

November 25, 2014

The Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road, P.O. Box 21040
St. John's, Newfoundland & Labrador
A1A 5B2

Attention: Ms. Cheryl Blundon
Director Corporate Services & Board Secretary

Dear Ms. Blundon:

**Re: Newfoundland and Labrador Hydro (Hydro) – 2015 Capital Budget Application -
Project: Install Additional Washrooms (D-313)**

Hydro writes in relation to its 2015 Capital Budget Application, and in particular, the 2015 project "Install Additional Washrooms" in Transmission and Rural Operations located at page D-313 of the Application. This project is a multi-year program involving the installation of additional washrooms at various Hydro terminal stations. In 2015, Hydro proposed to install additional washrooms at Hydro's Come by Chance, Vale (Long Harbour), and Stony Brook terminal stations. The purpose of the additional washrooms was to accommodate employees of both genders whom are required to work at these sites. The provision of separate washroom facilities for male and female employees is a requirement of section 61.2(c) of the Newfoundland and Labrador Occupational Health and Safety (OHS) Regulations. This project is currently in the third year of a 15 year project. Hydro was seeking approval of \$259,300 in 2015.

Since the initial submission of this multi-year project, Hydro has obtained a variance from OHS pertaining to toilet facilities (Attachment 1). Under the variance, Hydro proposed utilizing a single washroom facility to satisfy the washroom requirements of the workers located at existing terminal buildings, network services buildings, microwave tower sites, diesel buildings and other such remote, infrequently used structures.

In the attached letter, OHS has granted Hydro a variance as the OHS Division felt Hydro has "demonstrated that an equivalent level of safety can be provided by implementation and adherence to the National Building Code of Canada, agreement to provide portable washroom facilities where the crew exceeds 10 people, and any new facility construction or major renovation would allow for both a male and female washroom to be incorporated into the plan."

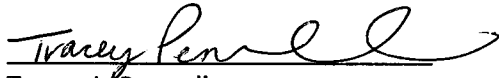
Therefore, Hydro respectfully withdraws the 2015 project "Install Additional Washrooms" from the 2015 Capital Budget Application, cancels the 2014 project (\$251,000 2014 Capital Budget Application page D-251) and is cancelling the multi-year project in its current format.

For buildings that currently do not have any washrooms in place, Hydro will review the legislative and operational requirements and determine if such structures require washroom facilities. It is expected that this review will result in a future project to install washroom facilities where no such facilities currently exist.

Should you have any questions, please contact the undersigned.

Yours truly,

NEWFOUNDLAND AND LABRADOR HYDRO



Tracey L. Pennell
Legal Counsel

TLP/jc

cc: Gerard Hayes – Newfoundland Power
Paul Coxworthy – Stewart McKelvey Stirling Scales

Thomas Johnson – Consumer Advocate
Leanne O'Leary – Cox & Palmer



Government of Newfoundland and Labrador

Service NL
Occupational Health & Safety Division

FAX TRANSMISSION

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DATE: September 8, 2014

NUMBER OF PAGES: 3 , including cover page

TO:	Roberta Coady, NL Hydro
FAX NUMBER:	709-258-2350

FROM:	Denis Martin	
DIVISION:	Occupational Health and Safety	
TELEPHONE:	(709) 729- 6690	

MESSAGE

Letter, as requested.



Service NL

Government of Newfoundland and Labrador
Occupational Health and Safety Division

September 8, 2014

Ms. Roberta Coady
Facilities Maintenance Supervisor
TRO Central Region
Newfoundland and Labrador Hydro
Bishops Falls, NL
P.O. Box 2002
A0H1C0

Dear Ms. Coady:

Re: Request for Variance from s.61(2)(c) Toilet Facilities

We have received your request dated July 15, 2014 for a deviation from section 61.(2)(c) of the Newfoundland and Labrador Occupational Health and Safety (OHS) Regulations, which pertains to Toilet Facilities.

According to the email submission, Newfoundland and Labrador Hydro wishes to utilize a single washroom facility to satisfy the washroom requirements of the workers located at existing terminal buildings, network services buildings, microwave tower sites, diesel buildings and other such remote, infrequently used structures. In addition, "The majority of these buildings are less the 1000 square feet in size and contain one washroom. These buildings are used by crews on a very sparse basis, normally just to check on computerized and electrical equipment. When there are crews present at these sites, it will often be only one or two people (over 90% of the time males only)."

The request also states that, "These are existing structures that in many cases do not have adequate space inside for an additional washroom, and the cost to extend the building is quite costly. According to the National Building code, section 3.7.2.2 (4) one washroom is allowed if the occupancy is less the ten. There are a few sites where once or twice a year there may be a crew on site in excess of 10 people, in these cases we have portable trailer washroom units that can get towed to site and left there for the duration of the work."

Given the above information as received, the Division feels that you have demonstrated that an equivalent level of safety can be provided by implementation and adherence to the National Building Code of Canada, agreement to provide portable washroom facilities where the crew exceeds 10 people, and any new facility construction or major renovation would allow for both a male and female washroom to be incorporated into the plan. Therefore, a deviation will be granted to Newfoundland and Labrador Hydro in accordance with s.65.1 of the OHS Act.

Please note that the OHS Division grants this deviation based on the information received and it applies only to the work being completed as described in the variance request submission. This deviation may be withdrawn at any time if conditions warrant.

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If you have any questions or require further clarification, please do not hesitate to contact the Department.

Sincerely,



Denis Martin, P.Eng.
Manager of Compliance & Regulatory Affairs
Occupational Health and Safety Division

Cc: Doug Carter, Manager of Inspections (East)
Darlene McCurdy, Manager of Inspections (West)