

# Confined Spaces: How to Create an Entry Permit Program



## WHAT'S AT STAKE

*'Somebody better do something about that [propylene oxide (PO)] gas before someone gets killed in there.'*

Letting Beals and his co-worker enter the tank without proper confined spaces training and instruction; '[I]n there' was a cornstarch processing tank, a tight and dangerously restricted area deemed a 'confined space' under OHS regulations. Within hours after these words were uttered, a worker making repairs inside the space succumbed to toxic PO vapours. In a twist of tragic irony, the victim was 54-year-old Jim Beals, the very worker who had sounded the all too prophetic warning. The OHS offences for which Beals's employer was later cited reads like a catalog of common confined space violations, including:

- Not having a safe entry procedure in place;
- Failing to control the atmospheric hazards inside the tank; and
- Failing to equip the workers with proper PPE and safety equipment for confined space work;
- Lack of confined space emergency response and measure procedures; and
- Failing to provide a safe means of entry into and exit from the tank.

## WHY YOU NEED AN ENTRY PERMIT SYSTEM

If the employer had properly implemented a confined spaces entry permit system, none of these violations would have happened and Jim Beals might still be alive today. The entry permit sets out the work to be done inside the confined space and the precautions necessary to perform it safely. And while permitting is just one of many confined spaces safety measures required by OHS laws, it plays a critical role in prevention by serving as a checklist ensuring that nothing is overlooked before entry. Permitting also plays a critical role in compliance by documenting that all such required measures were taken.

## THE 8 THINGS YOU NEED TO KNOW

Here are the 8 things you need to know to establish an effective entry permit system at your own worksite.

## 1. When Entry Permitting Is Required

Surprisingly, the entry permit system is mandatory only in a handful of jurisdictions including Alberta, Manitoba and Ontario. BC and Yukon require permits only for entry into certain kinds of particularly dangerous confined spaces. Under federal law, permitting is required if it's 'reasonably practicable.' And Nova Scotia uses a hybrid rule requiring issuance of general certification that a confined space can be entered but not permitting for individual entry.

**Table 1: Confined Spaces Entry Permit System Requirements by Jurisdiction**

Jurisdiction	Entry Permit System Required by OHS Regs.'
Federal	YES, where 'reasonably practicable' [OHS Reg., Sec. 11.3(a)]
Alberta	YES [OHS Code, Sec. 47]
BC	<u>YES, but only for entry into confined spaces:</u> * With a high hazard atmosphere; * That require lockout or isolation procedures to be followed; or * In which there's an entrapment or engulfment hazard [OHS. Reg., Sec. 9.13]
Manitoba	YES [WSHR, Sec. 15.3(f)]
New Brunswick	NO
Newfoundland	NO, but word 'permit' is used to refer not to an entry permit but a written certification documenting that required safety tests and measures have been taken [OHS Regs., Sec. 512]
Nova Scotia	YES, but called a 'certification' rather than an entry permit [Occ. Safety Gen. Regs., Sec. 131]
Ontario	YES [Confined Spaces Reg., Sec. 5(4)(e)]
Prince Edward Island	NO
Qu�bec	NO
Saskatchewan	NO
Northwest Territories	NO
Nunavut	NO
Yukon	<u>YES, but only for entry into confined spaces:</u> * With a high hazard atmosphere; * That require lockout or isolation procedures to be followed; or * In which there's an entrapment or engulfment hazard [OHS. Reg., Sec. 209(1)(a)]

**Strategic Pointer:** Even if not expressly required by your jurisdiction, establishing an entry permit system is highly advisable as a matter of best practices.

## 2. How Entry Permits Are Issued

Entry permits can't be generic but must be issued for a particular confined space. Exception: Two jurisdictions' federal and Alberta' allow for issuing a single entry permit covering 2 or more confined spaces sharing the same characteristics and posing the same hazards. There are also slight variations in

rules on who must issue them and how, as summarized in Table 2:

**Table 2: Rules for Issuing Entry Permits by Jurisdiction**

<b>Jurisdiction</b>	<b>Permit Issuance Requirements</b>
Federal	Issuance procedure must be created by employer in consultation with joint health and safety committee or health and safety representative and signed by a qualified person [OHS Reg., Sec. 11.3(a)]
Alberta	Entry permit must be completed and signed by competent person before entry; copy must be kept available [OHS Code, Sec. 47(3)]
BC	Entry permit must be completed and signed by responsible supervisor before a worker enters a confined space [OHS. Reg., Sec. 9.13(1)]
Manitoba	Entry permit must be completed and signed by a competent person before a worker enters a confined space [WSHR, Sec. 15.4(1)(a)]
New Brunswick	NA
Newfoundland	NA
Nova Scotia	Certification must be created and signed by a competent person after testing and before entry [Occ. Safety Gen. Regs., Sec. 131(1)]
Ontario	* Separate entry permit must be issued each time work to be performed in a confined space, before a worker enters confined space *Before each shift, a competent person must verify that permit complies with entry plan for particular confined space [Confined Spaces Reg., Secs. 10(1) and 10(3), respectively]
Prince Edward Isl.	NA
Qu�bec	NA
Saskatchewan	NA
Northwest Terrs.	NA
Nunavut	NA
Yukon	Entry permit must be completed, signed and posted by the responsible supervisor before a worker enters a confined space [OHS. Reg., Sec. 209(1)(a)]

### 3. What Entry Permits Must List

Entry permits must list, at a minimum, the information required by the jurisdictions OHS regulations, which typically includes:

- The permit's duration;
- The name of each person entering the confined space;
- The date and time of entry;
- The location of the confined space;
- The work to be done inside the confined space; and
- The required precautions for the work.

Again, permit information requirements vary slightly, as illustrated by Table 3.

**Table 3: Entry Permit Information Requirements by Jurisdiction**

<b>Jurisdiction</b>	<b>Information Entry Permit Must List</b>
Federal	i. Time for which permit is valid; ii. Name of person entering confined space; iii. Date & time of entry; iv. Anticipated time of exit [OHS Reg., Sec. 11.3(a)]

Alberta	i. Name of each worker entering confined space; ii. Reason for entry; iii. Location of confined space; iv. Time during which permit is valid; v. Work to be done inside confined space; vi. Code of practice requirements for entering, being in and leaving a confined space [OHS Code, Sec. 47(2)]
BC	i. Confined space & work activities permit covers; ii. Workers inside space; iii. Required precautions; iv. Time of permit expiry [OHS. Reg., Sec. 9.14]
Manitoba	i. Location of confined space; ii. Name of each worker to enter confined space; iii. Reason for entry; iv. Date & time during which permit is valid; v. Work to be done inside; vi. Safe work procedures for entering, being in and leaving confined space; vii. Health & safety hazards identified by required risk assessment [WSHR, Sec. 15.4(1)]
New Brunswick	NA
Newfoundland	NA
Nova Scotia	Certification must list: i. Signature of competent person; ii. Date & time tests performed; iii. Type of work that can & can't be done inside confined space; iv. Means by which work is to be performed; v. Certification expiry date & time; vi. Record of tests & test results [Occ. Safety Gen. Regs., Sec. 131(1)]
Ontario	i. Location of confined space; ii. Description of work to be performed inside; iii. Description of hazards & corresponding control measures; iv. Time period for which permit applies; v. Name of attendant for entry; vi. Record of each worker's entries & exits; vii. List of required equipment for entry & rescue; viii. Verification that required entry & rescue equipment is in good working order; ix. Atmospheric testing results; x. Hot work controls to be used if hot work is to be performed inside confined space [Confined Spaces Reg., Sec. 10(2)]
Prince Edward Isl.	NA
Qu�bec	NA
Saskatchewan	NA
Northwest Terrs.	NA
Nunavut	NA
Yukon	i. Information about whether confined space is safe to enter; ii. Work activities covered by permit; iii. Names of workers inside; iv. Precautions to be taken; v. Time permit expires [OHS. Reg., Sec. 209(1)(b)]

#### 4. How Long an Entry Permit Can Last

In some jurisdictions, entry permits have a very short shelf life. For example, BC and Yukon require the entry permit to be re-authorized and signed by the responsible supervisor:

- After each shift change;
- After a change in the supervisor responsible for the entry; and
- If there's a change in the work crew.

In Nova Scotia, a certification can last no longer than 24 hours from the time required atmospheric testing is performed. As noted above, permits are typically required to list the time and date of expiry.

#### 5. When an Entry Permit Must Be Reviewed

Atmospheric and other conditions inside a confined space constantly change. So, as a general rule, entry permits need to be closely reviewed and updated as necessary to keep up with the changes and ensure the safety of the workers inside. But the dynamics of review differ by jurisdiction:

**Table 4: Entry Permit Review Requirements by Jurisdiction**

<b>Jurisdiction</b>	<b>Who/What/When/How of Permit Review</b>
Federal	Not specifically addressed
Alberta	Not specifically addressed
BC	Entry permit must be reviewed and updated as necessary to ensure ongoing safety of workers inside the space [OHS. Reg., Sec. 9.15(2)]
Manitoba	Employer must review & revise entry permit when: i. Work activity in confined space changes; ii. Circumstances at the workplace or inside the space change in a way to pose a danger to a worker's health or safety; iii. Any of the information or workers listed on the permit changes [WSHR, Sec. 15.4(2)]
New Brunswick	NA
Newfoundland	NA
Nova Scotia	Not specifically addressed
Ontario	Before each shift, a competent person must review permit and verify that it complies with the applicable entry plan for the particular confined space [Confined Spaces Reg., Sec. 10(3)]
Prince Edward Isl.	NA
Quebec	NA
Saskatchewan	NA
Northwest Terrs.	NA
Nunavut	NA
Yukon	Not specifically addressed

## 6. How an Entry Permit Can Be Revised Without Being Reissued

In addition to the review requirements described above, some jurisdictions provide limited leeway for revising or altering a current permit without the need for reissue. Thus, in BC and Yukon, the information listed on a permit can be altered by:

- The responsible supervisor;
- The standby worker to update the list of workers inside the confined space; and/or
- The person performing atmospheric tests to record the latest test results.

If permit alterations are made, the affected workers must be immediately notified.

## 7. When & Where Entry Permits Must Be Posted

Permits typically must be posted at or near the entry to the confined space or otherwise made accessible so that affected workers can see the important safety information they list. Again, the rules vary by jurisdiction.

**Table 5: Entry Permit Posting Requirements by Jurisdiction**

<b>Jurisdiction</b>	<b>Do Permits Have to Be Posted'</b>
Federal	Not specifically required
Alberta	Posting not specifically required but employers must keep a copy of permit 'readily available' [OHS Code, Sec. 47(3)]
BC	Permit must be posted at <b>each</b> designated point of entry to the confined space UNLESS: i. The permit is posted at at least one designated entry point; ii. The identification at the other designated entry points lists up-to-date information on whether it's safe to enter; AND iii. All workers authorized to enter are informed of the location of posted entry permits [OHS. Reg., Secs. 9.13(2) and (3)]
Manitoba	Posting not specifically required but employers must ensure copy of completed & signed entry permit is 'readily available' at site of confined space [WSHR, Sec. 15.4(2)]
New Brunswick	NA
Newfoundland	NA
Nova Scotia	Employer must post copy of currently valid certification at confined space entrance for duration the space is occupied [Occ. Safety Gen. Regs., Sec. 131(3)]
Ontario	Posting not specifically required but employers must ensure that while entry permit is in effect, it's 'readily available' to every person who enters the confined space & to every person who performs related work with respect to the confined space [Confined Spaces Reg., Sec. 10(4)]
Prince Edward Isl.	NA
Qu�bec	NA
Saskatchewan	NA
Northwest Terrs.	NA
Nunavut	NA
Yukon	Responsible supervisor must post completed & signed entry permit at each entry point to the confined space and at 'any other places considered appropriate' [OHS. Reg., Sec. 209(1)(b)]

## 8. How Long Entry Permits Must Be Retained

The last key piece in the entry permit program is ensuring compliance with the rules for retaining entry permits. So, if you'll indulge us one last table. . .

**Table 6: Entry Permit Retention Requirements by Jurisdiction**

<b>Jurisdiction</b>	<b>How Long Must You Retain Entry Permits'</b>
Federal	10 years [OHS Reg., Sec. 11.12(a)]
Alberta	1 year if no incident or unplanned event occurred during the entry, OR 2 years if an incident or unplanned event did occur during the entry [OHS Code, Sec. 57]
BC	1 year [OHS. Reg., Secs. 9.16]
Manitoba	5 years [WSHR, Sec. 2.10]
New Brunswick	NA
Newfoundland	NA
Nova Scotia	1 year [Occ. Safety Gen. Regs., Sec. 131(4)]

Ontario	1 year OR period necessary to ensure at least the 2 most recent permits are retained [Confined Spaces Reg., Sec. 21(1)]
Prince Edward Isl.	NA
Qu�bec	NA
Saskatchewan	NA
Northwest Terrs.	NA
Nunavut	NA
Yukon	1 year [OHS. Reg., Sec. 209(1)(b)]