NOVA SCOTIA

Labour and
Workforce Development

Consultation Paper

Proposed amendments to the
Steam Boiler And Pressure Vessel Regulations
under the *Steam Boiler and Pressure Vessel Act*

to create the new
Boiler and Pressure Equipment Regulations
under the ***Technical Safety Act***

July 2008

Rev. 07/22

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I Introduction

Background

Industry sectors have told us that there is need to address existing technical safety legislation in light of advanced technology, and modern standards and industrial practices. It became clear to the Department that in order to sustain and improve the Province's level of technical safety, while at the same time responding to innovation and modernization, changes had to be made. The Department responded to industry's concerns by committing to a comprehensive review of technical safety legislation in Nova Scotia.

The focus of the review is on a modernized framework and how it may be streamlined to reflect technological change, improve consistency, and meet the needs of a changing economy now and in the future, while ensuring that minimum regulated safety standards are achieved. The intention is to develop a flexible, risk-managed, and results-based legislative framework, which provides for clear responsibilities and accountability.

The Minister's stakeholder Advisory Group on Technical Safety made 19 recommendations to the Minister for a modernized technical safety framework. In particular, the Advisory Group recommended that the following Acts be consolidated into one Act for technical safety: *Amusement Devices Safety Act*; *Crane Operators and Power Engineers Act; Electrical Installation and Inspection Act; Elevators and Lifts Act; Steam Boiler and Pressure Vessel Act.* The creation of the new Act would initially consolidate the *Steam Boiler and Pressure Vessel Act* and the *Crane Operators and Power Engineers Act*: and complement -- but not replace -- the other above-named Acts until future phases of the review. As well, the Advisory Group recommended that the consolidated Act become the enabling legislation for the *Fuel Safety Regulations* (which are currently under the *Fire Safety Act*). The fuel safety discipline, being technical in nature, has a more appropriate fit under the proposed new Act.

The new *Technical Safety Act* was passed during the Spring 2008 session of the House of Assembly and will receive proclamation (take effect) once new regulations for steam boilers and pressure equipment, crane operators, power engineers, and fuel safety are made under the new Act.

Meaningful consultation with stakeholders will take place throughout the entire regulatory review process. Most of the changes to the regulations are to align with the new Act; however, the *Steam Boiler and Pressure Vessel Regulations* will require a more detailed review, as it has become outdated.

The Technical Safety Review Project is part of the Competitiveness and Compliance Initiative: a program to improve the Department's regulatory systems, and to achieve better compliance.

Current Situation

Over the past several years, the Boiler and Pressure Vessel Section of the Public Safety Division has attempted to rewrite its regulations concerning the design, construction, testing, certification, repair, alteration, modification and inspection of pressure equipment installed and operated in Nova Scotia. The current *Steam Boiler and Pressure Vessel Act* was first enacted in 1958 and has not been updated since. As such, the current Act does not serve the intent of the technical safety policies enforced in this Province.

As a result of the introduction of the new *Technical Safety Act*, a complete re-write of the current regulation is required to complement the pending repeal of the outdated *Steam Boiler and Pressure Vessel Act*. The proposed new ***Boiler and Pressure Equipment Regulations*** largely reflects what is currently practiced by industry, and encouraged by the inspectorate, in the field. Under the new *Technical Safety Act*, the inspectors will have the power and authority to enforce these practices.

The proposed changes to the current regulation that will be reflected in the new *Boiler and Pressure Equipment Regulations* are summarized in Part III of this paper. Draft regulations are provided in Part IV. Part III discusses the significant proposed changes to the new regulations and describes why the changes were needed. Some highlights include:

- *Removing the exemption of pressure vessels containing flammable liquids and gases*
- *Including low pressure boilers*
- *Defining the scope of pressure piping systems included under the regulations*
- *Adopting Codes and Standards*
- *Establishing the requirement of design registrations*
- *Licensing manufacturers, contractors, and pressure welders/welding operators*
- *Establishing a system that shows proficiency and competency of an individual prior to licensing*
- *Adding an inspection and responsibility component for historical and hobby equipment.*

The Department is aiming to implement the new *Boiler and Pressure Equipment Regulations* by early 2009.

II Submissions

The purpose of this consultation paper is to invite you to comment on the proposed changes to the current regulation, as outlined in Part III and detailed in Part IV. Your response is valuable to us. Please provide your feedback **in writing** to the Department of Labour and Workforce Development by **4:30 p.m. on September 19, 2008.**

When providing your feedback on a proposed change to the regulation as listed in Part III, please quote the item number and the title of the item. For example, if providing feedback on the licensing of welders, please quote "5(b) – licensing of welders". When providing feedback on a specific provision of the draft regulations in Part IV, please quote the section number. For example, if providing feedback on the draft definition of pressure welder, quote "2(am)".

Submissions should be forwarded to:

Mail / Hand-delivery:
Boiler and Pressure Equipment Regulations
c/o Lia Thibault
Department of Labour and Workforce Development
5151 Terminal Road, 5th Floor
P.O. Box 697
Halifax, Nova Scotia B3J 2T8

Fax: (902) 424-0575

E-mail: policy@gov.ns.ca (please include the title of the regulation in the subject line of your e-mail)

Any questions you may have in relation to the proposed changes may be directed to:

Peter Dodge
Chief Inspector- Boilers and Pressure Vessels
Public Safety Division
Department of Labour and Workforce Development
5151 Terminal Road,
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III Proposed Amendments to the Regulations

The proposed changes to the *Steam Boiler and Pressure Vessel Regulations* and the creation of new regulations, aim to achieve the following:

- reflect what is actually practiced
- formalize practices for enforcement
- adopt the latest versions of standards or codes used in the industry
- amend / add definition to achieve greater clarity on the intent of the regulations
- increase flexibility, by reducing or removing unnecessary requirements.

The proposed changes to the regulations are described in more detail below:

1. *Application*

a) *Pressure vessels containing flammable liquids and gases are no longer exempt.*

This change was brought about to allow for the inspection of equipment that is not regulated under the *Fire Safety Act* or the *Fuel Safety Regulations*. Facilities in the Province operating such equipment do not implement an Owner-User Inspection Program recognized by the National Board of Boiler and Pressure Vessel Inspectors. As well, the licensing authorities for these facilities were not inspecting the equipment, but relying on agreements with the Department to do the inspections on their behalf. By bringing this type of equipment under the regulation, inspection and maintenance requirements can now be enforced. This will allow the Province to claim that it is no longer the only jurisdiction in North America that does not regulate high-pressure equipment in its refineries and gas facilities.

b) *Low Pressure Boilers (LPBs) have been added to the scope of the regulation.*

The Department has never inspected LPBs. Adding this requirement will at least ensure proper installation and care of boilers in almost every type of occupancy. The new regulation will apply to equipment installed in a residential occupancy of 5 units or more (as defined by the *National Building Code*). This will allow the Province to claim that it is no longer the only jurisdiction in Canada that does not regulate low-pressure boilers in its occupancies. There is further discussion regarding LPBs in Item 4 below.

c) *The scope of piping systems will be clarified.*

There has been a lot of confusion over what piping systems the Department is permitted to regulate. In the current Act and regulations there is no adoption of piping codes. The new regulations will adopt several piping codes, but exclude certain systems and services.

2. *Adoption of Codes and Standards*

Codes and standards will be adopted by regulation.

Many codes and standards, or parts thereof, will be adopted to allow for enforcement of their requirements by the Department. The codes and standards being adopted are nationally recognized and well-known in industry. Currently, our inspectors have only the power to *recommend* compliance with these documents. The adoption of codes and standards will appear as a separate regulation and will be made mandatory through Ministerial Order. In other words, under the new *Technical Safety Act*, the Minister has the power to make regulations by adopting codes and standards.

3. *Equipment design reviews and registration*

The process for equipment design reviews and registration will be formalized.

Currently, the Province requires equipment design reviews and acceptance by the Chief Inspector. Since the current regulations do not adopt CSA Standard CSA-B51 *Boiler, Pressure Vessel and Pressure Piping Code*, the assignment of Canadian Registration Numbers (CRNs) has been applied to maintain consistency with the other jurisdictions in Canada. The new regulation will require the assignment of a CRN using the CSA-B51 system, will set out what is required for the process, and to what equipment the CRN will apply.

4. *Inspection Requirements*

The responsibility for equipment maintenance and inspection will be placed on the equipment owner. A license to operate will be required.

Regular inspections of low pressure boilers within a certain capacity and operating pressure will be required. The inspections may be conducted by one of the Province's Boiler Inspectors; another inspector with credentials recognized by the Province, or a certified burner/gas technician. The authority to enforce the requirements of the regulations remains with the Department, as a condition of allowing a third-party to complete the inspection and report to the Department.

As well, a license to operate will be required for boilers and pressure vessels and will be inspected according to a frequency currently established and practiced by the Department's inspectors. The license will essentially replace the current "Certificate of Inspection". In this regard, the transition to a license to operate is expected to be seamless.

5. Licensing of Contractors and Welders

a) *Contractors and manufacturers will require a license to perform welding on pressure components.*

Companies or owners that manufacture, install, repair or modify pressure equipment in the Province will be required to implement a Quality Control (QC) program that addresses all of the elements of the construction codes that are required to be met. As a condition of maintaining a license, the Department, at a frequency determined by the Chief Inspector, must audit the QC program for continued compliance. Additionally, the contractor must have a qualified and registered welding procedure(s) implemented in accordance with the adopted codes and standards; and use only licensed pressure welders.

b) *Pressure welders/operators must be licensed in order to perform welding on pressure equipment.*

The concept of qualifying a welder to perform welding is not new. Nova Scotia has a system in place that meets the requirements of the codes and standards applicable to welding on pressure equipment. Essentially this system will remain in effect, except the term 'qualified' will be replaced with 'licensed' in the new regulation.

Currently, anyone who can pass a basic practical test can weld on pressure equipment. However, to ensure safety, the proposed new regulations add prerequisites to gaining a license to perform pressure welding in the Province. This means that some basic welding experience and trade-related educational components, intended to demonstrate a minimum level of proficiency, is required before the individual can challenge a practical test. This requirement would be one of the most significant changes in these regulations.

6. *Permits*

Permits will be required prior to the start of any new installation, repair or modification to existing equipment.

The inspectors need to know what activity is happening under the Act and regulations and where in the field the activity is taking place. An inspector often discovers equipment that had an unauthorized repair, or new equipment that was installed and operated without an inspector's knowledge. The new regulation puts in place a system that provides front-end information to the Department so that the necessary inspections can be made at the appropriate time to ensure that codes and standards are being met.

New low pressure installations will need a permit and have to meet the requirements of the applicable Codes.

7. *Historical/Hobby Boilers*

Any equipment fitting the description of historical or hobby boilers in the new regulation will need inspections.

Historical or hobby boiler equipment is not addressed in the current Act and regulations, or codes and standards. The National Board Inspection Code discusses inspection criteria that can be used as a guideline for the inspector. The new regulations take into account when and by whom the inspections of historical or hobby boiler equipment must be carried out.

8. Change of Ownership and Location

The new location and ownership of equipment must be brought to the attention of the Department of Labour and Workforce Development.

Whenever the responsibility of equipment changes hands, the Chief Inspector must be informed so that the records can be kept current. The same applies to equipment moving about the Province.

When used equipment comes into the Province from another jurisdiction, provisions must be put in place to ensure:

- inspection of the equipment was kept current by a qualified person
- service and maintenance records are available to verify continuity with code compliance, and
- design and certification data is available for review in order to provide, or verify, proper CRN assignment for the Province of Nova Scotia.

Part IV is a draft regulation for your review. The draft regulation is for discussion purposes only, and does not represent the final policy direction of the Department.

To provide feedback to the Department on the proposed changes to the *Steam Boiler and Pressure Vessel Regulation*, please see **Part II – Submissions**, on page 5.

Thank you for taking the time to provide us with your feedback.

Part IV - Draft Boiler and Pressure Equipment Regulations

The following version of the Boiler and Pressure Equipment Regulations is unofficial. It has been prepared for discussion purposes only, and is subject to change.

Boiler and Pressure Equipment Regulations

Short Title

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

Definitions and Interpretations

2 In these regulations

(a) "Act" means the *Technical Safety Act*;

(b) "AHJ" means the Authority Having Jurisdiction, a regulatory authority which is responsible for the administering and enforcing the Act and regulations governing the design, fabrication, installation, repair and alteration of boilers and pressure equipment within a jurisdiction;

(c) "AI" 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;

(d) "ASME" means the American Society of Mechanical Engineers, and is a recognized certification organization under the Act and these regulations;

(e) "BPE Business Licence" means a licence granted to a person to authorize the licence holder to conduct the regulated work as specified;

(f) "BPE Certificate of Competency (Inspections)" means a certificate of competency granted to an individual by the BPE Chief Inspector or another AHJ in recognition of the individual's qualifications to conduct inspections as permitted under the certificate of competency;

(g) "BPE Chief Inspector" means an individual appointed as a chief inspector for the purposes of the Act and these regulations;

(h) "BPE Fees" means the fees for boiler and pressure equipment services provided by the Province as set by the Minister under the *Technical Safety Fees Regulations*;

(i) "BPE Inspector" means an individual appointed as an inspector for the purposes of the Act and these regulations;

(j) "BPE Operating License" means a licence granted to a person to authorize the licence holder to operate a regulated product as specified in the license;

(k) "BPE Permit" means a permit granted to authorize the permit holder to conduct the regulated work specified;

(l) "BPE Pressure Welder License" means a licence granted to an individual by the BPE Chief Inspector to allow the licence holder to perform the regulated work as specified.

(m) "BPE Standards" means the standards for boiler and pressure equipment adopted in the Province by the Minister under the *Technical Safety Standards Regulations*;

(n) "BPE" means boiler and pressure equipment;

(o) "boiler inspector" means an individual with a BPE Certificate of Competency (Inspections) for conducting inspections granted by the AHJ for the jurisdiction where the individual is located;

(p) "CI" means an individual who is an employee of a manufacturer and holds a ASME accreditation as a "certified individual";

(q) "component" means a fitting which is a pressure retaining part and is registered under a standard fitting category in Section 9;

(r) "CRN" means Canadian Registration Number as defined in CSA-B51;

(s) "CSA" means the Canadian Standards Association, and is a recognized certification organization under the Act and these regulations;

(t) "diameter" means the inside diameter of the pressure envelope unless otherwise stated in the applicable BPE Standards;

(u) "expansible fluid" means either

(i) a vapour or gaseous substance, or

(ii) a liquid under a pressure and temperature such that the liquid will change to a gas or vapour when the pressure is reduced to atmospheric pressure;

(v) "fitting" means any item other than a boiler, pressure vessel or equipment and includes valve, gauge, regulating and controlling device, flange, pipe fitting or any other appurtenance which is a part of the pressure envelope and is attached to or forms part of a boiler or pressure equipment;

(w) "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 transition in a gaseous state; or

(iii) a gaseous substance for injection into an underground formation through a well;

(x) "manufacturer" means a person responsible for the fabrication in whole or in part of a boiler or pressure equipment;

(y) "manufacturer's data report" means the report on the fabrication of a boiler or pressure equipment prepared and certified by the manufacturer;

(z) "MAWP" means maximum allowable working pressure;

(aa) "NBBI" means the National Board of Boiler and Pressure Vessel Inspectors, and is a recognized certification organization under the Act and these regulations;

(ab) "oil refinery" means a plant used for separating, vaporizing, cracking, desalting, purifying or refining oil or any of its constituents thereof and includes all boilers, pressure vessels and applicable pressure piping systems, and is a plant under the Act and these regulation;

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

(ad) "pressure" means pressure in kilopascals as measured by a pressure gauge, directly connected to the equipment of which the pressure is measured;

(ae) "pressure equipment" means pressure vessels, fittings, pressure piping systems and refrigeration systems;

(af) "pressure piping system" means pipes, tubes, conduits, fittings, gaskets, bolting and other components making up a system, the sole purpose of which is the conveyance of an expansible fluid under pressure and the control of the flow of an expansible fluid under pressure;

(ag) "pressure plant" means an installation of boilers, pressure vessels, refrigeration systems or compressed gas systems or a combination of them as a unit under the same owner and management and includes all compressors, piping, appliance or equipment attached to them or used in connection with them, whether the unit is portable or permanently attached to a solid base, and is a plant under the Act and these regulations;

(ah) "pressure vessel" means a vessel or other apparatus, other than a boiler, having

(i) a diameter of more than 152mm (6 inches), and

(ii) a capacity of more than 0.043 cu meters (1.5 cu ft), and

that is or may be used for containing, storing, distributing, transferring, distilling, processing or otherwise handling gas, air or liquid at a pressure of more than 103 kPag (15 psig);

(ai) "pressure welder" means an individual who is a welder or welder operator and who holds a BPE pressure welder license for welding or brazing including high pressure welding operations as authorized in the license;

(aj) "Pressure Welder Certificate of Competency" means a certificate of competency granted to an individual by the BPE Chief Inspector in recognition of the individual achieving the industry level of education, training and experience necessary to perform such manual or semi-automatic power welding processes as are permitted under the certificate of competency;

(ak) "pressure welding" means welding or brazing as regulated by these regulations on any boiler, pressure vessel, pressure piping system or fitting;

(al) "quality control program" means a manufacturer's or mechanical

contractor's program in the form of a written manual which includes a description and record of how the applicable BPE standards will be addressed, implemented and maintained;

(am) "recognized welder testing agency" means an agency acceptable to the BPE Chief Inspector that officially administers performance qualifications of welding personnel in accordance with applicable standards;

(an) "registered design" means a design for a boiler, pressure vessel, pressure piping system, fitting or petroleum furnace coil which has been registered with the BPE Chief Inspector and has a CRN; and

(ao) "steam processors" means a pressure vessel used for raising the temperature of any material placed therein by means of steam and having a pressure exceeding 103 kPag (15 psig).

Application

3 (1) A boiler, pressure vessel, heat exchanger, air receiver, liquid receiver, oil refinery, refrigeration plant, power plant, steam processor or any other pressure equipment referred to in these regulations are prescribed as included in the definition of regulated product for the purposes of these regulations.

(2) Work as a manufacturer, contractor, a pressure welder, inspecting boiler or pressure equipment, or any other activity involving a regulated product are prescribed as activities included in the definition of regulated work for the purposes of these regulations.

(3) Notwithstanding subsection(1) and (2), the following are exempt from the scope of the Act and these regulations:

(a) a boiler or pressure equipment that is subject to requirements under the *Canada Shipping Act*;

(b) a boiler or pressure equipment that is subject to requirements by Transport Canada;

(c) a boiler with a maximum output capacity of 150 KW (507,104BTU/hr) or less;

(d) a boiler or pressure equipment located in a residential building with 4 dwelling units or less;

(e) a boiler, connected to a hot water heating system in which the water is heated and circulated with no intervening stop valves between the boiler and the expansion tank and that is fully vented to atmosphere;

(f) a pressure vessel operated with a safety or relief valve set to 103 kPag (15 psig) or less;

(g) a pressure vessel that has a diameter of 610 mm (24 inches) or less and that contains both liquid and air used exclusively for hydraulic purposes at atmospheric temperatures or used to serve as cushion tank in a water pumping system or expansion tank in a heating system;

(h) a refrigeration plant that has a refrigeration capacity with in a 24 hour period of 11 kilowatts (3 tons) or less;

(i) a pressure vessel having a diameter of 610mm (24 in) or less used for the storage of hot water at a temperature of 100˚C (212˚F) or less;

(j) a pressure piping system designed, fabricated, examined, tested, and installed in accordance with the applicable BPE Standard, that meets the one of following criteria

  (i) compressed air piping or tubing at 61 mm (2 NPS) or less, and with an operating pressure of 1379 kPag (200 psig) or less,

  (ii) piping is part of a heating system in a building and has a steam service that operates at 103 kPag (15 psig) or less, and a water service that operates at 1103 kPag (160 psig) or less and a temperature of 121˚C (250˚F)or less,

  (iii) refrigeration piping or tubing where the refrigeration system has a total capacity of 11 kilowatts (3 tons) or less,

  (iv) piping or tubing used for the delivery of fuels directly into a combustion system and within the scope of the *Fuel Safety Regulations*,

  (v) piping or tubing used for the delivery of medical and inert gases,

  (vi) piping or tubing that is operating at 690 kPag (100 psig) or less and between –29˚C (-20˚F) and 121˚C (250˚F), and used for the delivery of domestic water (treated and non treated), products for human consumption, glycols, non toxic and non

lethal substances that are considered chemically and environmentally benign,

(vii) piping or tubing within a breathing air system where the unit is modularized, manufactured and labelled under a certification by a recognized certification organization acceptable to the BPE Chief Inspector,

(viii) piping or tubing that is used for pneumatic or hydraulic instrument control, and steam trace systems where the steam pressure is 345 kPag (50 psig) or less, or

(ix) a piping system used for fire suppression as regulated under the *Fire Safety Act*;

(k) a pressure vessel with a capacity of 42.5 litres (1.5 cubic feet) or less and included within one of the following categories

(i) a steam jacketed sterilizer,

(ii) an autoclave,

(iii) a steam jacketed kettle,

(iv) an in-line separator; or

(v) an air starting tank;

(l) a pressure vessel, fitting or pressure piping system used exclusively for hydraulic purposes and at a temperature 65˚C (150˚F) or less;

(m) a pressure container which is an integral part or component of a rotating or reciprocating mechanical device, such as a pump, compressor, turbine, generator, engine and hydraulic or pneumatic cylinder and where the primary design considerations or stresses are derived from the functional requirements of the device;

(n) a domestic hot water heater which is oil fired or uses electrical elements, spargers, jackets or coils as a heat source and where the diameter is 762 mm (30 in.) or less.

(4) A pressure vessel with a capacity of 42.5 litres (1.5 cubic feet) or less and of a type or class not listed in clause (3)(k) is exempt from the requirement to have a permit but must be registered as a fitting or component.

Canadian Registration Number

4 **(1)** When the BPE Chief Inspector is satisfied following a design review that the design, drawings and specifications for a boiler, pressure vessel, fitting or petroleum furnace coil are acceptable he or his designate will issue a CRN.

(2) A design review for a BPE may be carried out by a recognized certification organization acceptable to the BPE Chief Inspector.

(3) Where a design review is conducted under subsection (2), a recognized certification organization who conducted the design review may recommend to the BPE Chief Inspector that a CRN be assigned.

(4) The BPE Chief Inspector may decide to accept or decline a recommendation from the recognized certification organization who conducted the design review.

(5) A CRN can only be issued in the Province by the BPE Chief Inspector or his designate acting under the direction of the BPE Chief Inspector.

REQUIREMENTS FOR REGISTRATION

General Requirements

5 **(1)** A manufacturer must register the design, drawings and specifications for the following BPE intended for use in the Province

(a) a boiler,

(b) a pressure vessel,

(c) a fitting to be used on a boiler, pressure vessel or pressure piping system,

(d) a petroleum furnace coil, or

(e) a pressure piping system.

(2) An owner of a boiler, pressure vessel, fitting or petroleum furnace coil must ensure that prior to its inspection, installation or operation in the Province, that it

(a) is registered with the BPE Chief Inspector,

(b) has a CRN issued for its design, drawings and specifications, and

(c) has any applicable BPE fees paid, and

(d) is in compliance with any other requirements for its registration or use.

(3) An owner of a pressure piping system must ensure that prior to its inspection, installation or operation in the Province, that it

(a) is registered with the BPE Chief Inspector,

(b) has a Provincial identifier number assigned for its design, drawings and specifications, and

(c) has any applicable BPE fees paid, and

(d) is in compliance with any other requirements for its registration or use.

(4) A submission for the registration of a design for boiler and pressure equipment must include the following;

(a) a duplicate copy of the drawings of and specifications for the design,

(b) the signature of the owner of the design or the manufacturer on all submitted drawings, specifications or information,

(c) a blank space 64 mm x 64 mm (2.5" x 2.5") on which an official registration stamp may be placed on all drawings, and

(d) the payment of any applicable BPE Fee, and

(e) for any design previously registered in another province, the CRN for the design and the date of registration in the other province.

(5) The instrumentation that forms part of the pressure envelope and is an integral part of any pressure equipment installed under these regulations, must be of a registered type and conform to the construction and test requirements of the applicable BPE Standards.

(6) Any number of boilers, pressure vessels, fittings, or petroleum furnace coils may be constructed from a registered design unless or until a change in the regulations or BPE Standards makes that design obsolete.

(7) A registered design subsequently found to be deficient must be revised by the manufacturer to the satisfaction of the BPE Chief Inspector.

(8) The registration of a design does not relieve the manufacturer or contractor of the responsibility for the design or the construction of a boiler or pressure equipment.

Boiler and Pressure Vessel Registration

6 A submission for the registration of a boiler or pressure vessel must include, in addition to the requirements set out in Section 5, all of the following

(a) the title of the applicable BPE Standard, including the relevant edition and addenda dates;

(b) the maximum design pressure and temperature and the minimum design metal temperature;

(c) ASME specification number for all materials or equivalence supplied by the manufacturer;

(d) the method of fabrication, including weld joint details;

(e) the details of the arrangement and dimensions of all component parts including tolerances;

(f) a report of any physical tests conducted for the purpose of establishing the working pressure of the boiler or pressure vessel or any part thereof;

(g) the purpose for which the boiler or pressure vessel is to be used;

(h) the ASME standard for all fittings used in the manufacture of a boiler or pressure vessel;

(i) the ASME certificate of authorization or proof of Quality Control Program acceptable to the BPE Chief Inspector;

(j) all mechanical design calculations as required by the applicable BPE Standards;

(k) name plate or stamping facsimile;

(l) all non-destructive examination details,

(m) all heat treatment details; and

(n) a title block, identifying the item, revision level, manufacturer's name

and location, supplementary drawings, and approvals.

Pressure Piping System Registration

7 A submission for the registration of a pressure piping system must include, in addition to the requirements set out in Section 5, all of the following

(a) flow or line diagrams showing the general arrangement of all boilers, pressure vessels, pressure piping systems, fittings and provisions for expansion and anchor points;

(b) a pipeline identification list showing the maximum pressures and temperatures at which each part of the plant will operate;

(c) a list of pressure relief valves, including set pressures;

(d) material specifications, size, schedule and primary service rating of all pressure pipe fittings;

(e) the ASME Standard for all fittings used in the manufacture of pressure piping systems;

(f) the method of fabrication, including weld joint details; and

(g) such other information as the BPE Chief Inspector determines is necessary to review the design and determine if it is suitable for registration.

Petroleum Furnace Coil Registration

8 (1) A submission for the registration of a petroleum furnace coil must include, in addition to the requirements set out in Section 5, the calculations.

(2) Registration of a petroleum furnace coil may be submitted for registration separately or in conjunction with a pressure piping system.

Fitting Registration

9 (1) A submission for the registration of a fitting must include, in addition to the requirements set out in Section 5, all of the following

(a) a statutory declaration by the manufacturer, in duplicate,

(b) proof of a Quality Control Program for the fittings being made acceptable to the BPE Chief Inspector,

(c) design, drawings and specifications must indicate all sizes and thickness of material,

(d) the composition of all materials, tensile strength, compressive strength of all parts which are subject to compression,

(e) the pressure to which the fitting was tested by the manufacturer, at which pressure a sample fitting ruptured if tested to destruction,

(f) and the maximum allowable working pressure and temperature.

(2) A fitting supplied by the applicant must be identified in accordance with a marking system that is acceptable to the BPE Chief Inspector.

(3) A fitting must be registered according to the following categories:

(a) Category A: pipe fittings including couplings, tees, elbows, crosses;

(b) Category B: flanges;

(c) Category C: all valves except pressure relieving devices;

(d) Category D: expansion joints and flexible pipe;

(e) Category E: strainers and steam traps;

(f) Category F: measurement devices;

(g) Category G: capacity- rated pressure relieving devices;

(h) Category H: pressure-retaining components that do not fall into one of the above categories.

(4) Rating sheets with NBBI authorization must be submitted with each type and size of Category G fitting to be registered.

(5) Prior to registration, the BPE Chief Inspector may require that samples of the fitting be forwarded to the BPE Chief Inspector at the expense of the party wanting to registering the fitting.

(6) The sample fittings may be retained by the BPE Chief Inspector or returned to the registering party at the registering party's expense.

Faulty Fittings

10 (1) The BPE Chief Inspector may select any registered fittings in a manufacturer or agent's stock and test the fittings.

(2) If a number of fittings made from any registered design are shown by testing to be faulty the BPE Chief Inspector may cancel the registration.

Fittings - Old and New

11 (1) All fittings attached to a new boiler or pressure vessel or installed in any pressure piping system must meet the requirements of these regulations.

(2) All fittings on existing installations found on inspection to be unsafe, must be replaced with fittings that meet the requirements of these regulations.

Termination of Registration

12 (1) The registration of the design of a fitting is only valid for 10 years after which time an application for a renewal of the registration must be made.

(2) Without limiting the general powers under the Act, the BPE Chief Inspector may cancel the registration for a boiler or pressure equipment if a manufacturer is supplying boiler or pressure equipment that does not fully comply with the requirements of the registration.

REQUIREMENTS FOR INSPECTIONS (Manufacturing)

Fabrication Inspection

13 (1) Any boiler or pressure equipment manufactured in the Province which requires an inspection must be inspected by an AI employed by the Province.

(2) Any boiler or pressure equipment manufactured in another Canadian jurisdiction intended to be installed in the Province which requires an inspection, must be inspected by an boiler inspector in the Province where the equipment is being built.

(3) Any boiler or pressure equipment requiring registration and inspection and manufactured in another AHJ outside Canada, that will be installed in the Province must first be inspection by an AI or another person with authorization by a recognized certification organization acceptable to the BPE Chief Inspector.

(4) The BPE Chief Inspector may require the inspection of a boiler or pressure equipment at any stage of fabrication or installation.

(5) The manufacturer is responsible for the payment of any BPE Fee for inspection services under this Section.

Stamping and Nameplates

14 (1) The manufacturer or contractor of a boiler or pressure equipment that is designed and manufactured or constructed to BPE Standards must ensure that the boiler or pressure equipment prior to its use in the Province bears the official certification mark .

(2) Certification marks, stamping and nameplates must meet the requirements of the applicable BPE Standards.

(3) Subject to subsection (4), the manufacturer or contractor of a boiler or pressure equipment that is manufactured or constructed to BPE Standards, and constructed or manufactured in Canada must ensure that the boiler or pressure equipment prior to its installation or use in the Province has:

(a) the CRN stamped on it, and

(b) the ASME symbol stamp or marking required in the appropriate BPE Standards or another stamp acceptable to the BPE Chief Inspector.

(4) The manufacturer or contractor of a boiler or pressure equipment that is constructed or manufactured outside Canada must ensure that the boiler or pressure equipment prior to its installation or use in the Province has:

(a) the CRN stamped on it, and

(b) the official symbol stamping or marking required in the appropriate BPE Standards.

(5) The manufacturer or constructor of a boiler or pressure equipment manufactured outside Canada must registered the boiler or pressure equipment with the NBBI prior to its installation or use in the Province whenever registration is possible.

Manufacturer's Data Report

15 (1) The manufacturer must file with the BPE Chief Inspector a Manufacturer's Data Report for a boiler or pressure equipment requiring inspection during fabrication and delivered to a purchaser in the Province and ensure that the report is signed by an AI, boiler inspector or CI as applicable.

(2) The manufacturer must file with the BPE Chief Inspector a Manufacturer's

Data Report for a boiler or pressure equipment exempt from individual inspection during fabrication and delivered to a purchaser in the Province and provide confirmation that there is compliance with these regulations and the applicable BPE Standards during fabrication.

(3) A Manufacturer's Data Report must

(a) be signed and certified by the manufacturer,

(b) describe the boiler or pressure equipment fabricated,

(c) include the name of the owner and location for installation.

(4) The owner's name and location for installation, if unknown to the manufacturer, may be omitted from the Manufacture's Data Report referred to in subsection (1) and (2) and filled in subsequently by the representative of the manufacturer in Province who must, at the time of sale, forward the data report to the BPE Chief Inspector.

Inspection Openings

16 (1) The manufacturer or contractor must ensure that there is adequate access to view the internal surfaces of a boiler or pressure vessel for inspection purposes.

(2) A boiler or pressure vessel is exempt from the access requirement in subsection (1) if

(a) it is permitted by the applicable BPE Standard, and

(b) all criteria in the applicable BPE Standard allowing and compensating for the exemption have been met.

(3) Except as stipulated in subsection (4), inspection openings provided on a boiler and pressure vessel must be sized and located on the equipment as set out in the applicable BPE Standard.

(4) Openings designed and intended for human entry, such as manways, must be no smaller than 406 mm (16 inches) diameter, or an oval no smaller that 305 mm x 406 mm (12 inches x 16 inches).

REGULATED PRODUCTS

BPE Permit

17 (1) No person is permitted to install, alter, make addition to, repair or construct any boiler, or pressure equipment prior to obtaining a BPE Permit for the

regulated work from the BPE Chief Inspector.

(2) Only the holder of a BPE Business License may be issued a BPE Permit to do any installation, alteration, addition, repair or construction work on any regulated products covered under these regulations.

(3) An application for a BPE Permit must include

(a) a written description of the regulated work to be done,

(b) the particulars of the machinery, and components to be used, and

(c) payment of the applicable BPE Fee.

(4) A BPE Permit must not be granted unless or until the BPE Chief Inspector has approved all of the necessary drawings.

(5) A BPE Permit must be displayed on site during the installation, alteration, addition, repair or construction.

(6) When the scope of work covered by a BPE Permit is completed the holder of the BPE Permit must notify the BPE Chief Inspector.

(7) A BPE Permit is not required for

(a) welded replacement of a valve, control, safety or relief device with an approved component of a similar type, or

(b) routine maintenance or overhaul of a pressure system component that has been pre-authorized by the BPE Chief Inspector

(8) The BPE Chief Inspector will determine what constitutes routine maintenance or minor repairs.

BPE Operating License

18 (1) No person is permitted to use or operate, or cause or permit to be used or operated, a boiler, refrigeration plant or pressure vessel unless the boiler, refrigeration plant or pressure vessel has a BPE Operating License.

(2) The owner of a boiler, refrigeration plant or pressure vessel may apply to the BPE Chief Inspector for a BPE Operating Licence.

(3) An application by an owner for a BPE Operating License must include

(a) a description and location of the boiler, refrigeration plant or pressure vessel to be licensed, and

(b) payment of the applicable BPE fees.

(4) The BPE Chief Inspector may grant a BPE Operating Licence where the requirements in subsection (3) are met.

(5) The holder of a BPE Operating Licence must display it with the boiler or pressure equipment covered by the license.

Miscellaneous

Riveted Construction

19 (1) A contractor who does repairs or alteration to a boiler or pressure vessel of riveted construction must meet all requirements of the BPE Standards.

(2) The age limit for a riveted boiler or pressure vessel is 20 years.

(3) The age limit in subsection (2) applies to a riveted boiler or pressure vessel regardless of whether it was installed before or after the coming into force of these regulations.

(4) After 20 years the factor of safety for a riveted pressure vessel or boiler must be increased by at least 0.1 each year.

(5) A boiler or pressure vessel of riveted construction that has a diameter that is greater than 920 mm (36 in) and has been relocated must not be operated at a pressure greater than 100 kPag (15 psig).

Historical and Hobby Boilers

20 (1) The owner of a locomotive boiler, traction boiler, hobby boiler or antique boiler operated for the purposes of historical interest, education, or public entertainment, such as in museums, fairs, exhibitions, parades, or other forms of public display, must ensure:

(a) notwithstanding the requirements on who should conduct the inspection established elsewhere in these regulations, that it is inspected pursuant to these regulations by a boiler inspector, and

(b) ensure that a BPE Operating License for the boiler or pressure equipment has been granted prior to its operation.

(2) The owner of a boiler in subsection (1) must ensure that any steam engine

or equipment connected to the boiler is in safe working order prior to its operation.

(3) Section 19 does not apply to boiler or pressure equipment under this Section.

REGULATED WORK

Pressure Welding

21 (1) No person is permitted to perform pressure welding for the construction, fabrication, alteration or repair of any boiler or pressure equipment unless it is conducted in conformance with the regulations and the applicable BPE Standards.

(2) If the BPE Chief Inspector or BPE Inspector determines that quality of a pressure weld or pressure welder's work is in question, a non-destructive examination may be required in order to determine the quality of the deposited weld.

(3) The contractor is responsible to ensure that any defective weld is completely repaired and verified by further non-destructive examination to the satisfaction of the BPE Chief Inspector or BPE Inspector .

(4) The contractor is responsible for covering all costs associated with a repair in subsection (3).

Pressure Welder Certificate of Competency

22 (1) An individual must have a Pressure Welder Certificate of Competency prior to applying to perform a pressure welder license proficiency test required for a pressure welder license.

(2) Subsection (1) does not apply to an individual working exclusively as a welding operator and only on automatic welding processes.

(3) An individual may apply to the BPE Chief Inspector for a Pressure Welder Certificate of Competency using manual or semi-automatic processes either for pressure plate or pressure pipe.

(4) An individual applying under subsection (3) must

(a) specify whether the application is for pressure plate or pressure pipe,

(b) demonstrate a proficiency in welding to the satisfaction of the BPE Chief Inspector prior to performing an initial pressure welding

proficiency test,

(c) provide documentation of any qualifications in welding or relevant to welding for review,

(d) provide the acceptable evidence of proficiency for the type of Pressure Welder Certificate of Competency sought, either for pressure plate or pressure pipe, and

(e) pay any applicable BPE Fees.

(5) An individual applying for a Pressure Welder Certificate of Competency (Pressure Plate) must provide evidence of their proficiency with pressure plate by showing proof that they

(a) have journey person status in welding or a Red Seal certificate of qualification in welding,

(b) have successfully completed a welding diploma program recognized by the BPE Chief Inspector,

(c) have documentation showing completion of a year or more of practical experience in welding, or

(d) have a welding qualification issued by a recognized welder testing agency or AHJ for the welding processes the applicant seeks to be tested on.

(6) An individual applying for a Pressure Welder Certificate of Competency (Pressure Pipe) must provide evidence of their proficiency with pressure pipe by showing proof that they

(a) have journey person status in welding or a Red Seal certificate of qualification in welding,

(b) have successfully completed a pipe welding course recognized by a recognized certification organization acceptable to the BPE Chief Inspector,

(c) have documentation showing completion of 2 years or more of practical experience in welding,

(d) have successfully completed 3 years in the Nova Scotia welding apprenticeship program, or

(e) have a pipe welding qualification issued by a recognized welder testing agency or certifying AHJ, for the welding processes the applicant seeks to be tested on.

(7) The BPE Chief Inspector may grant a Pressure Welder Certificate of Competency (Pressure Plate) or a Pressure Welder Certificate of Competency (Pressure Pipe) to an individual who meets the requirements set out in this Section.

Pressure Welder Licence

23 (1) No person is permitted to weld upon any boiler or pressure equipment unless such person is the holder of Pressure Welder License.

(2) No person is permitted to weld to a procedure or in a position unless it is work that is authorized by their Pressure Welder License

(3) Subsections (1) and (2) do not apply to an individual working exclusively as a welding operator and only on fully automatic equipment.

(4) An individual may apply to the BPE Chief Inspector for a Pressure Welder License to authorize the performance of pressure welding in for specified procedures and positions.

(5) An individual applying under subsection (4) must have

(a) a BPE Certificate of Competency,

(b) successfully completed the applicable pressure welder license proficiency test, and

(c) paid any applicable BPE Fees.

(6) The pressure welder license proficiency test must be carried out in accordance with qualified procedures that have been registered with the BPE Chief Inspector.

(7) Pressure welder license proficiency tests shall be in all methods and processes of welding and for every position and thickness range in which the pressure welder will be required to weld.

(8) The pressure welder licence proficiency test must;

(a) be recorded by the employer on the application in a format set by the BPE Chief Inspector

(b) be done prior to establishing any pressure welder's history log,

(c) be witnessed and certified by an BPE Inspector,

(d) be validated by the payment of any applicable BPE Fee

(e) be completed in accordance with a pressure welding procedure registered to the employer by the BPE Chief Inspector, and

(f) be completed in accordance with the ASME Code and the ranges of qualification are within those required for production.

(9) A pressure welder may be requested at any time to re-test if the quality of the pressure welder's work is in question.

(10) The BPE Chief Inspector may issue a pressure welder license to an individual following successful completion of the welding pressure license proficiency test and meeting the other requirements set out in this Section.

(11) A Pressure Welder License will specify which procedures and positions the license authorizes and any other conditions or limitations which apply.

(12) No person is permitted to make any welded repairs upon any boiler or pressure equipment unless the welding is in compliance with the BPE Standards and these regulations.

(13) A pressure welder is only permitted to weld for the employer named on their pressure welder license.

(14) A pressure welder is required to produce their license for review upon a demand by a BPE Inspector.

(15) Without limiting the general powers of the BPE Chief Inspector under the Act, the following is cause for suspension, revocation or cancellation of a Pressure Welder License, when the pressure welder,

(a) violates any provision of the Act, regulations, or BPE Standards,

(b) makes a false statement with respect to any matter within the scope of the Act or regulations,

(c) makes improper or fraudulent use of a BPE Business License,

(d) is incompetent or grossly negligent in discharging his/her duties, or

(e) allows any other person to apply the license holder's assigned identifier upon any work not performed by the license holder.

BPE Business Responsibilities

24 (1) Every manufacturer, contractor, installer, welding shop operator or other person who welds or employs any person to do welding upon any boiler, pressure vessel, pressure piping systems or fitting must hold

(a) a BPE Business Licence and obtain a BPE Permit as required for a regulated product;

(b) notify the BPE Chief Inspector of the scope of the regulated work being carried out;

(c) prepare, test and certify a welding procedure and have such procedure registered in accordance with the BPE Standards and if,

(i) within the Province the procedure must be approved by the BPE Chief Inspector,

(ii) completed outside the Province, the procedure must be approved by the AHJ concerned and a record of the same submitted to the BPE Chief Inspector for survey and registration;

(d) arrange with the BPE Chief Inspector or BPE Inspector for a pressure welder license proficiency test of every pressure welder to be employed, using an approved welding procedure and witnessed by a BPE Inspector;

(e) issue to any pressure welder in their employ a unique identifier for identifying and recording their work, and, document to whom such identifier has been issued;

(f) not permit an individual to perform welding which requires a Pressure Welder License without the required Pressure Welder License, and;

(g) not permit a pressure welder to perform pressure welding if the employer is not the employer named on the pressure welder's license.

(2) No manufacturer, contractor, installer, welding shop operator or any other person who employs any person to do pressure welding upon any boiler, pressure vessel, pressure piping systems or fitting will permit pressure welding to be done upon any boiler, pressure vessel, pressure piping

systems or fitting unless the above requirements respecting welding procedures, tests and pressure welder licensing, including welding proficiency tests have been completed and data respecting all such tests have been submitted and registered.

(3) A manufacturer, contractor, installer, welding shop operator or any other person who employs any person to do pressure welding upon any boiler, pressure vessel, pressure piping systems or fitting is responsible for ensuring the identification of all such welding by the pressure welder with his/her assigned symbol in accordance with these Regulations.

(4) When an employer requests a transfer of an individual with a valid pressure welder license, that employer will apply to the BPE Chief Inspector on the welder transfer form and state the procedure to which the license be transferred to.

(5) The BPE Chief Inspector may, without further testing and on payment of any applicable BPE fee, issue to the pressure welder a new Pressure Weldeer License with the same expiry date.

(6) A manufacturer, contractor, installer, welding shop operator or other employer who implements an approved Quality Control Program, and maintains a documented system for logging pressure welder continuity must ensure that the pressure welder undergoes a pressure welder license proficiency test.

(7) A manufacturer, contractor, installer, welding shop operator or other employer may apply to renew the Pressure Welding License for each qualified pressure welder provided that the requirements under these regulations are met.

BPE Business License

25 **(1)** No person is permitted to work as a manufacturer, installer, contractor, repair or alteration organization involved in the fabrication, installation, repair or alteration of a boiler, pressure equipment, or component unless they have a BPE Business License.

(2) An application for a BPE Business License may be made to the BPE Chief Inspector.

(3) A BPE Business License may be granted only after the applicant has

(a) demonstrated to the BPE Chief Inspector an acceptable Quality Control Program in operation including a written manual for the work

to be carried out,

(b) furnished proof of the implementation of a Quality Control Program satisfactory to the BPE Chief Inspector, and

(c) provided payment of any applicable BPE fee.

(4) A holder of a BPE Business License is required to produce their license for review upon request by a BPE Inspector.

(5) Without limiting the general powers of the BPE Chief Inspector under the Act, the following is cause for suspension, revocation or cancellation of a BPE Business License, when the license holder, an agent, employee or by a person working directly under the license holder's supervision,

(a) violates any provision of the Act, regulations, BPE Standards or the license holder's Quality Control Program,

(b) makes a false statement with respect to any matter within the scope of the Act or regulations,

(c) makes improper or fraudulent use of a BPE Business License.

Reporting, Compliance Audits and Inspections

Requirement to Report

26 Where an incident under Section 13 of the Act, involving a boiler or pressure equipment, occurs the owner, BPE Business License holder, or pressure welder must report the incident to the BPE Chief Inspector either by telephone, fax or e-mail within 24 hours of the incident occurring and where requested by the BPE Chief Inspector provide him with a written report.

BPE Standards

27 (1) An owner of or any person working with or on a boiler, pressure vessel, fitting, petroleum furnace coil, pressure plant or other pressure equipment must ensure that its installation, inspection, maintenance, repairs and alterations, and operation is in conformance with the applicable BPE Standards.

(2) An owner of or any person working with or on a pressure piping system used in connection with a boiler, pressure vessel or pressure plant must ensure that its installation, inspection, maintenance, repairs and alterations, and operation is in conformance with

(a) the applicable BPE Standards, or

(b) where the BPE Standards are not applicable, the requirements of the industry recognized standard for that particular pressure piping system.

(3) An owner of or any person working with or on a refrigeration system must ensure that its installation, inspection, maintenance, repairs and alterations, and operation is in conformance with the applicable BPE Standards.

Inspection Requirements

28 (1) The owner of a boiler, pressure vessel, pressure piping system or refrigeration plant must keep the boiler and pressure equipment properly maintained and inspected as required in this Section.

(2) A boiler with a maximum output capacity of 150 KW (507,104BTU/hr) or greater, and at 103 kPag (15 psig) of steam or less, or 206.7 Kpag (30 psig) of hot water or less, must

(a) be inspected by a boiler inspector, or

(b) have an acceptable condition report, completed and signed by an oil burner mechanic or gas technician authorized under the *Fuel Safety Regulations* and provided to the BPE Chief Inspector.

(3) A boiler operating at 103 kPag (15 psig) of steam or greater, or 206.7 Kpag (30 psig) of hot water or greater, must be inspected by a boiler inspector.

(4) The inspections requirements in subsection (2) and (3) do not limit the right of the BPE Chief Inspector to inspect any boiler or pressure equipment as the BPE Chief Inspector deems necessary.

Audit Requirements

29 Without limiting the general compliance audit powers of the BPE Inspector under the Act, the following must be provided or made available for compliance audit as requested by the BPE Inspector

(a) evidence or records of all elements in a Quality Control Program, or

(b) evidence or records of all requirements for registration of boiler or pressure equipment.

Change of Ownership and Location

30 (1) The owner or vendor must notify the BPE Chief Inspector when:

(a) the owner or vendor relocates a boiler, boiler system or non portable pressure vessel from one geographic location within the Province to another location within the Province, or

(b) the owner or vendor relocates a boiler, boiler system or non-portable pressure vessel from any other jurisdiction to within the Province.

(2) When a boiler, boiler system or non-portable pressure vessel falls under clause (1)(b), the owner or vendor must:

(a) provide all design and manufacturer's data to the BPE Chief Inspector, and

(b) either provide

(i) an annual inspection record, maintenance, repair, alteration and upset records, or

(ii) an inspection certificate detailing an internal inspection, external inspection and a pressure test to at least the MAWP, which was prepared within the past 6 prior to the equipment entering the Province, and signed by a boiler inspector employed by the originating AHJ.

TRANSITION PROVISIONS

Recognition of Authorization from Another Jurisdiction

31 (1) An individual who holds an authorization to perform regulated work from another jurisdiction or another recognized certification organization, may apply to the BPE Chief Inspector for an equivalent authorization.

(2) The BPE Chief Inspector may grant an equivalent authorization where the individual in subsection (1) provides to the satisfaction of the BPE Chief Inspector evidence of

(a) a valid authorization;

(b) experience and qualifications equivalent to the requirements for the authorization sought;

(c) successful completion of the applicable pressure welder license proficiency test, as required, and

(d) payment of the applicable BPE Fees

Grandfathering of Existing Installations

32 (1) An owner of a boiler, refrigeration plant, pressure vessel or fitting which was within the scope of and authorized under the old *Steam Boiler and Pressure Vessel Act* and the old *Steam Boiler and Pressure Vessel Regulations* and which was installed prior to the date when these regulations came into effect is exempt from the requirements to apply for a BPE Permit in Section 17.

(2) The BPE Chief Inspector may grant a BPE Operating Licence to an owner in subsection (1), where the owner provides to the satisfaction of the BPE Chief Inspector evidence of

(a) compliance with the requirements under the old *Steam Boiler and Pressure Vessel Act* and the old *Steam Boiler and Pressure Vessel Regulations;*

(b) the date of installation in the Province, and

(c) payment of the applicable BPE Fees.