

Prevention Services Division

PO Box 160
Saint John NB E2L 3X9
Phone 506 738-8411
Toll free 1 800 222-9781
Fax 506 738-4099
Web www.whscc.nb.ca

Division des services de prévention

Case postale 160
Saint John NB E2L 3X9
Téléphone 506 738-8411
Sans frais 1 800 222-9781
Télécopieur 506 738-4099
Web www.whscc.nb.ca



April 26, 2004

"The Employer"

This letter will acknowledge the employer's correspondence of April 13, 2004 requesting a deviation from Section 90 of the General Regulation 91-191 (Part 13.1 of the CSA Standard CAN/CSA-Z275.3 M-86 "Occupational Safety Code for Construction Work in Compressed Air").

As the employer is aware, Section 13.1 (Medical Services) of the standard requires that:

The constructor of a tunnel or caisson in which workers work in compressed air shall employ one or more project physicians, who shall be reasonably available to render medical services or advice while any worker is in compressed environment.

The standard also defines Physician (for the purposes of this standard as):

A licensed physician competent in hyperbaric medicine

The employer proposes as an alternative to the CSA Standard that a person trained in hyperbaric medicine be at the site while any employee is working in compressed air, in lieu of a project physician, provided an emergency procedure is established which is to include a requirement to contact a project physician and other hyperbaric medical expertise in case of an emergency. A copy of this procedure is to be filed with the Commission.

After reviewing the employer's request and under authority of subsection 3(3) of the Occupational Health & Safety Act, the Chief Compliance Officer is prepared to grant the deviation to Section 90 of 91-191 (Section 13.1 of CSA Standard CAN/CSA-Z275.3 M-86).

The presence of a medical lock on the project site, as per the requirement 13.6, during the last week of April and first week of May is acknowledged.

The above deviation shall only apply to this particular pressure test, which is scheduled to be performed in May of 2004.

By copy of this letter, the Chief Compliance Officer has advised WHSCC staff of the decision.

If there are any major changes in the procedure, please advise the Chief Compliance Officer.

Yours truly,

Chief Compliance Officer

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