECTION 19.18(3)(a).

WITHOUT DELAY, THE EMPLOYER SHALL REQUEST A LETTER OF ACCEPTANCE FROM THE DIRECTOR, PREVENTION, IN A MANNER WHICH CLEARLY DEFINES ALL "BOUNDARIES" OF THE SYSTEM IN WHICH HYDRO WISHES TO UTILIZE PSSP EXCLUSIVELY, INCLUDING THE SCOPE OF THE SUBCONTRACTORS WORK AT THIS AND ALL HYDRO INSTALLATIONS, INCLUDING DESCRIPTION OF BOUNDARIES/AREAS WHERE IT MAY BE PRACTICABLE TO USE SECTION 10 LOCKOUT.

THIS WRITTEN REQUEST SHALL BE MADE WITHOUT DELAY.

Employer Representative	FORAN, LYNDA	Officer of the Board
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