Part 5 Confined Spaces

Code of practice

44(1) An employer must have a written code of practice governing the practices and procedures to be followed when workers enter and work in a confined space.

44(2) The code of practice must
(a) take into account and apply the requirements of this Part and of section 169,
(b) be maintained and periodically reviewed, and
(c) identify all existing and potential confined space work locations at a work site.

44(3) A worker involved in any aspect of a confined space entry must comply with the requirements and procedures in the code of practice.

Hazard assessment

45 If a worker will enter a confined space or a restricted space to work, an employer must appoint a competent person to
(a) identify and assess the hazards the worker is likely to be exposed to while in the confined space or restricted space,
(b) specify the type and frequency of inspections and tests necessary to determine the likelihood of worker exposure to any of the identified hazards,
(c) perform the inspections and tests specified,
(d) specify the safety and personal protective equipment required to perform the work, and
(e) identify the personal protective equipment and emergency equipment to be used by a worker who undertakes rescue operations in the event of an accident or other emergency.

Training

46(1) An employer must ensure that a worker assigned duties related to confined space or restricted space entry is trained by a competent person in
(a) recognizing hazards associated with working in confined spaces or restricted spaces, and
(b) performing the worker’s duties in a safe and healthy manner.
46(2) An employer must keep records of the training given under subsection (1).

46(3) An employer must ensure that competence in the following is represented in the workers responding to a confined space or restricted space emergency:
   (a) first aid;
   (b) the use of appropriate emergency response equipment;
   (c) procedures appropriate to the confined space or restricted space.

Entry permit system

47(1) A person must not enter a confined space at a work site without a valid entry permit.

47(2) An employer must establish an entry permit system for a confined space that
   (a) lists the name of each worker who enters the confined space and the reason for their entry,
   (b) gives the location of the confined space,
   (c) specifies the time during which an entry permit is valid,
   (d) takes into account the work being done in the confined space, and
   (e) takes into account the code of practice requirements for entering, being in and leaving a confined space.

47(3) An employer must ensure that, before a worker enters a confined space, an entry permit is properly completed, signed by a competent person and a copy kept readily available.

47(4) Based on a review of similar confined spaces, an employer may issue an entry permit that can be used for a number of similar confined spaces.

Safety and protection — generally

48(1) An employer must ensure that
   (a) if a lifeline is required in a confined space or a restricted space, it is used in a manner that does not create an additional hazard,
   (b) the safety and personal protective equipment required under this Code is available to workers entering a confined space or a restricted space,
   (c) a worker who enters, occupies or leaves a confined space or restricted space uses the safety and personal protective equipment,
(d) the personal protective equipment and emergency equipment required under this Code is available to workers undertaking rescue operations in a confined space or restricted space,
(e) equipment appropriate to the confined space or restricted space, including personal protective equipment, is available to perform a timely rescue, and
(f) a communication system is established that is readily available to workers in a confined space or a restricted space and is appropriate to the hazards.

48(2) An employer must ensure that all personal protective equipment and emergency equipment required for use in a confined space or a restricted space is inspected by a competent person to ensure the equipment is in good working order before workers enter the confined space or the restricted space.

48(3) An employer must ensure that written records of the inspections required by subsection (2) are retained as required by section 58.

Protection — hazardous substances and energy

49(1) An employer must ensure that workers within a confined space are protected against the release of hazardous substances or energy that could harm them.

49(2) An employer must ensure that a worker does not enter a confined space unless adequate precautions are in place to protect a worker from drowning, engulfment or entrapment.

49(3) An employer must ensure that any hazardous energy in a restricted space is controlled in accordance with Part 15.

Unauthorized entry

50 An employer must ensure that persons who are not authorized by the employer to enter a confined space or a restricted space are prevented from entering.

Traffic hazards

51 An employer must ensure that workers in a confined space or a restricted space are protected from hazards created by traffic in the vicinity of the confined space or restricted space.
Testing the atmosphere

52(1) If the hazard assessment identifies a potential atmospheric hazard and a worker is required or authorized by an employer to enter the confined space, the employer must ensure that a competent worker performs a pre-entry atmospheric test of the confined space to
   (a) verify that the oxygen content is between 19.5 percent and 23.0 percent by volume, and
   (b) identify the amount of toxic, flammable or explosive substance that may be present.

52(2) The employer must ensure that the testing required by subsection (1) is performed using calibrated test instruments appropriate for the atmosphere being tested and the instruments are used in accordance with the manufacturer’s specifications.

52(3) The employer must ensure that as often as necessary after the first time a worker enters the confined space, a competent worker
   (a) performs the tests specified in subsection (1), and
   (b) identifies and records any additional hazards.

52(3.1) The employer must ensure that if there is a potential for the atmosphere to change unpredictably after a worker enters the confined space, the atmosphere is continuously monitored in accordance with subsection (2).

52(4) If tests identify additional hazards, the employer must deal with the identified hazards in accordance with this Code.

52(5) The employer must ensure that the procedures and practices put in place under subsection (4) are included in the code of practice.

52(6) The employer must ensure that the results of tests required by this section are recorded.

Ventilation and purging

53(1) If the atmospheric testing under section 52 identifies that a hazardous atmosphere exists or is likely to exist in a confined space, an employer must ensure that the confined space is ventilated, purged or both before a worker enters the confined space.
53(2) If ventilating or purging a confined space is impractical or ineffective in eliminating a hazardous atmosphere, the employer must ensure that a worker who enters the confined space uses personal protective equipment appropriate for the conditions within the confined space.

53(3) If mechanical ventilation is needed to maintain a safe atmosphere in a confined space during the work process, an employer must ensure it is provided and operated as needed.

53(4) If mechanical ventilation is required to maintain a safe atmosphere in the confined space, the employer must ensure that
   (a) the ventilation system incorporates a method of alerting workers to a failure of the system so that workers have sufficient time to safely leave the confined space, and
   (b) all workers within the confined space have received training in the evacuation procedures to be used in the event of a ventilation system failure.

53(5) All workers must evacuate a confined space or use an alternative means of protection if a ventilation system fails.

Inerting

54(1) An employer must ensure that a confined space is inerted if it is not reasonably practicable to eliminate an explosive or flammable atmosphere within the confined space through another means.

54(2) If a confined space is inerted, an employer must ensure that
   (a) every worker entering the confined space is equipped with supplied-air respiratory protection equipment that complies with Part 18,
   (b) all ignition sources are controlled, and
   (c) the atmosphere within the confined space stays inerted while workers are inside.

Emergency response

55(1) An employer must ensure that a worker does not enter or remain in a confined space or a restricted space unless an effective rescue can be carried out.

55(2) A worker must not enter or stay in a confined space or restricted space unless an effective rescue can be carried out.
55(3) An employer must ensure that the emergency response plan includes the emergency procedures to be followed if there is an accident or other emergency, including procedures in place to evacuate the confined space or restricted space immediately
   (a) when an alarm is activated,
   (b) if the concentration of oxygen inside the confined space drops below 19.5 percent by volume or exceeds 23.0 percent by volume, or
   (c) if there is a significant change in the amount of hazardous substances inside the confined space.

Tending worker

56(1) For every confined space or restricted space entry, an employer must designate a competent worker to be in communication with a worker in the confined space or restricted space.

56(2) An employer must ensure that the designated worker under subsection (1) has a suitable system for summoning assistance.

56(3) An employer must ensure that a competent worker trained in the evacuation procedures in the emergency response plan is present outside a confined space, at or near the entrance, if
   (a) the oxygen content of the atmosphere inside the confined space is less than 19.5 percent by volume,
   (b) the oxygen content of the atmosphere inside the confined space is greater than 23.0 percent by volume,
   (c) the concentration of a substance listed in Schedule 1, Table 2 inside the confined space is greater than 50 percent of its occupational exposure limit, or
   (d) a hazard other than one listed in clauses (a), (b) or (c) is identified by the hazard assessment and the hazard cannot be eliminated or effectively controlled.

56(4) An employer must ensure that the tending worker under subsection (3)
   (a) keeps track at all times of the number of workers inside the confined space,
   (b) is in constant communication with the workers inside the confined space, and
   (c) has a suitable system for summoning assistance.

56(5) A tending worker must not leave the area until all workers have left the confined space or another tending worker is in place.
Entry and exit

57 An employer must ensure that a safe means of entry and exit is available to all workers required to work in a confined space or a restricted space and to all rescue personnel attending to the workers.

Retaining records

58 An employer must ensure that all records respecting entry and work in a confined space, including entry permits and testing under this Part, are retained for not less than

(a) one year if no incident or unplanned event occurred during the entry, or

(b) two years if an incident or unplanned event occurred during the entry.