

Fuel Safety Bulletin

2008-02

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Modified/uncertified oil-burning appliances in use

PURPOSE: To provide Fuel Safety Inspectors and Oil Burner Mechanics with a means of applying current installation standards to existing modified/uncertified oil-burning appliance installations.

BACKGROUND:

Clause 4.1.1 of the CSA B139-09 Installation Code for Oil-Burning Equipment states:

Oil-burning equipment shall be certified and shall be installed for its intended purpose.

Similar statements have been in all B-139 codes since the first printing in 1957.

Clause 4.3.5 of the CSA B139-09 Installation Code for Oil-Burning Equipment states:

4.3.5 Replacement

Before installation of any replacement part of an appliance, equipment, a component, or an accessory, the installer shall ensure that the replacement part provides operational characteristics that are at least equivalent to the original part.

Note: *Many parts have been designated non-interchangeable because they affect the appliance's approval.*

Section 10 of the CSA B139-09 Installation Code for Oil-Burning Equipment states:

The site installation of burners, other than those certified for the unit, shall be acceptable to the authority having jurisdiction.

Section 85 of the Fuel Safety Regulations states:

85 (1) A person must not *sell*, install, use, repair, service or maintain an *oil appliance*, supply tank or *equipment*, unless it is *certified*.

In Nova Scotia there are many modified/uncertified oil-fired units (furnaces, boilers, etc.) still in service, since the industry was unregulated prior to 2006 when the CSA B139 code was officially adopted by the Fuel Safety Regulations. This creates a real problem for the burner mechanics when attempting to apply Section 85 of the regulation.

With this in mind, industry have advised us that the following steps must be taken when a technician encounters one of these modified/uncertified appliances. The following must be taken into consideration prior to granting any exemption from Clause 3.1.1 or Section 49.

POLICY: If an identifiable (one with a manufacturers rating plate), modified/uncertified appliance was installed **prior to 2004**, it may be considered for exemption from the certification requirement of Clauses 4.1.1, and Section 85 provided that;

- 1) There is no evidence of improper or unsafe operation
- 2) The chimney is code compliant and inspected
- 3) An acceptable combustion analysis is carried out
- 4) An acceptable heat exchanger leakage test is carried out
- 5) The unit is tested to ensure that all safety features are fully operational
- 6) A certified Oil Burner Installer and Maintenance Mechanic shall provide signed documentation attesting to the results of the testing. This letter will be kept in our files.

NOTE: No further changes/upgrades or modifications will be permitted on these boilers

If you have questions regarding modified/uncertified appliances installed in Nova Scotia, please contact me