Certificate of Deviation – Certified Lists

Overview

This bulletin contains direction on how an LDC may demonstrate compliance with Regulation 22/04, with respect to deviations from required standards. ESA accepts that a certified list of deviations from section 5 “When safety standards met” of Regulation 22/04, approved by a P.Eng, is acceptable to meet the requirements of Regulation 22/04.

ESA Direction

The LDC may establish or utilize a certified list of deviations from required standards, if the LDC deems it appropriate to do so. The certified list of deviations shall meet the requirements of Regulation 22/04 – Section 9 and where that section is not applicable the deviations are to be P.Eng approved and state the failure to meet the standards will not materially affect the safety of any person or property.

Regulation 22/04 Excerpt

Deviations from required standards

9. *(1) Where a distributor upgrades the distribution lines of a distribution system such that the system does not meet the standards for clearances and separations in respect of distribution lines referred to in subsection 5 (2) or (3), the distributor may still put the system into use if a professional engineer certifies that,*

a) the reason for failing to meet the standards was a lack of space; and
b) the failure to meet the standards will not materially affect the safety of any person or property. O. Reg. 22/04, s. 9 (1).

(2) If a distributor replaces a part or portion of an existing distribution system with a part or portion that is similar to the part or portion being replaced but that part or portion does not meet the safety standards set out in section 4, the distributor may put the system into use as long as no undue hazard to the safety of any person is created by doing so. O. Reg. 22/04, s. 9 (2).

An example of an acceptable 3rd Party Attacher certified list of deviations process is in Appendix A of this bulletin.

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Appendix A

Third Party Company Logo
Certificate of Deviation Approval for Non-Standard Items This certifies that the below list of deviations from CSA standards will not materially affect the safety of any person or property, if not resolved immediately. These items can be resolved over time through maintenance, pole line rebuild and street light replacement programs. The items covered by this Certificate are deemed to not be an imminent safety hazard for workers that are “qualified” to work in the communications space on poles, based on their knowledge, training and experience levels required. This Certificate is not intended to be applied to new pole lines or any situation where a pole is being replaced anyways. In those cases it is expected that the entire pole be brought up to 100% CSA standards compliancy. The workers are “qualified” in their ability to recognize electrical hazards and other potential safety concerns, which may cause them to implement specific safety measures or work procedures to avoid the item. They are required to take a training module called “Health and Safety Guidelines for Contractors - Working at Heights Module”, among other requirements before they are deemed qualified. This Certificate can only be applied to Third Party Company projects, at their discretion, by inclusion of this Certificate into their attachment application. On a per attachment application basis, the exact poles and pole spans where this Certificate of Deviation Approval is being applied will be clearly identified on a separate form, completed by a competent person. A suitable form is attached to this Certificate, but similar forms are also acceptable. Third Party Company and the LDC may agree to identify some of these items through existing Joint Use Processes, or other agreed methods, rather than this form.

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The Installation of work covered by this document meets the safety requirements of Section 4 of Ontario Regulation 22/04 with the following deviations:

1) Neutral Wires that sag below the line of sight of Communication Attachments when:
    a. Span length is less than 75 meters
    b. Neutral wire is part of a multi-grounded neutral system
    c. Neutral wire is measured in its maximum sag condition.
    d. Communications is measured in its Thermal sag condition
    e. Closest distance between the Neutral and Communications is greater than 0.3m under the above conditions.
2) Street lights that may or may not have been bonded to the neutral and are within 1.0m of the highest strand.
3) Single damaged or missing vertical ground wires. (Consecutive vertical ground locations on a pole lead that are both missing or damaged are excluded)
4) The following items at the pole if they are at least 0.6m above the highest communications strand:
    a. Secondary Risers
    b. Drip loops of power service wires or secondary cable bundles
    c. Mechanical protection over primary riser cables
5) Secondary Wires (e.g. Triplex, Spun Buss, Open Buss Secondary…) that sag below the line of sight of Communication Attachments when:
    a. Secondary wire is measured in its maximum sag condition.
    b. Communications is measured in its Thermal sag condition
    c. Closest distance between the Secondary Wire and Communications is greater than 0.3m under the above conditions.

In the generation of this Certificate, due consideration was given to current CSA Standards and the qualifications of “qualified workers” in the Communications space. The failure to meet the standards will not materially affect the safety of any person or property.

Reference	Title	Issue date
914-1000-200	Aerial Structure Design – Integrated Standard	2009-10-05

Name of Professional Engineer

Date

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Deviations for Non-Standard Items

Project Name:		**Municipality:**	
Permit #		**Date:**	

Street	Bar code/ Pole #	Description of Deviation

Prepared by: _____ Date._____

Position _____

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