

1 Q. **Re 2011 Capital Plan - Individual Capital Projects:**

2 **Project C-75, Purchase Excavators-Bishop's Falls:** Provide evidence that the
3 minister has actually required, as he is given power to do under s. 261(2), a rollover
4 protection system on the backhoes in question.
5
6

7 A. Attached is a copy of the directive from Occupational Health and Safety (OH&S)
8 with respect to the backhoe attachments being used by Hydro. Since the directive
9 was issued in 2005, Hydro investigated means to equip existing backhoes with Roll
10 Over Protective Structures (ROPS). The engineering review found ROPS structures
11 could not be fabricated, tested and attached to each unit because of stability issues
12 and excessive costs. Each ROPS is specific to a backhoe unit and therefore, not
13 interchangeable. Placing ROPS on existing units adds more weight which affects
14 stability and the unit's center of gravity. Because of the OH&S directive, lighter
15 duty equipment has been used to do heavy work which has caused unnecessary
16 wear and tear. In some isolated cases, Hydro has also rented backhoes equipped
17 with ROPS.

DEC. -15' 05 (THU) 16:17 HYDRO HR, LR&SAFETY

TEL: 709-737-1948



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Government Services
Occupational Health and Safety Inspections Branch



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Toll Free: 1-800-563-5471

INSPECTION / OFFICER'S REPORT

Reference #: 401252

Inspection: DEC 13, 2005

Accident Reporting: 729-4444

DEC 13, 2005

NEWFOUNDLAND & LABRADOR HYDRO
P O BOX 12400 STN. A
ST. JOHN'S
NL

Firm #: 1558
WCC #: 440001
Tel: 709-737-1400
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A1B-4K7

Worksite: various locations, tour
Location: Whitbourne, Bay D' Espoir, Bishop Falls
Employee Co-Chair: unknown
Employer Co-Chair: John Butler
Worker Rep/Designate: unknown

Employees: 500
NIC: 4911

REPORT:

Craig Cummings, Allen Layte & Bruce Rose joined John Butler and line staff at Whitbourne station on Dec. 6/05. Observed pole top rescue drill. Method appears in compliance however, various concerns were identified with lifelines, connecting components and other related fall protection equipment. 2 Directives issued.

Dec. 7/05 Craig Cummings, Allen Layte and John Butler toured the Hydro generation plant at Bay D' Espoir and discussed fall protection issues with respect to height rescue. A further meeting is planned on this matter. Observed a lock on a disconnect with no tag and tag with no lock. This office has concerns regarding proper lock out/tag out procedure with respect to these cases. Please identify rationale for no proper lock out/tag out protocol and method to ensure new hires contractors and other understand the lone lock and tag only method. (no directive issued at this time and liaise with OH&S Bruce Rose on this matter)

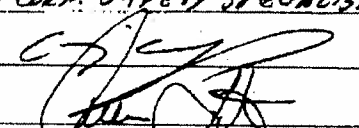
Dec. 8/05 at Bishop Falls depot observed 3 "backhoe attachments" one attached to a Go Track. This office has seen several of these attachments within municipalities and have taken immediate action to remove from service. With regard to the use of these after market attachments we have identified several hazards and concerns: lack of ROPS, FOPS and seat belts, multiple pinch points, unsafe access/egress, instability during operation and manufacturer compatibility. 4 Directives issued.

Received By: 


Date: DEC 13, 2005

Position: G. J. SAFETY SPECIALIST

Time: 12:01PM

Officer's Name: 

Cummings, Craig


Layte, Allan

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee or Worker Representative.

DEC -15' 05 (THU) 16:17 HYDRO HR, LR&SAFETY

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ORDER FORM

Reference #: 401252

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DEC 13, 2005

opinion that a tool, appliance or equipment used by a worker or self-employed person is not in safe operating condition; the assistant deputy minister of officer shall, in writing, order the worker or self-employed person to stop using that tool, appliance or equipment and order the employer to withdraw that tool, appliance or equipment from use.

REGULATION: Safety-belts and Lifelines

60 1- Safety-belts and Lifelines

Where it is impracticable to provide adequate work platforms or staging, the employer shall ensure that fall protection systems are used by all workers employed over pits, shafts or moving machinery and by all workers working at elevations greater than 3.05 metres above grade or floor level in accordance with current standards of the C.S.A. Code with respect to fall protection and fall protection systems.

TO WIT:

The single action clip at the termination of the hand line shall not be used for fall protection or rescue procedures. All active fall connecting components shall meet CSA Z259.12

This Order shall be carried out on or before: DEC 14, 2005

ORDER: 401252- 03

REGULATION: Roll-Over Protective Structures

112 1-a Roll-Over Protective Structures

Mobile equipment, to the types specified below shall be fitted with roll-over protective structures, which shall be referred to as ROPS, crawler tractors, dozers, loaders and skidders;

TO WIT:

backhoe attachment shall meet above

This Order shall be carried out on or before: JAN 30, 2006

ORDER: 401252- 04

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee or Worker Representative.