

The *Workers Compensation Act* requires that the employer must post a copy of this report in a conspicuous place at or near the workplace inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A copy of this report must also be given to the joint committee or worker health and safety representative, as applicable.

Inspection Report #202621072912A

Employer Name	Jobsite Inspected	Scope of Inspection
UNIVERSITY OF VICTORIA	HMH-1 - Approx. 25m S of RCH, 50m E of Ring Rd Oak Bay BC V8N 1B3	Confined Space Entry

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 17, 2026	Aug 17, 2026	Aug 25, 2026	Email

THERE ARE THREE (3) ORDERS OR OTHER ITEMS OUTSTANDING

ACTION REQUIRED

Summary of Orders or other Items

See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited

Order/Item No.1	Status: Closed	Cited: OHS9.25(2)(a)
Order/Item No.2	Status: Outstanding	Cited: OHS9.9(2)(a)
Notice of Compliance Report Required.		
Order/Item No.3	Status: Outstanding	Cited: OHS9.38(2)
Notice of Compliance Report Required.		
Order/Item No.4	Status: Outstanding	Cited: OHS9.22(2)
Notice of Compliance Report Required.		

ORDER STATUS LEGEND

Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

Any further enforcement action identified and/or considered is set out in the order(s).

If this report has been issued following an incident that is under investigation by WorkSafeBC, further enforcement action may be taken as a result of the findings of the investigation and any orders in this report.

On August 17, 2026, WorkSafeBC Prevention Officer Marion Wylie (author) conducted a workplace inspection of the University of Victoria (the Employer) located at 3800 Finnerty Rd, Victoria, BC. The following summarizes the inspection findings.

Scope of Inspection / Workplace Overview

A field inspection was conducted of a confined space entry operation involving an underground heating system vault at the University of Victoria. Documentation reviewed included the confined space entry procedure, hazard assessment, confined space rescue agreement, and WorkSafeBC acceptance issued under OHSR section 9.22(1).

Observations and Discussion

1. Pre-entry Atmospheric Testing Not Conducted Prior to Ventilation

Upon arrival, workers had already begun ventilating the confined space and had not conducted atmospheric testing before initiating ventilation (**See Order 1**).

The employer's confined space entry procedure requires air quality measurements to be taken prior to ventilation and again after purging before entry. The confined space permit also includes fields for atmospheric testing prior to purging.

Pre-entry atmospheric testing provides essential information regarding conditions existing in the space before any controls are applied. Ventilating a space before obtaining baseline measurements can mask hazardous conditions and may prevent the employer from identifying the source, severity, or recurrence of an atmospheric hazard.

We discussed that the hazard assessment had identified oxygen deficiency and without pre-entry testing, workers were not able to verify whether oxygen levels had deteriorated further or whether other atmospheric hazards were present prior to ventilation.

2. Oxygen Deficiency Hazard Not Adequately Investigated

The confined space hazard assessment identified oxygen deficiency as a hazard and documented measured oxygen concentrations of 19.8%. The overall assessment classifies the atmosphere as a moderate hazard atmosphere. However, the source or cause of the oxygen deficiency had not been identified (**See Order 2**).

A hazard assessment is intended not only to identify hazards but also to determine their source so that appropriate controls can be implemented.

Where the source of oxygen depletion is unknown, the employer cannot be certain that ventilation alone will consistently control the hazard. An unidentified source may indicate migration of contaminants from adjacent spaces, oxygen displacement by another gas, or another process capable of changing atmospheric conditions.

Failure to identify the cause of an oxygen-deficient atmosphere increases the risk that atmospheric conditions may unexpectedly deteriorate during future entries and may result in workers entering a space without adequate controls for the actual hazard present.

3. Confined Space Rescue Training and Drills

The worker representative advised that they had received in-house confined space training but had not participated in a confined space rescue drill within the previous year (**See Order 3**).

Confined space emergencies often require rapid and coordinated rescue actions. Rescue drills provide an opportunity to verify that workers understand their emergency responsibilities, can use rescue equipment effectively, and can execute rescue procedures under realistic conditions.

Without regular practice, workers may not be capable of carrying out rescue procedures efficiently during an actual emergency. This may increase rescue time and worsen the outcome of an incident.

5. Lack of Awareness of the Section 9.22 Acceptance

The employer has a 9.22 acceptance in place for 29 underground concrete vaults that house the gas-fired hot water heating system lines that provide heat to academic and administrative buildings on campus.

Employer and worker representatives were not aware of the details of the WorkSafeBC section 9.22 acceptance or where it was maintained, other than indicating they would contact the EHS representative who is also the Confined Space Program Administrator if information was needed.

The section 9.22 acceptance authorizes alternative measures in lieu of specific isolation requirements and contains conditions that must be complied with. Workers responsible for implementing the procedures should understand the acceptance, its limitations, and the conditions attached to it.

A lack of awareness of the acceptance increases the likelihood that work may be conducted inconsistently with the approved alternative measures, potentially voiding the acceptance and exposing workers to uncontrolled hazards (**See Order 4**).

6. Section 9.22 Acceptance Does Not Align with Current Hazard Assessment

The WorkSafeBC acceptance was granted based on a submission that described the affected vaults as low-hazard confined spaces. The submission states that all 29 vaults had been evaluated as low-hazard confined spaces.

However, the confined space hazard assessment reviewed during the inspection identifies the vault atmosphere as a moderate hazard atmosphere, based on measured oxygen deficiency and an overall moderate hazard rating. The assessment specifically describes the space as a confined space with a moderate hazard atmosphere.

The EHS representative confirmed that the oxygen deficiency was considered in the hazard assessment and acknowledged that the assessment currently identifies the space as moderate hazard.

The validity of a WorkSafeBC acceptance depends on the accuracy and completeness of the information provided in the application. The acceptance specifically notes that inaccurate or incomplete information may result in revocation and that failure to comply with its terms may render the acceptance void.

Where the actual hazard classification differs from the conditions described in the application, the acceptance may no longer accurately reflect the hazards present in the space. This creates uncertainty regarding the adequacy and applicability of the approved alternative measures.

During the inspection it was discussed that the existing acceptance does not appear to align with the current moderate hazard classification and that a revised section 9.22 application should be submitted if work will continue to be conducted under moderate hazard conditions.

The EHS representative advised that the University's 9.22 submission will be reviewed and revisited.

Document Request (No Orders Issued)

Please provide a copy of the employer's documented review of Acceptance AR202400068 and any supporting documentation considered during that review, including documentation used to determine whether:

- the hazard classification of the affected vaults remains consistent with the assumptions and conditions described in the acceptance application;
- the identified atmospheric hazards, including oxygen deficiency, have been adequately assessed and controlled;
- the employer's confined space hazard assessments, entry procedures, rescue procedures, and rescue arrangements remain appropriate for the hazards present; and
- a revised submission or application to WorkSafeBC is required.

Documents must be submitted to marion.wylie@worksafebc.com no later than September 30, 2026.

-- References --

Refer to the Regulation References section of this report for further details regarding applicable requirements discussed during the inspection.

Additional resources or publications referenced:

- G9.22 Alternative measures of control or isolation of adjacent piping – Making submissions
Confined Space Entry Program: A Reference Manual | WorkSafeBC

If you have any questions regarding this report, please contact:

Marion Wylie

WorkSafeBC - Prevention Field Services - Victoria B.C.

Desk: 250.881.7272

Marion.Wylie@WorkSafeBC.com

The WorkSafeBC prevention phone line is 1.888.621.7233 (621- SAFE) toll free in British Columbia.

ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1	Status: Closed	Cited: OHS9.25(2)(a)
The pre-entry atmospheric testing was not conducted as specified in the written work procedures. The following evidence supports this order: • I reviewed the confined space entry procedures which were available on-site which state "Prior to ventilation, measure air quality in space following testing procedure below." • I observed that the confined space was being ventilated when I arrived on-site and I asked what the pre-entry atmospheric testing reading were and the worker representative told me that they didn't take any. • I reviewed the confined space permit and no pre-entry test results were documented on the form. This is in contravention of the Occupational Health and Safety Regulation Section 9.25(2)(a). The pre-entry testing must be conducted as specified in the written work procedures. <u>Measures to Ensure Compliance:</u> It is not possible to comply this order as the confined space has been ventilated.		
Order/Item No.2	Status: Outstanding	Cited: OHS9.9(2)(a)
The hazard assessment identified an oxygen-deficient atmosphere (19.8% O₂) and classified the space as a moderate hazard confined space, but did not identify the source or cause of the oxygen deficiency. The employer therefore has not adequately identified and documented all conditions which may exist prior to entry due to the confined space's design, location or use that may affect worker safety in the space. This is in contravention of the Occupational Health and Safety Regulation Section 9.9(2)(a). The hazard assessment required by Subsection 9.9(1) must consider the conditions which may exist prior to entry due to the confined space's design, location or use, or which may develop during work activity inside the space. <u>Measures to Ensure Compliance:</u> The employer must conduct a hazard assessment that considers the conditions that may exist in the confined space prior to entry as a result of the space's design, location, or intended use. To comply with this order, the employer must provide this officer with the following: 1. A completed Notice of Compliance Report (attached) that outlines the employer's corrective actions, interim controls and implementation timeline. 2. Evidence that a hazard assessment has been conducted which evaluates the potential for oxygen deficiency, including an assessment of the source or cause of the oxygen-deficient atmosphere and any factors related to the confined space's design, location, or use that may contribute to the hazard.		

Orders/Items - Full Details

Pursuant to section 88 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **September 15, 2026**.

Order/Item No.3	Status: Outstanding	Cited: OHS9.38(2)
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The employer and worker representatives told me that they have not participated in a confined space rescue practice drill and the Environmental Health and Safety Coordinator confirmed that they have not conducted a confined space rescue drill within the last year.

This is in contravention of the Occupational Health and Safety Regulation Section 9.38(2).

A confined space rescue practice drill must be conducted at least annually.

Measures to Ensure Compliance:

The employer must conduct a confined space rescue practice drill at least annually.

To comply with this order, the employer must provide this officer with the following:

1. A completed Notice of Compliance Report (attached) that outlines the employer's corrective actions, interim controls and implementation timeline.
2. Evidence that a confined space rescue practice drill has been conducted.

Pursuant to section 88 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **September 15, 2026**.

Order/Item No.4	Status: Outstanding	Cited: OHS9.22(2)
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The employer has not ensured that all workers affected by measures implemented under Subsection 9.22(1) were informed by the employer of the measures taken and were not instructed in the applicable work procedures.

The following evidence supports this order:

- The employer and worker representatives on-site were not aware of the 9.22 acceptance, where to find the documentation, or whether this confined space entry would be acceptable under the provisions of the acceptance.

This is in contravention of the Occupational Health and Safety Regulation Section 9.22(2).

All workers affected by measures implemented under Subsection 9.22(1) must be informed of the measures taken and instructed in any applicable work procedures.

Measures to Ensure Compliance:

The employer must ensure that all workers affected by measures implemented under subsection 9.22(1) are informed of the measures taken and instructed in any applicable work procedures.

To comply with this order, the employer must provide this officer with the following:

1. A completed Notice of Compliance Report (attached) that outlines the employer's corrective actions, interim controls and implementation timeline.

Orders/Items - Full Details

2. Evidence that all workers affected by measures implemented under subsection 9.22(1) are informed of the measures taken and instructed in any applicable work procedures.

Pursuant to section 88 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **September 15, 2026**.

REFERENCES

In addition to any orders, or other items, and the information provided in the Inspection Notes section in this Inspection Report, the officer may discuss other health and safety issues with the employer arising out of the inspection. The information below sets out the health and safety requirements discussed with the employer, and unless otherwise noted, violations of these requirements were not observed.

Reference	Details Discussed
WCA88(1) This Inspection Report contains one or more orders requiring you to submit a Notice of Compliance report. This report must be prepared in accordance with section 88(2) of the Workers Compensation Act.	Requirement to submit Notice of Compliance Report set out in applicable order.
WCA88(2) The employer or other person directed by an order under subsection (1) must prepare a compliance report that specifies: (a) what has been done to comply with the order, and (b) if compliance has not been achieved at the time of the report, a plan of what will be done to comply and when compliance will be achieved.	Requirement to submit Notice of Compliance Report set out in applicable order.

Employer #	Mailing Address	Classification Unit #	Operating Location
80391	OCCUPATIONAL HEALTH SAFETY & ENVIRO PO BOX 1700 STN CENTRAL VICTORIA BC V8W 2Y2	765010	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		8	

Inspection Report Delivered To	Employer Representatives Present During Inspection	Worker Representatives Present During Inspection	Labour Organization & Local
David Adams	David Adams Milos Peric Jesse Neville Sam Gardiner Darryl Huculak	Steven Wilson Bob Mount Harry Samra	CUPE 917

WorkSafeBC Officer Conducting Inspection	Contact Details	
Marion Wylie	Phone: (250) 881-7272	Email: Marion.Wylie@worksafebc.com

Inspection Time*	Travel Time*
0 hrs	0 hrs

*The time recorded above reflects the inspection time and travel time associated with this inspection report and includes time spent on pre and post-inspection activities. Additional time may be added for subsequent activity.

Request a Review

Any employer, worker, owner, supplier, union, or a member of a deceased worker's family directly affected may, within 45 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers Office at 1-800-925-2233.

To submit a request online, visit <https://www.worksafebc.com/en/review-appeal/submit-request>

WorkSafeBC values your feedback. To obtain that feedback, an external market research provider may be contacting you to complete a survey.

WorkSafeBC's online services provide employers with tools to view information and to complete a variety of transactions with us in an easy, fast, and secure way. Through an online services account, you can view and download your inspection reports and compliance agreements, submit Employer Incident Investigation Reports, view your Health & Safety Planning Tool Kit, and more. Visit [worksafebc.com](https://www.worksafebc.com) to log in or create an account.