



## INSPECTION OFFICER ORDER NO. DJM – 001 – 2024

### IN THE MATTER OF THE CANADIAN ENERGY REGULATOR ACT, AN ORDER UNDER SECTION 109

**Westcoast Energy Inc. (Westcoast)** is a Company conducting work located near Hixon, British Columbia (53.509441, -122.609302).

On or about 18 July 2024 at 9:00am the undersigned Canada Energy Regulator Inspection Officer (IO) conducted a compliance verification activity CV2425-197 at Compressor Station 4B. While reviewing items of compliance related to a boiler inspection work task, inclusive to a multi-point energy isolation with lockout-tagout, and a confined space entry process, the Inspection Officer identified deficiencies in confined space entry safe work processes.

A verbal Order to cease work related to confined space entry at Westcoast Energy Compressor Station 4B was made on 18 July 2024 at 14:20 by the undersigned Canada Energy Regulator Inspection Officer.

#### RELEVANT FACTS

The following are the relevant facts relating to the issuance of this Order:

1. A work task involving entry into a designated confined space, by contracted workers, had been authorized to commence by the applicable Westcoast company representative, prior to assuring that all hazards had been identified, assessed, and or mitigated, in alignment with the relevant confined space hazard assessment.
2. During the inspection, Westcoast was not able to demonstrate that a qualified company representative was available at the job site with suitable training, knowledge, and experience to provide effective oversight of the planned confined space entry work.
3. During the inspection, Westcoast was not able to demonstrate whether a documented company inspection method or audit tool exists for assessing confined space entry work tasks for compliance or completeness to regulatory requirements, or Westcoast company safety policies.
4. The CER Inspection Officer reviewed the available confined space hazard assessment for the two heating boilers at the work site; and, the IO could not determine which legislation, standard, or company policy, the hazard assessment form and its information, was intended to meet, or apply.
5. The CER Inspection Officer asked company representatives for documentation, field guidance, or 'pocket cards' related to the elements of the Enbridge Life Saving Rule on 'Confined Spaces'. Resources on life saving rules were limited only to a single wall-poster.

6. Additionally, the CER IO observed only one company representative (the Operator) was present at the work site during the inspection and was required to safely operate the running compressor station, authorize and oversee a confined space operation, and facilitate a comprehensive regulatory compliance inspection, simultaneously.

7. Westcoast was not able to demonstrate to the satisfaction of the IO, that internal reporting of the event or commencement of an adequate investigation would be conducted, including improvements to confined space entry management, locally or systemically, or that resources could be acquired, including qualified personnel, to allow work to restart safely.

## MEASURES TO BE TAKEN

*Based on the facts referenced herein, where the Inspection Officer has reasonable grounds to believe that there is or is likely to be a contravention of Parts 2 to 5 or section 335 of the CER Act, or for a purpose referred to in subsection 102(2) CER Act, the Inspection Officer may, by Order, direct a person to*

- a. stop doing something that is in contravention of Parts 2 to 5 or section 335 or cause it to be stopped;*
- b. take any measure that is necessary in order to comply with Parts 2 to 5 or section 335 or mitigate the effects of non-compliance;*
- c. stop doing something that may cause a hazard to the safety or security of persons, or damage to property or the environment or cause it to be stopped; or*
- d. take any measure that is necessary to prevent or mitigate the hazard to the safety or security of persons or damage to property or the environment.*

**Westcoast Energy Inc.** is ORDERED pursuant to subsections 109(1) and 109(2) of the CER Act to:

- Take measures specified below under Specified Measures as per paragraphs (b) and (d) above
- Stop doing something as specified below under Specified Measures as per paragraphs (a) and (c) above
- Suspend work associated with a facility, including a regulated facility, abandoned facility or ground disturbance, until the hazardous or detrimental situation has been remedied to the satisfaction of an Inspection Officer or until this order is stayed or rescinded.

## PROVISIONS OF ACT OR REGULATIONS THAT ARE ALLEGED TO BE CONTRAVENED - AND ARE CONTINUING - OR ARE LIKELY TO BE CONTRAVENED

## GENERAL DUTY – REASONABLE CARE

Pursuant to section 94 of the CER Act, the holder of a certificate or permit must take all reasonable care to ensure the safety and security of persons, the safety and security of regulated facilities and abandoned facilities and the protection of property and the environment.

### **SPECIFIED MEASURES**

1. Cease all work related to or inclusive of **confined space entry** work tasks, at Westcoast Energy Inc, Compressor Station 4B.
2. Provide to the Inspection Officer for review, a company process outlining the training, oversight responsibilities, and the competency assurance model, specific to confined space entry work task management, and or the contractor oversight requirements required by but not limited to Westcoast employees, but also those working on behalf of or representing the company.
3. Provide to the Inspection Officer for review, a documented checklist, inspection method, or audit tool for assessing compliance of confined space entry work tasks, that applicable employees, and safe work permit authorizers or receivers can utilize, to verify confined space entry work tasks are prepared and undertaken as required by the relevant regulations, and any company manuals, policies, or standards.
4. Provide to the Inspection Officer for review, an updated hazard assessment, completed by a qualified person(s), for the confined spaces identified in Heat Medium Heaters (Boilers) HX-100040 & HX-100041, at Compressor Station 4B.
5. Conduct an internal investigation identifying findings and corrective actions regarding this event, with a preliminary draft for review and approval, by August 2, 2024, and provide it to the Inspection Officer on or by this date.



### **EFFECTIVE DATE OF THE ORDER**

This Inspection Officer Order takes effect immediately on 18 July 2024 at the time of delivery of this Order to the Company to whom it is directed. Nothing in this Order shall be construed as reducing, increasing, or otherwise affecting what may be required of the Company to whom it is directed to comply with all applicable legislative or legal requirements.

### **COMPLIANCE WITH THIS INSPECTION OFFICER ORDER IS MANDATORY**

Failure to comply with an Inspection Officer Order issued under section 109 of the CER Act is an offence under section 112 of the CER Act.

<b>Inspection Officer</b>	18 July 2024
	<b>Date</b>

		
	<b>IO Designation Number</b>	<b>Signature</b>
	210-517 10 Ave SW, Calgary AB T2R 0A8	

*Please note that:*

1. *In compliance with the CER's Enforcement Policy, this Order will be posted on the CER's website.*
2. *All submissions to the CER in response to the Order are to be provided within the CER Operations Regulatory Compliance Application (ORCA) quoting the associated CVA #, Inspection Officer Order #, and any specific measure with which the submission is associated. In addition, the Company is requested to send a copy of any response provided in the ORCA to the Inspection Officer via email.*