

Boilers and Pressure Equipment Regulations

DIRECTIVE

(Issued pursuant to s.30 of the *Technical Safety Act*)

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SUBSECTION: 45 (c)

ISSUED BY: Peter Dodge, P.Eng. Chief Inspector / Manager

SUBJECT: Owners Performing Welding Maintenance on their own Equipment

This directive provides clarification and addresses the exemptions in the **Technical Safety General Regulations** regarding owners performing regulated work on their own equipment that involves welding.

General Regulations;

Exemption from licence or permit for certain maintenance work

- 24 (1)** In this Section, “maintenance” means work performed to replace a sub-component of a regulated product with a like sub-component that does not change the capacity, configuration or design of the product.
- (2)** Despite any requirement for a licence or certificate of competency in any regulations made under the Act, an individual who performs regulated work is exempt from the requirement to obtain a licence or a certificate of competency if all of the following conditions are met:
- (a) the regulated work performed is exclusively maintenance;
 - (b) the individual performing the work is an employee of the owner of the regulated product that the regulated work is performed upon;
 - (c) the individual who performs the work has successfully completed the required training to safely and competently perform that regulated work;

- (d) the chief inspector for the regulated work is satisfied that the training completed under clause (c) is sufficient.
- (4) A chief inspector may issue a directive to provide guidance on what training is sufficient for the purposes of clause (2)(d) or (3)(d). (*This directive applies to 2(d)*)
- (5) If an employee, as an individual who performs regulated work, or an employer, as an owner of a regulated product, relies on a directive issued under subsection (4), the employer must ensure that all of the following are done:
 - (a) a record is made of all training taken by the employee to comply with clause (2)(c) or (3)(c);
 - (b) a record is made of any test taken by an employee;
 - (c) records made under clauses (a) and (b) are kept and are available for auditing for at least 7 years from the date the training or testing was taken by the employee.

From Bill 167 (Technical Safety Act)

Section 12 (1)(c) “all persons involved in regulated work or with regulated products have all the appropriate training and education in relation to the activities involves in the regulated work and the use of a regulated product.”

In summary;

Owners that have welders on staff must ensure they are appropriately trained (qualified in the province) to perform the welding on their regulated products. In order to weld on a regulated product, the company must hold a registered welding procedure with the province AND the welders must have the applicable proficiency testing (welders licence).

The permit process for maintenance does not apply per the exemptions above.