

This consolidation is unofficial and is for reference only. For the official version of the regulations, consult the original documents on file with the [Registry of Regulations](#), or refer to the [Royal Gazette Part II](#).

Regulations are amended frequently. Please check the list of [Regulations by Act](#) to see if there are any recent amendments to these regulations filed with the Registry that are not yet included in this consolidation.

Although every effort has been made to ensure the accuracy of this electronic version, the Registry of Regulations assumes no responsibility for any discrepancies that may have resulted from reformatting.

This electronic version is copyright © 2011, [Province of Nova Scotia](#), all rights reserved. It is for your personal use and may not be copied for the purposes of resale in this or any other form.

---

**Boiler and Pressure Equipment Regulations**  
**made under Section 49 of the**  
***Technical Safety Act***  
**S.N.S. 2008, c. 10**  
**O.I.C. 2011-27 (January 18, 2011, effective April 1, 2011), N.S. Reg. 10/2011**

---

**Table of Contents**

[Interpretation and Application](#)

[Citation](#)

[Definitions](#)

[Regulated products prescribed](#)

[Products exempted from Act and regulations](#)

[Regulated work prescribed](#)

[Prescribed plants \(regulated plants\)](#)

[Recognized certification organizations prescribed](#)

[Registration of Boiler and Pressure Equipment](#)

[Owner ensures registration requirements met before inspected, installed or operated in Province](#)

[Regulated products that require registered designs](#)

[Re-registration of deficient or cancelled design](#)

[Canadian Registration Number required](#)

[Design review for Canadian Registration Number](#)

[Submitting boiler or pressure vessel design for registration](#)

[Submitting pressure piping system design for registration](#)

[Submitting petroleum furnace coil design for registration](#)

[Submitting fitting design for registration](#)

[Registered design of fitting cancelled for faulty fittings](#)

[Expiry and renewal of registered design for fitting](#)

[Cancellation of registered design](#)

[Manufacturing, Fabricating and Installing](#)

[Certification mark, stamping and nameplates](#)

[Inspection openings](#)

[Inspections of regulated product during manufacture and before installation](#)

[Who performs inspections during manufacture and before installation](#)

[Registration of regulated product manufactured outside Canada with NBBI](#)

[Manufacturer's data report for regulated product inspected during manufacture](#)

[Operation, Maintenance and Inspections](#)

Conformance with BPE standards and industry standards

Fittings

Maintenance and inspections

Boilers and pressure vessels of riveted construction

Hobby boilers

Compliance audits

Notice of incident under Section 13 of Act

#### BPE Permits

BPE permit required

Applying for BPE permit

Displaying BPE permit while regulated work done

Expiry and renewal of BPE permit

Notifying BPE chief inspector when regulated work completed

BPE permit non-transferable

Notice of change of location of boiler, boiler system or non-portable pressure vessel

#### Equipment Licences

Equipment licence required

Applying for equipment licence

Displaying equipment licence at location

Expiry and renewal of equipment licence

Equipment licence non-transferable

#### BPE Contractor Licence

BPE contractor licence required

Producing BPE contractor licence on request

Applying for BPE contractor licence

Keeping BPE chief inspector informed of scope of regulated work

Pressure welding procedure

Pressure welding proficiency tests conducted

Pressure welding employer to ensure requirements for pressure welding met

Quality of pressure welding work and welds

BPE contractor licence holder quality program

Expiry and renewal of BPE contractor licence

BPE contractor licence non-transferable

#### Pressure Welding

Pressure welder licence required

Classes of pressure welder licences

Information on welder licence

Producing pressure welder licence on request

Pressure welder proficiency test

Applying for pressure welder proficiency test (pressure plate)

Qualifications for pressure welder proficiency test (pressure plate)

Applying for pressure welder proficiency test (pressure pipe)

Qualifications for pressure welder proficiency test (pressure pipe)

Applying for pressure welder licence

Card with information about pressure welder licence

Welding restricted to named pressure welding employer

Expiry and renewal of pressure welder licence

Pressure welder licence non-transferable

## BPE Certificate of Competency (Inspections)

BPE certificate of competency (inspections) required

Applying for BPE certificate of competency (inspections)

Qualifications for BPE certificate of competency (inspections)

Producing BPE certificate of competency (inspections) when requested

Term of BPE certificate of competency (inspections)

BPE certificate of competency non-transferable

Individual assisting with inspections

## Other Jurisdictions

Recognition of authorization from other jurisdiction

## Offences

Fraudulent use of authorization

Incompetence or gross negligence

---

## Interpretation and Application

### Citation

1 These regulations may be cited as the *Boiler and Pressure Equipment Regulations*.

### Definitions

2 (1) In these regulations,

“Act” means the *Technical Safety Act*;

“ASME” means the American Society of Mechanical Engineers;

“authority having jurisdiction” means a regulatory authority that is responsible for administering and enforcing the Act and these regulations or any statute and regulations governing the design, fabrication, installation, repair and alteration of boilers or pressure equipment within a jurisdiction;

“authorized individual” means an individual who holds a valid commission and endorsement as an authorized inspector issued by the NBBI, but is not an inspector under the Act or these regulations;

“boiler inspector” means an individual who holds either

- (i) a BPE certificate of competency (inspections), or
- (ii) a certification equivalent to that in subclause (i) from the authority having jurisdiction for the jurisdiction where the individual conducts the inspections;

“boiler system” means a boiler and the components of the system for the boiler, including piping, de-aerators, feed water storage tanks and heat exchangers;

“BPE certificate of competency (inspections)” means a certificate of competency granted to an individual under Section 26 of the Act in recognition of the individual’s qualifications to perform the regulated work of conducting inspections as specified on the certificate;

“BPE chief inspector” means the inspector designated as the chief inspector for the purposes of the Act and these regulations;

“BPE contractor licence” means a licence granted to a contractor under Section 23 of the Act that authorizes the contractor to carry out regulated work as specified in the licence;

“BPE fees” means the fees for boiler and pressure equipment services set by the Minister in the *Technical Safety Fees Regulations* made under the Act;

“BPE inspector” means an inspector designated for the purposes of the Act and these regulations;

“BPE permit” means a permit granted to a person under Section 24 of the Act that authorizes the person to perform the regulated work of installing, altering, making an addition to, repairing or constructing a regulated product as specified in the permit;

“BPE standards” means the standards for boilers and pressure equipment established or adopted by the Minister in the *Technical Safety Standards Regulations* made under the Act;

“certified individual” means an individual employed by a manufacturer who is accredited as a “certified individual” by the ASME for the manufacturer;

“component” means a pressure-retaining part of a boiler or of pressure equipment such as a boiler part, pressure vessel part or a fitting;

“CRN” means a Canadian Registration Number as defined in the edition of Canadian Standards Association standard CSA B51, *Boiler, Pressure Vessel and Pressure Piping Code* adopted by the Minister in the *Technical Safety Standards Regulations* made under the Act;

“diameter”, in relation to a regulated product, means the inside diameter of a pressure boundary, unless otherwise stated in the BPE standards;

“equipment licence” means a licence granted to a person under Section 23 of the Act that authorizes the person to use or operate a regulated product as specified in the licence;

“expansible fluid” means either of the following:

- (i) a vapour or gaseous substance,
- (ii) a substance that is a liquid under its current pressure and temperature but

that will change to a gas or vapour when the pressure is reduced to atmospheric pressure;

“fabricate” means to prepare components for regulated products for subassembly, including cutting edge preparation for forming, bending, threading or welding at a shop or field site;

“fabricator” means a person responsible for fabricating a regulated product or a component for a regulated product;

“fitting” means any item, including a component, valve, gauge, regulating and controlling device, flange, pipe fitting or any other appurtenance, that meets all of the following criteria:

- (i) it is not a boiler, pressure vessel, heat exchanger, air receiver, liquid receiver, steam processor, petroleum furnace coil, pressure piping system or refrigeration system,
- (ii) it is part of the pressure boundary,
- (iii) it is attached to or forming part of a boiler or pressure equipment;

“gas” means any of the following:

- (i) natural gas, either before or after processing,
- (ii) a substance recovered from natural gas, crude oil, oil sands or coal for transmission in a gaseous state;
- (iii) a gaseous substance used to inject through a well into an underground formation;

“heating boiler” means a fired steam boiler or a fired high-temperature hot-water boiler;

“manufacture” means to complete the whole or parts of a regulated product;

“manufacturer” means a person responsible for manufacturing a regulated product;

“manufacturer’s data report” means a report prepared and certified by

- (i) a manufacturer on the manufacture of a regulated product, or
- (ii) a fabricator on the fabrication of a regulated product;

“NBBI” means the National Board of Boiler and Pressure Vessel Inspectors of the United States;

“oil refinery” means a plant used for separating, vaporizing, cracking, desalting,

purifying or refining oil or any of its constituents and includes the boilers, pressure vessels or pressure piping systems used at the plant;

“petroleum furnace coil” means a pressurized coil that is exposed to the products of combustion within an insulated enclosure located in a oil refinery or chemical pressure plant;

“power boiler” means a fired or unfired steam boiler;

“pressure” means pressure in kilopascals (kPag) or pounds per square inch (psig) as measured by a pressure gauge directly connected to the equipment that contains the pressurized material the gauge is measuring the pressure of;

“pressure boundary” means the primary boundary separating a high pressure condition from a low pressure or atmospheric pressure condition;

“pressure equipment” means a pressure vessel, fitting, heat exchanger, air receiver, liquid receiver, steam processor, petroleum furnace coil, pressure piping system or refrigeration system;

“pressure piping system” means the pipes, tubes, conduits, fittings, gaskets, bolting and other components making up a system, the sole purpose of which is to convey an expansible fluid under pressure and control the flow of the expansible fluid;

“pressure plant” means a plant with an installation of a boiler, pressure vessel, refrigeration system or compressed gas system that is operated either alone or in combination as a unit by the same owner and management, whether the unit is portable or permanently attached to a solid base, and includes any compressor, piping, appliance or equipment attached [to] or used in connection with the plant;

“pressure vessel” means a vessel or apparatus, other than a boiler, that is or may be used to contain, store, distribute, transfer, distill, process or otherwise handle gas, air or liquid at a pressure of higher than 103 kPag (15 psig) and has the following measurements:

- (i) a diameter of larger than 152 mm (6 in.),
- (ii) a capacity of greater than 42.5 L (1.5 cu. ft.);

“pressure welder” means an individual who holds a pressure welder licence or is deemed to hold a pressure welder licence under Section 52 of the Act;

“pressure welder history log” means a record of a pressure welder’s completed pressure welder proficiency tests and the pressure welder’s continuity;

“pressure welder licence” means a licence granted to an individual under Section 23 of the Act that authorizes the individual to perform the regulated work of pressure welding, including high pressure welding, according to the class of licence and as specified in the licence;

“pressure welding” means pressure welding or brazing performed on a regulated product;

“pressure welding employer” means a manufacturer, fabricator, contractor, installer, welding shop operator or other person who employs a person to perform the regulated work of pressure welding on a regulated product;

“process plant” means a commercial or industrial facility where fluids, gases or solids are processed using pressure and temperature to help generate a manufactured regulated product;

“Provincial designator” means a number added to a CRN by the BPE chief inspector to indicate that the design for which the CRN was issued is a registered design;

“quality program” means a program created by each manufacturer, fabricator, BPE contractor licence holder or BPE certificate of competency (inspections) holder that describes their work processes, established to address, implement and maintain the requirements of the BPE standards required for a regulated product or regulated work;

“registered design” means a design that is registered with the BPE chief inspector in accordance with Section 9;

“regulated plant” means a plant prescribed in Section 6;

“steam processor” means a pressure vessel used to raise the temperature of any material placed inside by using steam at a pressure higher than 103 kPag (15 psig).

- (2) A term defined in Section 3 [2] of the *Technical Safety General Regulations* made under the Act has the same meaning when used in these regulations.

### **Regulated products prescribed**

**3** Except as provided in Section 4, all of the following are prescribed as regulated products under the Act and these regulations:

- (a) boiler systems;
- (b) pressure equipment.

### **Products exempted from Act and regulations**

**4 (1)** All of the following products are exempt under subsection 6(2) of the Act from the Act and these regulations:

- (a) a boiler system or pressure equipment that is subject to the *Canada Shipping Act* (Canada);
- (b) a boiler system or pressure equipment that is subject to requirements made by the federal Department of Transport[, Infrastructure and Communities];

- (c) a boiler that has a maximum output capacity of 150 kW (507 104 BTU/hr) or less and has
  - (i) a steam service with a system safety or relief valve set at a pressure of 103 kPag (15 psig) or lower, or
  - (ii) a hot water service with a system safety or relief valve set at a pressure of 206.7 kPag (30 psig) or lower;
- (d) a boiler system located in a residential building that has 12 dwelling units or fewer;
- (e) a boiler that is fully vented to atmosphere and connected to a hot water heating system in which water is heated and circulated with no intervening stop valves between the boiler and the expansion tank;
- (f) a pressure vessel operated with a system safety or relief valve set at a pressure of 103 kPag (15 psig) or lower;
- (g) a pressure vessel that has a diameter of 610 mm (24 in.) or less and contains both liquid and air, that is used
  - (i) exclusively for hydraulic purposes at atmospheric temperatures, or
  - (ii) as a cushion tank in a water pumping system or an expansion tank in a heating system;
- (h) a refrigeration plant that has a common, connected refrigerant with a maximum output capacity within a 24-hour period of 11 kW (3 tons) or less;
- (i) a pressure vessel that has a diameter of 610 mm (24 in.) or less and is used to store hot water at a temperature of 121 °C (250 °F) or lower;
- (j) a pressure piping system with any of the following types of piping or tubing:
  - (i) piping that is part of a system that is operating at a temperature of 121 °C (250 °F) or lower, and has
    - (A) a steam service with [a] system safety or relief valve set at a pressure of 103 kPag (15 psig) or lower, or
    - (B) a water service with [a] system safety or relief valve set at a pressure of 1103 kPag (160 psig) or lower,
  - (ii) piping or tubing with [a] system safety or relief valve set at a pressure of 690 kPag (100 psig) or lower and a temperature between -29 °C (-20 °F) and 121 °C (250 °F), and the system is used to deliver treated or non-treated domestic water, products for human consumption, glycols, or non-toxic and non-lethal substances that are considered chemically and

- environmentally benign,
- (iii) air piping or tubing that has a system safety or relief valve set at a pressure of 1379 kPag (200 psig) or lower,
  - (iv) piping or tubing that is part of a breathing air system that is modularized, manufactured and has a certification mark of a recognized certification organization,
  - (v) piping or tubing used directly in
    - (A) pneumatically or hydraulically controlled instruments, or
    - (B) steam tracing,
  - (vi) refrigeration piping or tubing of a refrigeration system that has a maximum output capacity of 11 kW or less, or air conditioning used for human comfort,
  - (vii) piping or tubing used for the delivery of fuels directly into a combustion system and subject to the *Fuel Safety Regulations* made under the Act,
  - (viii) piping or tubing in a piping system used for fire suppression that is subject to the *Fire Safety Act*,
  - (ix) piping or tubing used to deliver medical and inert gases,
  - (x) threaded piping of nominal diameter 50 mm (DN50) or 60.33 mm in outside diameter (nominal pipe size 2 in. (NPS 2) or 2.375 in. in outside diameter) or less with a system safety or relief valve set at a pressure of 1034 kPag (150 psig) or lower if it either
    - (A) meets the BPE standards, or
    - (B) is a pressure piping system that meets the requirements of the industry standard for the particular pressure piping system as determined by the BPE chief inspector;
  - (k) a pressure vessel that has a capacity of 42.5 L (1.5 cu. ft.) or less and is included within 1 of the following types or classes:
    - (i) air starting tank,
    - (ii) autoclave,
    - (iii) in-line separator,
    - (iv) steam jacketed kettle,

- (v) steam jacketed sterilizer;
  - (l) a pressure vessel that is an integral part of a rotating or reciprocating mechanical device, such as a pump, compressor, turbine, generator, engine and hydraulic or pneumatic cylinder, and the primary design considerations or stresses of which are derived from the functional requirements of the device;
  - (m) a domestic hot water heater that has a diameter of 762 mm (30 in.) or less and is oil, propane or natural gas fired or uses electrical elements, spargers, jackets or coils as a heat source;
  - (n) a pressure vessel, fitting or pressure piping system at a temperature of 121 °C (250 °F) or lower that is used exclusively for hydraulics.
- (2) A pressure vessel that has a capacity of 42.5 L (1.5 cu. ft.) or less and is of a type or class not listed in clause (1)(k) is exempt from the requirement to have a BPE permit in Section 33 but the design must be registered as a fitting under Section 9.

### **Regulated work prescribed**

**5** All of the following are prescribed as regulated work under the Act and these regulations:

- (a) work performed by a manufacturer in manufacturing a regulated product;
- (b) work performed by a fabricator in fabricating a regulated product;
- (c) work performed by a contractor in installing a regulated product;
- (d) pressure welding for constructing, fabricating, manufacturing, assembling, installing, altering or repairing a regulated product;
- (e) inspecting a regulated product;
- (f) operating a regulated product;
- (g) constructing, manufacturing, fabricating, assembling, installing, altering, making an addition to, maintaining or repairing a regulated product.

### **Prescribed plants (regulated plants)**

**6** All of the following are prescribed as a plant under the Act and these regulations:

- (a) boiler plants, including heating boiler plants and power boiler plants;
- (b) oil refineries;
- (c) pressure plants;
- (d) process plants;
- (e) refrigeration plants.

**Recognized certification organizations prescribed**

- 7** A certification organization recognized or accredited by the Standards Council of Canada is prescribed as a recognized certification organization under the Act and these regulations for the purposes that the certification organization is recognized or accredited by the Standards Council of Canada, including the ASME, CSA and NBBI referred to in these regulations.

**Registration of Boiler and Pressure Equipment****Owner ensures registration requirements met before inspected, installed or operated in Province**

- 8** (1) An owner of a boiler, pressure vessel, fitting or petroleum furnace coil must pay any applicable BPE fees and ensure that it meets all of the following criteria before it is inspected, installed or operated in the Province:
- (a) it has been issued a CRN for its design, drawings and specifications;
  - (b) its design is registered with the BPE chief inspector;
  - (c) it complies with all requirements for its registration or use.
- (2) An owner of a pressure piping system must pay any applicable BPE fees and ensure that it meets all of the following criteria before it is inspected, installed or operated in the Province:
- (a) it has been issued a provincial identification number (PIN) by the BPE chief inspector for its design, drawings and specifications;
  - (b) its design is registered with the BPE chief inspector;
  - (c) it complies with all requirements for its registration or use.

**Regulated products that require registered designs**

- 9** (1) An owner, owner's representative, manufacturer or fabricator must register with the BPE chief inspector all design drawings, specifications and supporting documentation for any of the following regulated products intended to be operated in the Province:
- (a) a boiler;
  - (b) a fitting to be used on a boiler system or pressure equipment;
  - (c) a petroleum furnace coil;
  - (d) a pressure piping system;
  - (e) a pressure vessel.
- (2) A valid registered design may be used to construct any number of the regulated product that it is the registered design for.

- (3) Registering a design for a regulated product under these regulations does not relieve an owner, owner's representative, manufacturer or fabricator of their responsibility to comply with the BPE standards for the design and construction of the regulated product.

#### **Re-registration of deficient or cancelled design**

- 10 A registered design that is later found to be deficient or has been cancelled must be revised by the owner, owner's representative, manufacturer or fabricator to the satisfaction of the BPE chief inspector and re-registered before the design can be used.

#### **Canadian Registration Number required**

- 11 (1) A CRN with the Provincial designator is required for the design, drawings and specifications for any of the following regulated products before it is manufactured, fabricated, inspected, installed or operated in the Province:
  - (a) a boiler;
  - (b) a fitting to be used on a boiler system or pressure equipment;
  - (c) a petroleum furnace coil;
  - (d) a pressure vessel.
- (2) Before beginning to manufacture or fabricate a regulated product that requires a CRN under subsection (1), an owner must ensure that a CRN with the Provincial designator has been issued for the regulated product.
- (3) A regulated product that requires a CRN under subsection (1) must have 1 of the following:
  - (a) an ASME certificate of authorization;
  - (b) a quality program acceptable to the BPE chief inspector for the regulated product and any associated regulated work.

#### **Design review for Canadian Registration Number**

- 12 (1) For the purpose of this Section, "design review" means a review of drawings and specifications that have been submitted for registration under this Section to compare them against the BPE standards, interpret the design methodology and verify compliance with BPE standards.
- (2) A design review for a boiler, pressure vessel, fitting or petroleum furnace coil may be carried out by an organization recognized by the BPE chief inspector.
- (3) An organization who conducts a design review may recommend to the BPE chief inspector that the design be accepted and a CRN with Provincial designator be issued.
- (4) The BPE chief inspector may accept or decline a recommendation from an organization

who conducts a design review.

- (5) Following a design review, if the BPE chief inspector is satisfied that the design, drawings and specifications for a regulated product are acceptable the BPE chief inspector must issue a CRN with the Provincial designator for the regulated product.
- (6) Only the BPE chief inspector may issue a CRN or add a Provincial designator to a CRN in the Province.

### **Submitting boiler or pressure vessel design for registration**

- 13 (1)** An applicant for registration of a design for a boiler or pressure vessel must submit all of the following together with payment of any applicable BPE fees to the BPE chief inspector:
- (a) 2 copies of the drawings and specifications for the design, with a blank space for the registration stamp measuring at least 64 mm x 64 mm (2.5 in. x 2.5 in.) on all printed drawings;
  - (b) for a design that has been issued a CRN from another Canadian jurisdiction, the name of the jurisdiction where it was issued together with copies of all of the following:
    - (i) a declaration by the applicant stating the BPE standard, including the relevant edition and addenda dates, that the design complies with,
    - (ii) all registration information provided in the CRN application in the other jurisdiction and documentation of any revisions made to the design,
    - (iii) any changes to the design from the design submitted for the CRN application in the other jurisdiction;
  - (c) a document, with a title block that identifies the boiler or pressure vessel, that includes all of the following information:
    - (i) the title of the BPE standards, including the relevant edition and addenda dates, that the design for the boiler or pressure vessel complies with,
    - (ii) the maximum design pressure and temperature and the minimum design metal temperature,
    - (iii) the ASME specification number for all materials, or the equivalence number supplied by the manufacturer,
    - (iv) the method used in fabricating the boiler or pressure vessel, including weld joint details,
    - (v) the details of how the components are arranged and the dimensions and fabrication tolerances of all components,
    - (vi) the results of any physical tests conducted to establish the working pressure

- of the boiler or pressure vessel or any part of them,
- (vii) what the boiler or pressure vessel is to be used for,
  - (viii) a listing of the BPE standards for all fittings used to manufacture the boiler or pressure vessel,
  - (ix) all mechanical design calculations, as required by the BPE standards,
  - (x) the name plate or stamping facsimile for the boiler or pressure vessel,
  - (xi) the details of all non-destructive examinations performed on the boiler or pressure vessel,
  - (xii) the details of all heat treatments conducted on the boiler or pressure vessel,
  - (xiii) all design pressures and temperature ranges for all materials to be used by the manufacturer and the corresponding maintenance requirements;
- (d) for a design that has been revised, the manufacturer's name and location, together with all supplementary drawings and approvals for the boiler or pressure vessel.
- (2) All drawings, specifications or information included in an application for registration must be signed by the person responsible for the design to indicate their approval of the drawings, specifications or information.

#### **Submitting pressure piping system design for registration**

- 14 (1)** An applicant for registration of [a] design for a pressure piping system must submit all of the following together with payment of any applicable BPE fees to the BPE chief inspector:
- (a) 2 copies of the drawings and specifications for the design, with a blank space for the registration stamp measuring at least 64 mm x 64 mm (2.5 in. x 2.5 in.) on all drawings;
  - (b) for a design that has been issued a CRN from another Canadian jurisdiction, the name of the jurisdiction where it was issued together with copies of all of the following:
    - (i) a declaration by the applicant stating the BPE standards, including the relevant edition and addenda dates, that the design complies with,
    - (ii) all registration information provided in the CRN application in the other jurisdiction and documentation of any revisions made to the design,
    - (iii) any changes to the design from the design submitted for the CRN application in the other jurisdiction;
  - (c) flow or line diagrams showing the general arrangement of all boilers, pressure vessels, pressure piping systems, fittings and provisions made for expansion and

- anchor points;
  - (d) a list identifying all the pipelines in the system, that shows the maximum operating pressures and temperatures for each part of the system;
  - (e) a list of pressure relief valves used in the pressure piping system, including the pressure settings for the system;
  - (f) material specifications, size, schedule and primary service rating of all pressure pipe fittings;
  - (g) a list of the BPE standards for all fittings used to manufacture the pressure piping system;
  - (h) the method used in fabricating the pressure piping system, including weld joint details or welding symbols;
  - (i) any information the BPE chief inspector considers necessary to review the design and determine if it is acceptable for registration.
- (2) All drawings, specifications or information included in an application for registration must be signed by either the owner of the design or the manufacturer.

#### **Submitting petroleum furnace coil design for registration**

- 15 (1)** An applicant for registration of a design for a petroleum furnace coil must submit all of the following together with payment of any applicable BPE fees to the BPE chief inspector:
- (a) 2 copies of the drawings and specifications for the design, with a blank space for the registration stamp measuring at least 64 mm x 64 mm (2.5 in. x 2.5 in.) on all drawings;
  - (b) for a design that has been issued a CRN from another Canadian jurisdiction, the name of the jurisdiction where it was issued together with copies of all of the following:
    - (i) a declaration by the applicant stating the BPE standards, including the relevant edition and addenda dates, that the design complies with,
    - (ii) all registration information provided in the CRN application in the other jurisdiction and documentation of any revisions made to the design,
    - (iii) any changes to the design from the design submitted for the CRN application in the other jurisdiction;
  - (c) the design calculations and a list of the BPE standards used as the basis for the design of the petroleum furnace coil.
- (2) All submitted drawings, specifications or information included in an application must be

signed by either the owner of the design or the manufacturer.

- (3) The design of a petroleum furnace coil may be submitted for registration as a submission for a pressure piping system.

### **Submitting fitting design for registration**

**16 (1)** An applicant for registration of a design for a fitting must submit all of the following together with payment of any applicable BPE fees to the BPE chief inspector:

- (a) 2 copies of the drawings and specifications for the design, with a blank space for the registration stamp measuring at least 64 mm x 64 mm (2.5 in. x 2.5 in.) on all drawings;
- (b) for a design that has been issued a CRN from another Canadian jurisdiction, the name of the jurisdiction where it was issued together with copies of all of the following:
  - (i) a declaration by the applicant stating the BPE standards, including the relevant edition and addenda dates, that the design complies with,
  - (ii) all registration information provided in the CRN application in the other jurisdiction and documentation of any revisions made to the design,
  - (iii) any changes to the design from the design submitted for the CRN application in the other jurisdiction;
- (c) 2 copies of a statutory declaration by the manufacturer attesting to all of the following:
  - (i) the category of the fitting, according to the categories listed in the edition of the Canadian Standards Association standard CSA B51 *Boiler, Pressure Vessel and Pressure Piping Code* adopted by the Minister in the *Technical Safety Standards Regulations* made under the Act;
  - (ii) a list of the BPE standards used as the basis for the design of the fitting;
- (d) sizes and thickness of material indicated on all design, drawings and specifications for the fitting;
- (e) for all materials used in the fitting, the composition, tensile strength, and compressive strength of all parts that are subject to compression;
- (f) the pressure to which a sample fitting was tested by the manufacturer and the pressure at which a sample fitting ruptured if tested to destruction;
- (g) the maximum allowable working pressure and temperature for the fitting;
- (h) for each type and size of category-related pressure-relieving fitting to be registered, rating sheets with NBBi authorization;

- (i) proof that the applicant has a quality program in place for the fitting being made and any associated regulated work that is acceptable to the BPE chief inspector, as required by clause 11(3)(b).
- (2) All drawings, specifications or information submitted in an application must be signed by either the owner of the design or the manufacturer.
- (3) A design for a fitting submitted for registration must be identified in accordance with a marking system that is acceptable to the BPE chief inspector.
- (4) The BPE chief inspector may require that samples of a fitting whose design is submitted for registration be sent to the BPE chief inspector at the expense of the applicant.
- (5) Any samples of a fitting sent to the BPE chief inspector may be retained by the BPE chief inspector or returned to the applicant at the applicant's expense.

#### **Registered design of fitting cancelled for faulty fittings**

- 17** (1) The BPE chief inspector may test any fittings in a manufacturer's or agent of the manufacturer's stock that have a registered design.
- (2) If testing of fittings made from a registered design shows the fittings to be faulty, the BPE chief inspector may cancel the registration of the design for the fitting.

#### **Expiry and renewal of registered design for fitting**

- 18** (1) A registered design for a fitting is valid for 10 years unless cancelled by the BPE chief inspector or rendered obsolete by a change in these regulations or the BPE standards.
- (2) An application to renew a registered design for a fitting may be made by following the procedure to register a new design for a fitting in Section 16.

#### **Cancellation of registered design**

- 19** (1) The BPE chief inspector may cancel a registered design for a regulated product if a manufacturer is supplying a regulated product that does not comply with all requirements for its registration and use.
- (2) A registered design is deemed to be cancelled and cannot be used to manufacture or fabricate the regulated product if the design does not comply with the applicable BPE standards at the time of manufacturing or fabricating.

### **Manufacturing, Fabricating and Installing**

#### **Certification mark, stamping and nameplates**

- 20** (1) A contractor installing a regulated product, a manufacturer or a fabricator must ensure that a regulated product meets all of the following before it is installed or operated in the Province:
- (a) it is designed, manufactured and constructed to BPE standards;

- (b) it is manufactured and constructed to the requirements of the registered design;
  - (c) it bears a certification mark required by the BPE standards or another stamp acceptable to the BPE chief inspector;
  - (d) it is stamped with its CRN and Provincial designator.
- (2) Certification marks, stamping and nameplates must meet the requirements of the BPE standards.

### **Inspection openings**

- 21** (1) Except as provided in subsection (2), a manufacturer of a boiler or pressure vessel or a contractor installing a boiler or pressure vessel must ensure that there are inspection openings on a boiler or pressure vessel that enable the internal surfaces of the boiler or pressure vessel to be accessed and viewed for inspection.
- (2) A manufacturer or contractor is exempt from subsection (1) if all of the following apply:
- (a) the exemption is permitted by the BPE standards;
  - (b) all criteria in the BPE standards allowing and compensating for the exemption have been met.
- (3) Except as provided in subsection (4) for inspection openings designed and intended for human entry, inspection openings on a boiler or pressure vessel must meet the dimensions and be located on the equipment as set out in the BPE standards.
- (4) Inspection openings that are designed and intended for human entry, such as manways, must be no smaller than the following:
- (a) 406 mm (16 in.) in diameter; or
  - (b) an oval 305 mm x 406 mm (12 in. x 16 in.).

### **Inspections of regulated product during manufacture and before installation**

- 22** (1) A manufacturer must ensure that a regulated product manufactured in the Province or intended to be installed or operated in the Province is inspected during manufacturing as required by the BPE standards and these regulations, and that inspections are performed as required by these regulations.
- (2) The BPE chief inspector may require [that] a regulated product be inspected at any stage of the manufacturing or installation.
- (3) A manufacturer must pay any applicable BPE fees for inspection services required under these regulations during manufacture or before installation.

### **Who performs inspections during manufacture and before installation**

- 23** (1) Inspections of a regulated product manufactured in the Province must be performed by

an authorized individual employed by the Province.

- (2) Before a regulated product that is manufactured in another Canadian jurisdiction and intended to be installed or operated in the Province is brought into the Province, all inspections required for the regulated product must be performed by a boiler inspector in the jurisdiction where the regulated product is being built.
- (3) Before a regulated product that is manufactured in [a] jurisdiction outside Canada and intended to be installed or operated in the Province is brought into the Province, all inspections required for the regulated product must be performed by an authorized individual or another person with authorization from a recognized certification organization.

### **Registration of regulated product manufactured outside Canada with NBBI**

**24** For a regulated product that is manufactured outside Canada, the manufacturer, the fabricator or a contractor installing the regulated product must register the boiler or pressure vessel with the NBBI before it is installed or operated in the Province whenever NBBI provides for the registration of that type of boiler or pressure vessel.

### **Manufacturer's data report for regulated product inspected during manufacture**

- 25** (1) Before a regulated product that is required to be inspected during manufacture under Section 22 is installed or operated in the Province, a manufacturer or a fabricator must file a manufacturer's data report with the BPE chief inspector for the regulated product and ensure that the report is signed by a person required to conduct the inspections in Section 23.
- (2) A manufacturer's data report must be signed and certified by the manufacturer or fabricator, must be in the format described in the manufacturer's or fabricator's quality program for the regulated product in clause 11(3)(b) and must include all of the following information:
- (a) the respective responsibilities for designing and constructing the regulated product for each person involved in designing manufacturing or fabricating it;
  - (b) a description of the regulated product manufactured;
  - (c) except as provided in subsection (3), the name of the owner of the regulated product and the location where the regulated product will be installed and operated.
- (3) A manufacturer or fabricator may omit the owner's name and the location of a regulated product from a manufacture[r]'s data report if the regulated product is not yet sold, but the representative of the manufacturer or fabricator in Province must fill in the information and re-file the report with the BPE chief inspector when the regulated product is sold by the manufacturer, fabricator or the representative.

## **Operation, Maintenance and Inspections**

### **Conformance with BPE standards and industry standards**

**26** (1) Except as provided in subsection (2), an owner of a regulated product or any person

working with or on a regulated product or at a regulated plant must ensure that any regulated work done in respect of the regulated product or regulated plant is in conformance with the BPE standards and these regulations.

- (2) If the BPE chief inspector determines that the BPE standards are not applicable to a pressure piping system used in connection with a boiler, pressure equipment or prescribed plant, the owner of the system or any person performing regulated work with or on the system must ensure that the work is in conformance with the requirements of the industry standard for the pressure piping system as determined by the BPE chief inspector and these regulations.

### **Fittings**

- 27 (1) An owner must ensure that a fitting that provides the direct connection of instrumentation that forms part of a pressure boundary and is an integral part of pressure equipment installed under these regulations is of a type that can be registered with the BPE chief inspector and conforms to the construction and test requirements of the BPE standards.
- (2) An owner must ensure that all fittings attached to a new boiler or pressure vessel or installed in any pressure piping system comply with all requirements for its registration and use.
- (3) An owner must ensure that all fittings on existing installations that are found on inspection to be unsafe are replaced with fittings that comply with all requirements for the installation's registration and use.

### **Maintenance and inspections**

- 28 (1) An owner of a regulated product must keep the regulated product properly maintained and inspected as required in this Section.
- (2) An owner of a boiler with a maximum output capacity of 150 kW (507 104 BTU/hr) or greater at 103 kPag (15 psig) of steam or lower, or operating at a pressure of 206.7 kPag (30 psig) of hot water or lower, must ensure that the boiler is either
  - (a) inspected by a boiler inspector as directed by the BPE chief inspector; or
  - (b) given an acceptable condition report that is completed and signed by an oil burner mechanic or gas technician authorized under the *Fuel Safety Regulations* made under the Act and provided to the BPE chief inspector.
- (3) An owner of a boiler operating at a pressure of 103 kPag (15 psig) of steam or higher, or a pressure of 206.7 kPag (30 psig) of hot water or higher, must ensure that the boiler is inspected by a boiler inspector as directed by the BPE chief inspector.
- (4) The BPE chief inspector may inspect a regulated product whenever the BPE chief inspector considers it necessary.
- (5) An owner of a regulated product is responsible for paying the BPE fees for any inspection conducted under subsection (4).

**Boilers and pressure vessels of riveted construction**

- 29** (1) A contractor who repairs or alters a boiler or pressure vessel of riveted construction must hold a BPE contractor licence.
- (2) Twenty years after a boiler or pressure vessel of riveted construction is installed, the factor of safety required for the boiler or pressure vessel must be increased by at least 0.1 each year regardless of whether it was installed before or after the date these regulations come into force.
- (3) A boiler or pressure vessel of riveted construction that has a diameter larger than 920 mm (36 in.) and that has been relocated must not be operated at a pressure higher than 100 kPag (15 psig).
- (4) A boiler or pressure vessel of riveted construction must not be used if it does not meet the pressure service requirements for the boiler or pressure vessel.

**Hobby boilers**

- 30** (1) In this Section, “hobby boiler” means a boiler used primarily for historical interest, education or public entertainment such as in a museum, fair, exhibition, parade or other form of public display, and includes an antique boiler, locomotive boiler or traction boiler used primarily for those purposes.
- (2) Despite the requirement for a boiler to be inspected by an authorized individual in Section 23, the owner of a hobby boiler is only required to ensure that the hobby boiler is initially inspected by a boiler inspector and in accordance with Section 28.
- (3) An owner of a hobby boiler must ensure that any steam engine or equipment connected to the boiler is in safe working order before and while the boiler is operated.
- (4) Section 29 does not apply to a hobby boiler.

**Compliance audits**

- 31** An owner of a regulated product or a person performing regulated work must make any information requested by a BPE inspector available for review for a compliance audit, including all of the following:
- (a) the quality program for the regulated product or regulated work;
  - (b) records of all action taken under the quality program for the regulated product or regulated work;
  - (c) evidence or records of compliance with all requirements for registration of a regulated product;
  - (d) the pressure welder proficiency test certified test results for any pressure welder who works on a regulated product;
  - (e) any pressure welder history log for any pressure welder who worked on a regulated product.

**Notice of incident under Section 13 of Act**

- 32** The notice of an incident required under Section 13 of the Act involving a regulated product must be given by telephone, fax or e-mail no later than 24 hours after the incident occurred and must be followed by a written report if required by the Administrator or the Administrator's designate.

**BPE Permits****BPE permit required**

- 33 (1)** Except as provided in subsections (2) and (4), a person must obtain a BPE permit to perform any of the following regulated work:
- (a) construct a regulated product;
  - (b) install a regulated product;
  - (c) alter, repair or make additions to a regulated product;
  - (d) change the location of a boiler, boiler system or non-portable pressure vessel.
- (2)** A BPE permit is not required for routine maintenance or overhaul of a component of a pressure system if all of the following conditions are met:
- (a) the routine maintenance or overhaul is included in the BPE contractor licence holder's quality program for the regulated product or regulated work;
  - (b) a quality program for the pressure system has been filed and accepted by the BPE chief inspector as required by subsection 53(1).
- (4)\*** An owner of a regulated product is exempt from the requirement to obtain a BPE permit for the installation of the regulated product if the regulated product meets all of the following criteria:
- (a) it was within the scope of and authorized under the *Steam Boiler and Pressure Vessel Act* and the *Steam Boiler and Pressure Vessel Regulations* made under that Act;
  - (b) it was installed before the date these regulations come into force.
- (3)\*** The BPE chief inspector determines what constitutes routine maintenance or overhaul in subsection (2).

[\*subsection numbering as in original]

**Applying for BPE permit**

- 34 (1)** An application for a BPE permit must be accompanied by payment of the applicable BPE fees and include all of the following:
- (a) a written description of the regulated work to be done;

- (b) the drawings for the regulated work to be done;
  - (c) the particulars of the machinery and components to be used;
  - (d) the applicant's BPE contractor licence number.
- (2) Only a BPE contractor licence holder may be granted a BPE permit.
- (3) Before granting a BPE Permit, the BPE chief inspector must see and approve all of the drawings for the regulated work to be done.
- (4) The BPE chief inspector may impose any terms or conditions on a BPE permit that the BPE chief inspector considers necessary.

### **Displaying BPE permit while regulated work done**

**35** While regulated work is being done, a BPE permit holder must display the BPE permit for the regulated work at the site where it is being done.

### **Expiry and renewal of BPE permit**

- 36** (1) A BPE permit is valid until the expiry date specified on the permit unless it is suspended or revoked earlier by the BPE chief inspector.
- (2) A holder of a BPE permit that has expired or will soon expire may reapply for a BPE permit under Section 34 by submitting their BPE permit number and any information required by that Section as determined by the BPE chief inspector.

### **Notifying BPE chief inspector when regulated work completed**

**37** A BPE permit holder must notify the BPE chief inspector when the regulated work authorized by their BPE permit is completed.

### **BPE permit non-transferable**

**38** A BPE permit is not transferable and may be used only by the BPE contractor licence holder who is granted the permit.

### **Notice of change of location of boiler, boiler system or non-portable pressure vessel**

- 39** (1) An owner or vendor of a boiler, boiler system or non-portable pressure vessel must notify the BPE chief inspector no later than 30 days after the boiler, boiler system or non-portable pressure vessel is removed from the original location if it is relocated
- (a) from within the Province to another location in the Province; or
  - (b) from outside the Province to a location in the Province.
- (2) A notice of relocation required by clause (1)(b) must include the following:
- (a) all design data and manufacturer's data for the regulated product being relocated;
  - (b) 1 of the following:

- (i) an annual inspection record, maintenance, repair, alteration and upset record,
- (ii) an inspection certificate prepared within the 6 months immediately before the regulated product entered the Province that is signed by a boiler inspector employed by the authority having jurisdiction in the jurisdiction where the boiler, boiler system or non portable pressure vessel was originally located, and details [of] all of the following:
  - (A) an internal inspection,
  - (B) [an] external inspection,
  - (C) a pressure test to at least the maximum allowable working pressure.

### **Equipment Licences**

#### **Equipment licence required**

**40** A person must hold an equipment licence to use or operate a boiler, pressure vessel or refrigeration plant, or to cause or permit a boiler, pressure vessel or refrigeration plant to be used or operated.

#### **Applying for equipment licence**

**41** An application for an equipment licence must be accompanied by payment of the applicable BPE fee and include all of the following:

- (a) a written description of the boiler, pressure vessel or refrigeration plant to be operated;
- (b) the location of the boiler, pressure vessel or refrigeration plant to be operated;
- (c) the BPE permit number for fabricating or installing the boiler, pressure vessel or refrigeration plant.

#### **Displaying equipment licence at location**

**42** An equipment licence holder must display the equipment licence with the boiler, pressure vessel or refrigeration plant that the licence authorizes to be operated or at another location approved by the BPE chief inspector.

#### **Expiry and renewal of equipment licence**

- 43** (1) An equipment licence is valid until the expiry date specified on the licence unless it is suspended or revoked earlier by the BPE chief inspector.
- (2) A holder of an equipment licence that has expired or will soon expire may reapply for an equipment licence under Section 41 by submitting their equipment licence number and any information required by that Section as determined by the BPE chief inspector.

#### **Equipment licence non-transferable**

**44** An equipment licence is not transferable and may be used only by the person who is granted

the licence.

### **BPE Contractor Licence**

#### **BPE contractor licence required**

**45** A person must not perform or employ a person to perform any of the following regulated work without a BPE contractor licence:

- (a) work as a manufacturer, fabricator, installer or contractor on a regulated product;
- (b) work to repair or alter a regulated product;
- (c) pressure welding on a regulated product;
- (d) conducting pressure welder proficiency tests;
- (e) work as part of an organization involved in fabricating, installing, repairing or altering a regulated product.

#### **Producing BPE contractor licence on request**

**46 (1)** A holder of a BPE contractor licence must produce their licence for review when requested by a BPE inspector.

- (2) Failing to produce a BPE contractor licence when requested by a BPE inspector is *prima facie* evidence that the person does not hold a BPE contractor licence.

#### **Applying for BPE contractor licence**

**47 (1)** An application for a BPE contractor licence must be accompanied by payment of the BPE fees and include a quality program in Section 53 acceptable to the BPE chief inspector for any regulated product or any regulated work to be carried out.

- (2) The BPE chief inspector may impose any terms or conditions on a BPE contractor licence that the BPE chief inspector considers necessary.

#### **Keeping BPE chief inspector informed of scope of regulated work**

**48** A BPE contractor licence holder must keep the BPE chief inspector informed of the scope of the regulated work being carried out under their licence.

#### **Pressure welding procedure**

**49 (1)** A pressure welding employer must ensure that a pressure welding procedure that meets the requirements in this Section is in place.

- (2) A pressure welding procedure must be prepared, tested and certified in accordance with the BPE standards and registered with the BPE chief inspector.

- (3) A pressure welding procedure that is prepared within the Province must be approved by the BPE chief inspector.

- (4) A pressure welding procedure that is prepared outside the Province must be approved

by the authority having jurisdiction for that jurisdiction and a record of the approval must be submitted to the BPE chief inspector.

#### **Pressure welding proficiency tests conducted**

- 50 (1)** A pressure welding employer must conduct a pressure welding proficiency test of each individual who is to be employed by them to perform pressure welding, using an approved pressure welding procedure and in the presence of a BPE inspector.
- (2) A pressure welding employer must keep records of the data from completed pressure welder proficiency tests and have it available to be inspected if requested by a BPE inspector.

#### **Pressure welding employer to ensure requirements for pressure welding met**

- 51 (1)** Only a BPE contractor licence holder can be a pressure welding employer.
- (2) A pressure welding employer must ensure that an employee does not perform pressure welding for them unless all of the following are met:
- (a) the employee holds a pressure welder licence that authorizes the regulated work;
  - (b) the employer is the employer named on the welder's pressure welder licence.
- (3) A pressure welding employer must not permit pressure welding to be done on any regulated product unless the requirements for pressure welding in Sections 56 to 69 are met.

#### **Quality of pressure welding work and welds**

- 52 (1)** The BPE inspector may require a non-destructive examination of any pressure weld or pressure welder's work that the BPE inspector considers to be of questionable quality.
- (2) A BPE contractor licence holder must ensure that a defective weld identified by a non-destructive examination is repaired and its quality verified by further non-destructive examination until a BPE inspector is satisfied with the quality of the weld.

#### **BPE contractor licence holder quality program**

- 53 (1)** A BPE contractor licence holder must file with the BPE chief inspector a quality program for any regulated products or regulated work to be carried out and have it accepted by the BPE chief inspector.
- (2) A BPE contractor licence holder must implement a quality program accepted under subsection (1) to the satisfaction of the BPE chief inspector.
- (3) A BPE contractor licence holder quality program must include a written manual in which all action taken under the program is recorded.
- (4) A pressure welding employer must include a method for tracking a pressure welder's history in their quality program under subsection (1).
- (5) To meet the requirement in subsection (4), a pressure welding employer may create and

maintain a pressure welder history log for each pressure welder in their employ to ensure the pressure welder's continuity and that a pressure welder undergoes a pressure welder proficiency test as required by Section 50.

#### **Expiry and renewal of BPE contractor licence**

- 54 (1)** A BPE contractor licence is valid until the expiry date provided on the licence unless it is suspended or revoked earlier by the BPE chief inspector.
- (2)** A holder of a BPE contractor licence that has expired or will soon expire may reapply for a BPE contractor licence under Section 47 by submitting their BPE contractor licence number and any information required by that Section as determined by the BPE chief inspector.

#### **BPE contractor licence non-transferable**

- 55** A BPE contractor licence is not transferable and may be used only by the person who is granted the licence.

### **Pressure Welding**

#### **Pressure welder licence required**

- 56 (1)** A person must hold a pressure welder licence in the appropriate class to weld on any regulated product except if
- (a) they are deemed to hold a licence under Section 52 of the Act; or
  - (b) they are exempted under subsection (2).
- (2)** An individual who works exclusively as a welding operator on fully automatic equipment is exempt from the requirement to have a pressure welder licence in subsection (1).

#### **Classes of pressure welder licences**

**57** The 2 classes of pressure welder licences are as follows:

- (a) pressure welder (pressure plate) licence;
- (b) pressure welder (pressure piping) licence.

#### **Information on welder licence**

**58** A pressure welder licence must specify all of the following:

- (a) the class of the licence;
- (b) the scope of the work authorized by the licence, including the welding methods, processes, positions and thickness ranges;
- (c) the name of the pressure welding employer the licensee is authorized to perform pressure welding for;

- (d) any terms or conditions for the licence.

### **Producing pressure welder licence on request**

- 59 (1)** A person conducting the work of a pressure welder must produce their pressure welder licence for review when requested by a BPE Inspector.
- (2) Failing to produce a pressure welder licence that names the pressure welding employer and is of the correct class and scope of work for the work being conducting is *prima facie* evidence that the person does not hold the correct pressure welder licence for the work.

### **Pressure welder proficiency test**

- 60 (1)** Except as provided in subsection 65(3), an applicant for a pressure welder licence must successfully complete a pressure welder proficiency test for the class and in all welding methods, processes, positions and thickness ranges to be included in the scope of practice of the licence they are applying for.
- (2) A pressure welding employer must ensure that all of the following are done when conducting a pressure welder proficiency test for an applicant for a pressure welder licence:
- (a) the results are recorded on the application in a format set by the BPE chief inspector;
  - (b) the test is conducted before establishing a pressure welder history log for the applicant;
  - (c) the test is witnessed and the results approved by a BPE inspector;
  - (d) the test is completed in accordance with the pressure welding procedure registered to the pressure welding employer under subsection 49(2);
  - (e) the test is completed in accordance with the BPE standards and the welding methods, processes, positions and thickness ranges are within those required for the regulated work that the pressure welding employer is authorized to perform.
- (3) A BPE inspector may require a pressure welder to retake a pressure welder proficiency test if the BPE inspector questions the quality of the pressure welder's work.

### **Applying for pressure welder proficiency test (pressure plate)**

- 61** An applicant for a pressure welder proficiency test leading to a pressure welder (pressure plate) licence must pay the applicable BPE fees and provide proof satisfactory to the BPE chief inspector that they meet the qualifications in Section 62.

### **Qualifications for pressure welder proficiency test (pressure plate)**

- 62** An applicant for a pressure welder proficiency test leading to a pressure welder (pressure plate) licence must be employed by a pressure welding employer who holds a BPE contractor licence and must meet 1 of the following practical and educational qualifications:
- (a) hold a journeyman status in welding or an Interprovincial Standards (Red Seal)

Program certificate of qualification in welding issued by the Canadian Council of Directors of Apprenticeship;

- (b) have successfully completed [completed] a welding diploma program recognized by the BPE chief inspector;
- (c) have completed at least 1 year of practical experience in welding;
- (d) have been issued a welding qualification by a recognized certification organization for welding testing or an authority having jurisdiction for all of the welding methods, processes, positions and thickness ranges they are applying to be tested on.

#### **Applying for pressure welder proficiency test (pressure pipe)**

**63** An applicant for a pressure welder proficiency test leading to a pressure welder (pressure pipe) licence must pay the applicable BPE fees and provide proof satisfactory to the BPE chief inspector that they meet the qualifications in Section 64.

#### **Qualifications for pressure welder proficiency test (pressure pipe)**

**64** An applicant for a pressure welder proficiency test leading to a pressure welder (pressure pipe) licence must be employed by a pressure welding employer who holds a BPE contractor licence and must meet the following qualifications:

- (a) have successfully completed a preliminary welder proficiency test conducted by a BPE inspector;
- (b) 1 of the following practical and educational qualifications:
  - (i) hold a journeyman status in welding or an Interprovincial Standards (Red Seal) Program certificate of qualification in welding issued by the Canadian Council of Directors of Apprenticeship,
  - (ii) have successfully completed a pressure pipe welding course recognized by a recognized certification organization,
  - (iii) have completed at least 2 years of practical experience in welding that includes open root welding,
  - (iv) have been issued a pressure pipe welding qualification by a recognized certification organization for welding testing or an authority having jurisdiction, for all the welding methods, processes, positions and thickness ranges they are applying to be tested on.

#### **Applying for pressure welder licence**

**65 (1)** A BPE contractor may apply to the BPE chief inspector on behalf of an employee for a pressure welder licence for the employee.

- (2) An application for a pressure welder licence for an individual must include the applicable BPE fees and all of the following:

- (a) except as provided in subsection (3), proof that the individual has successfully completed a pressure welder proficiency test under these regulations for the class and in all welding methods, processes, positions and thickness ranges to be included in the scope of the pressure welder licence applied for;
  - (b) the name of the individual's pressure welding employer and the employer's BPE contractor licence number.
- (3) An individual who is a qualified welder, brazer or welding operator under the *Steam Boiler and Pressure Vessel Act* and the *Steam Boiler and Pressure Vessel Regulations* on the date these regulations come into force is exempt from the requirement to take a pressure welder proficiency test under Section 60 to apply for a pressure welder licence if their application includes all of the following in addition to subsection (2):
- (a) the individual's existing qualification;
  - (b) evidence satisfactory to the BPE chief inspector that the individual has experience equal to that required for a pressure welder proficiency test in the class and in all welding methods and processes and for each position and thickness range to be included in the scope of the pressure welder licence applied for.

#### **Card with information about pressure welder licence**

- 66** The BPE chief inspector must provide a pressure welding employer named on a pressure welder's licence with a card that has information about the pressure welder licence so that the employer can make a copy of the card before giving the card to the pressure welder.

#### **Welding restricted to named pressure welding employer**

- 67** (1) A pressure welder must not perform pressure welding for an employer other than the pressure welding employer named on their pressure welder licence.
- (2) If a pressure welder wants to change the employer named on their pressure welder licence, the BPE contractor licence holder who is the new employer must apply to the BPE chief inspector on behalf of the pressure welder for the change.
- (3) A BPE contractor licence holder applying under subsection (2) must state the welding methods and processes, positions and thickness ranges required for the regulated work that their business is authorized to perform.

#### **Expiry and renewal of pressure welder licence**

- 68** (1) A pressure welder licence is valid until the expiry date specified on the licence unless it is suspended or revoked earlier by the BPE chief inspector.
- (2) A BPE contractor licence holder may apply under Section 65 to renew an employee's pressure welder licence.

#### **Pressure welder licence non-transferable**

- 69** A pressure welder licence is not transferable and may be used only by the person who is granted the licence.

## **BPE Certificate of Competency (Inspections)**

### **BPE certificate of competency (inspections) required**

**70** An individual must hold a BPE certificate of competency (inspections) to be a boiler inspector and perform the regulated work of inspections for certification of boilers, pressure vessels or pressure piping systems.

### **Applying for BPE certificate of competency (inspections)**

**71** An applicant for a BPE certificate of competency (inspections) must submit payment of any applicable BPE fees together with proof satisfactory to the BPE chief inspector of all of the following to the BPE chief inspector:

- (a) that the applicant meets the qualifications in Section 72;
- (b) that the applicant has sufficient education and experience with pressure equipment.

### **Qualifications for BPE certificate of competency (inspections)**

**72** An applicant for a BPE certificate of competency must meet all of the following qualifications:

- (a) they must be employed by 1 of the following:
  - (i) the Province or a recognized authority having jurisdiction in a jurisdiction outside the Province,
  - (ii) an insurance company that provides insurance coverage for boilers,
  - (iii) an owner or user of a regulated product who has implemented a quality program that is registered with the Province;
- (b) they must meet 1 of the following experience requirements:
  - (i) they hold a [an] NBBI commission or a [an] API 510 certification through the American Petroleum Institute (API) that was issued in the 5 years immediately before their application,
  - (ii) they have passed either the NBBI commission exam or the API 510 certification process in the 5 years immediately before their application,
  - (iii) they have been recognized as a boiler standards safety officer by an authority having jurisdiction in a jurisdiction outside the Province in the 5 years immediately before their application.

### **Producing BPE certificate of competency (inspections) when requested**

**73 (1)** A BPE certificate of competency (inspections) holder must produce their certificate of competency for review when requested by a BPE inspector.

- (2) Failing to produce a BPE certificate of competency (inspections) when requested is *prima facie* evidence that the person does not hold a BPE certificate of competency

(inspections).

### **Term of BPE certificate of competency (inspections)**

- 74 (1)** A BPE certificate of competency (inspections) is valid unless suspended or revoked by the BPE chief inspector.
- (2)** The BPE chief inspector may refuse to grant a BPE certificate of competency (inspections) if it would be contrary to the Act, these regulations, the BPE standards, or a term or condition of the certificate of competency.
- (3)** The BPE chief inspector may suspend or revoke a BPE certificate of competency (inspections) if the holder acts contrary to the Act, these regulations, the BPE standards, or a term or condition of the certificate of competency

### **BPE certificate of competency non-transferable**

- 75** A BPE certificate of competency (inspections) is not transferable and may be used only by the individual who is granted the certificate of competency.

### **Individual assisting with inspections**

- 76 (1)** To be assisted in their inspections by an individual, a BPE certificate of competency (inspections) holder must file with the BPE chief inspector a quality program for individuals assisting in the performing of the regulated work of conducting inspections and have it accepted by the BPE chief inspector.
- (2)** A BPE certificate of competency (inspections) holder must implement a quality program accepted under subsection (1) to the satisfaction of the BPE chief inspector.
- (3)** A BPE certificate of competency (inspections) holder being assisted in their inspections by an individual must ensure that subsections (1) and (2) are complied with and that all of the following conditions are met:
- (a)** the BPE certificate of competency (inspections) holder is directly involved in the inspection;
  - (b)** a BPE certificate of competency (inspections) holder is present at the site of the inspection;
  - (c)** the individual assisting in inspections is trained in conducting inspections.

## **Other Jurisdictions**

### **Recognition of authorization from other jurisdiction**

- 77 (1)** An individual who holds an authorization to perform regulated work from an authority having jurisdiction in a jurisdiction outside the Province or from a recognized certification organization may apply to the BPE chief inspector for an equivalent authorization under the Act and these regulations.
- (2)** An individual described in subsection (1) may be granted an equivalent authorization under the Act and these regulations if the individual pays the applicable BPE fee and submits all of the following to the BPE chief inspector:

- (a) a valid authorization from the other jurisdiction;
- (b) proof satisfactory to the BPE chief inspector that the individual meets the following requirements:
  - (i) they have experience and qualifications equivalent to the requirements under the Act and these regulations for the authorization the individual is applying for,
  - (ii) if the licence applied for is a pressure welder licence, they have successfully completed the pressure welder proficiency test in the class and in the welding methods and procedures and for each position and thickness range to be included in the scope of work of the pressure welder licence.

## **Offences**

### **Fraudulent use of authorization**

**78** A person must not make fraudulent use of a certificate of competency, licence or permit under these regulations.

### **Incompetence or gross negligence**

**79** A person who holds a certificate of competency, licence or permit under these regulations must not act incompetently or with gross negligence when acting under the authority of their certificate of competency, licence or permit.

---

Last updated: 01-04-2011