

Form TSA-1 2009-11-26

Compliance Order

(pursuant to subsection 20(1) of the *Technical Safety Act*,
Chapter 10 of the Acts of 2008)

Technical Safety Division
Labour and Advanced Education
103 Garland Ave, 3rd Floor
Dartmouth, NS B3B 0K5
1 (800) 9-Safety
1 (800) 952-8687

File #: 080 000 130

Date of Inspection: March 6, 2019

TO: Jude Rankin, Chief Power Engineer
Saint Francis Xavier Univeristy

RE: Site Inspection of Refrigeration Plant on March 6, 2019
Site #359

Reasons for Order:

The undersigned believes that above named party is carrying out the above indicated matter, thing or activity in violation of the *Technical Safety Act*, a regulation under the Act or a standard adopted by the Act, and the details of violation(s) are as listed under "Violations" in Schedule "A" attached hereto and forming part of this Order.

Actions Required by Order:

Pursuant to the provisions of subsection 20(1) of the *Technical Safety Act* you are **ordered to take each and every one of the actions listed under "Actions Required" in Schedule "A"** attached hereto and forming part of this Order.

Time Limit for Compliance:

The undersigned requires that all of items listed under the "Action(s) Required" be fully completed on or before the 15 day of March, 2019.

This Order is issued at Antigonish in the County of Antigonish, Province of Nova Scotia, this 6 day of March, 2019.

Barry MacKenzie, Technical Safety Inspector

Inspector Name and Title (print)


Signature of Inspector



This Order shall remain in full force and effect unless or until written confirmation is provided to the Parties named in the Order by the issuer that all of the required actions have been done to the satisfaction of the issuer of the Order.

Failure to comply with this Order made under the authority of the *Technical Safety Act* (the Act) may result in further legal action, including prosecution for violating the Act.

(See reverse for information on the penalty and appeal provisions under the Act)

Information on the penalty and appeal provisions under the Act

Penalty (s. 38-45 TSA)

The maximum penalty for a violation of the Act or regulations for an individual, or an officer or a director of company, is a fine of \$25,000.00 or 6-months imprisonment or both; or where there are aggravated circumstances a fine of \$150,000.00 or 2-years imprisonment or both.

The maximum penalty for a violation of the Act or regulations for a company is a fine of \$50,000.00 or where there are aggravated circumstances a fine of \$250,000.00.

Amounts can also be ordered for Public Technical Safety Education under s. 44(1).

In the case of a continuing offence each day that the offence occurs may bring an additional penalty.

Summary Offence Ticket (s.8 Summary Proceedings Act)

A penalty may be issued for a violation of the Act or regulations by way of a Summary Offence Ticket, which, depending on the nature of the offence, carries a maximum out of court settlement amount of \$974.91.

Appeal (s.31 TSA)

An aggrieved person may seek a review or an appeal of any order or a decision by an inspector or an inspection agency **within 15 days after the Order is served** or receipt of the decision, to

- (a) the **Administrator**, pursuant to s.32, by submitting a written request to the Administrator for a review of the Order or decision;

Your request to the Administrator to review the Order or decision should be sent to:

Administrator
Technical Safety Division
Labour and Advanced Education
Maritime Centre, 1505 Barrington St, 3rd Floor North
PO Box 697
Halifax, NS B3J 2T8; or

- (b) the **Appeal Board** pursuant to s. 34

Your request to the Appeal Board to appeal the Order or decision should be sent to:

Board Administrator
Utility & Review Board
1601 Lower Water St., 3rd Fl.
PO Box 1692, Postal Unit M
Halifax, NS B3J 3S3

SCHEDULE "A"

RE: Site Inspection of Refrigeration Plant on March 6, 2019
Site #359

VIOLATION(S) AND ACTION(S) REQUIRED

See attached sheet(s)

Violation(s):

Power Engineering Regulations
Equipment for all guarded plants
22

(2) An owner of a regulated plant must ensure that when an alarm signal is initiated by an extended alarm system at a guarded plant, the power engineer or plant operator responsible for the plant is immediately notified by the person monitoring the system.

This plant shall remain as continuous supervision until such time as the extended alarm system is proven to work correctly.

Action(s) Required:

Prove alarm signal immediately goes the person responsible for the plant and directly is notified by the monitoring company.

Once repairs have been made , notify BPE inspector and Guarded plant status will be returned.

Copies of Order:

File Copy

CC: Jude Rankin, Chief Power Engineer
Don Ehler, Chief Inspector - Power Engineers
Jeff Dolan, Executive Director, Technical Safety
file

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SCHEDULE "A"

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VIOLATION(S) AND ACTION(S) REQUIRED

See attached sheet(s)

Violation(s):

CSA B 52

6.3 Class T machinery rooms

h) Remote pilot control of the mechanical equipment in the machinery room shall be located immediately outside the machinery room and shall be provided solely for shutting down the equipment in an emergency. A remote display showing PPM of Ammonia shall be installed in Vestibule and in hallway outside vestibule to alert operators of machine room conditions.

Action(s) Required:

Comply with CSA B52 Section 6.3

Directly outside the "T" Class room

Install kill switch that will shut down the compressor , and install remote displays in vestibule and hallway directly outside vestibule.

Copies of Order:

File Copy

CC: Jude Rankin, Chief Power Engineer
Don Ehler, Chief Inspector - Power Engineers
Jeff Dolan, Executive Director, Technical Safety
file