

**WorkSafe Services**

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**Services de travail sécuritaire**

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July 25, 2007

“The Employer”

This is in reply to the employer's fax dated July 23, 2007 requesting a deviation from Section 147 (1) and 148 (1) of the General Regulation 91-191 to allow blasters from the employer's firm who do not possess blasting certificates from the Apprenticeship and Occupational Certification Branch to carry out and supervise perforating blasting operations in the Province of New Brunswick.

Two employees are affected.

In rendering the Chief Compliance Officer's decision, the Chief Compliance Officer has considered the following information:

1. Since the Province of New Brunswick does not provide training and certification in the field of Perforated Blasting, the supervising and operation of blasting operations involving perforating oil wells is outside the scope of a New Brunswick certified blasters field of expertise and therefore obtaining such certification would not be of substantial benefit to the blaster;
2. The affected blaster has current certification (*Oilwell Blasting Permit/ Certificate*) from the Petroleum Industry Training Service (PITS)/Enform.
3. The Petroleum Industry Training Service, which recently combined their operations with the Canadian Petroleum Safety Council (CPSC) to become *Enform*, is designated by the Province of Alberta (through the Alberta Human Resources and Employment Department) as a *Certifying Partner* responsible for assessing the quality of health and safety programs in Alberta, including issuing *Certificates of Recognition* to employers.
4. The Permit/Certificate (which certifies holders to handle, prepare, load and fire oilwell explosives for the purpose of oil and gas well blasting) is accepted (in addition to Alberta Human Resources and Employment) by the following provincial and territorial jurisdictions:
  - a. Workers' Compensation Board of British Columbia
  - b. Manitoba Labour and Immigration
  - c. Northwest Territories Safety and Health Services and
  - d. Yukon Workers' Compensation, Health and Safety Board
5. The employer has provided a copy of the permit/certificate for one employee and a review of the expiry date indicates that this employee has current status to perform blasting operations. This employee's permit expires May 27, 2012.
6. The employer has also provided a copy of the permit/certificate for another employee and a review of the expiry date indicates that this employee has current status to perform blasting operations. This employee's permit expires July 6, 2009.

As a result of the above information, a deviation from Sections 147 (1) and 148 (1) is granted to allow the two employees to carry out and supervise perforating blasting operations until such time as the Oilwell Blasting Permit/Certificate expires or is renewed.

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

Yours truly,

Chief Compliance Officer