



## Understanding the new TSB Regulations

and how they affect your work in the pipeline industry

**What's new in the new regulations?** The *Transportation Safety Board Regulations* were changed for the first time since 1992, bringing them up-to-date with the current transportation industry and legislation. As of **12 March 2014**, Part 2 of the Regulations came into effect. Part 1 comes into effect on **1 July 2014**. This fact sheet highlights some important changes that may affect your work in the pipeline industry.

### What has changed?

The TSB has put in place new regulations that repeal and replace the previous version. The new regulations are simpler and better aligned with other federal legislation, industry standards and international agreements. This has changed some of what you must report to the TSB in the event of a transportation occurrence and how we investigate. In particular, the new regulations:

- Make it easier to understand what needs to be reported;
- Clarify basic rules pertaining to witness interviews; and
- Bring certain definitions and terminologies up-to-date.

### Who do the regulations apply to?

The new regulations apply to all pipelines occurrences in Canada within the legislative authority of Parliament (i.e. federally-regulated pipelines). They also apply to any occurrence outside Canada if the TSB is investigating.

**Compliance with the new regulations is mandatory.** Companies that don't comply can be held accountable under the [Canadian Transportation Accident Investigation and Safety Board Act](#).

The new regulations make it easier for you to report pipeline occurrences without increasing costs or the administrative burden

## Effective 12 March 2014 – TSB Regulations, Part 2

### Witness interviews

TSB investigators interview witnesses for the sole purpose of advancing transportation safety. The interviews are confidential and protected under our Act. To help ensure witnesses feel comfortable and speak openly, the new regulations specify that:

- Interviews are held in private.
- Interviews must be recorded.
- Witnesses may choose one representative to accompany them during an interview as long as this person is not also a witness.
- TSB investigators may exclude a witness' representative from the interview if their actions or behaviour interfere with the interview.
- Witnesses may request in writing a copy of the interview records.

## Effective 1 July, 2014 –TSB Regulations, Part 1

### Definitions

Definitions have been brought up-to-date with terminology used in other federal acts and regulations, industry standards, and international agreements. Here are some definitions that may affect what you report to the TSB:

Term	Definition	Change
CSA Z662	"CSA Z662" refers to <a href="#">CSA Standard Z662</a> (Oil and Gas Pipeline Systems)	New
HVP	High vapour pressure, as defined in CSA Z662	New
LVP	Low vapour pressure, as defined in CSA Z662	New
Operator	The company that operates the pipeline or portion of the pipeline	Clarified
Safety zone	Area extending 30 metres perpendicularly from the center of a pipeline on either side of the pipeline	New

### Reporting requirements

#### When are you required to report an occurrence to the TSB?

In addition to the previous requirements, you must now report an occurrence when:

- The safe operation of a pipeline is affected by operations.
- An event or an operational malfunction results in an unintended or uncontrolled release of: gas, HVP hydrocarbons, LVP hydrocarbons in excess of 1.5 m<sup>3</sup>, or any other commodity.
- A commodity is released from the line pipe body.
- The pipeline is operated beyond design limits or any operating restrictions imposed by the National Energy Board;
- The pipeline restricts the safe operation of any mode of transportation;
- A geotechnical, hydraulic or environmental activity poses a threat to the safe operation of a pipeline.
- An unauthorized third party activity within the safety zone poses a threat to the safe operation of the pipeline;
- The operation of a portion of the pipeline is interrupted as a result of a situation or condition that poses a threat to any person, property or the environment; or
- An unintended fire or explosion has occurred that poses a threat to any person, property or the environment.

## What are you required to report?

In addition to the previous requirements, your reports to the TSB must now include:

- The unique identifier of the pipeline or portion of pipeline, such as its name or number.
- The specific pipeline components that malfunctioned or failed.
- The closest city, town or village to the occurrence site.
- The actual or anticipated length of any interruption of the operation of the pipeline or a portion of it.
- A description of any action taken or planned to address the consequences of the occurrence, and to protect people, property and the environment, including any evacuation.

## For more information

For more information about reporting a pipeline occurrence, please visit our [Report an occurrence webpage](#). You can also consult the following documents:

- *Transportation Safety Board Regulations* (Canada Gazette, Part 2)
- [Canadian Transportation Accident Investigation and Safety Board Act](#)

If you have specific questions about the new regulations, please contact [communications@bst-tsb.gc.ca](mailto:communications@bst-tsb.gc.ca).

This fact sheet has been prepared for convenience of reference and does not have an official character. It is of a general nature only. For all purposes of interpreting and applying the Regulations, please consult the official version of the *Transportation Safety Board Regulations*.

Ce document est également disponible en français : [bst.gc.ca/reg](http://bst.gc.ca/reg)