

1 **Q. (Reference Application Volume 2, 2021 Facility Rehabilitation, page 4) It is stated**
2 **“Replacement of the fall arrest system is necessary to provide safe access for personnel**
3 **to perform maintenance, inspection and repairs, as well as to conform to Occupational**
4 **Health and Safety Regulations.”**

5
6 **a) Does NP consider this work a legislated requirement?**

7
8 **b) Is the surge tank bracing work also required under the Occupational Health and**
9 **Safety Regulations?**

10
11 **c) Please identify all work included in the proposed 2021 Facility Rehabilitation**
12 **program that is a legislated requirement and indicate the relevant piece of**
13 **legislation.**

14
15 **A. a) Yes, Newfoundland Power considers this work a legislated requirement.**

16
17 The Newfoundland and Labrador Regulation 5/12 – Occupational Health and Safety
18 Regulations – Part X – Fall Protection requires that a fall arrest system shall be
19 provided where a worker is exposed to the hazard of falling from a work area that is 3
20 meters or more above the nearest safe surface. The Rattling Brook surge tank is 93
21 metres in height and the ladder to which the damaged fall arrest system was attached
22 provides access for personnel to perform maintenance, inspections and repairs.

23
24 **b) No, the surge tank bracing is a structural deficiency and not specifically required**
25 **under the Occupational Health and Safety Regulations. The bracing stabilizes the**
26 **long, slender columns of the tank. Without stabilization, the columns will become**
27 **unstable and result in failure under high wind conditions. This would lead to a**
28 **catastrophic collapse of the surge tank presenting a significant hazard to employees**
29 **and the general public. In addition, the collapse of the surge tank would result in the**
30 **loss of the energy and capacity provided by Rattling Brook plant.**

31
32 **c) Table 1 on the following page includes the legislated requirements for the 2021**
33 **Facility Rehabilitation project.**

Table 1
2021 Facility Rehabilitation – Legislated Requirements

Project	Relevant Legislation
Rattling Brook Surge Tank Rehabilitation	Regulation 5/12 – Occupational Health and Safety Regulations – Part X –Fall Protection
Rose Blanche Penstock Vacuum Valve Chamber Safety Improvements	Regulation 5/12 – Occupational Health and Safety Regulations – Part X –Fall Protection Regulation 5/12 – Occupational Health and Safety Regulations – Part XXVII – Confined Space Entry