

# PRE-START HEALTH & SAFETY REVIEW REPORTS WHO, WHEN & WHY

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This regulation introduced in Ontario on October 7<sup>th</sup> 2000 requires that Pre-Start Health and Safety Reviews (PSRs) be performed before machinery, equipment and hazardous processes are used. Stiff penalties related to non-compliance make it crucial that PSRs not be overlooked.

The purpose of the PSR (Pre-Start Health & Safety Review) is to improve the safety of factory machinery by having a thorough study done expressly devoted to safety. **Regulation 851 of the Occupational Health and Safety Act (OHSA) requires that an owner or lessee obtain a report signed and sealed by a professional engineer**, stating that a particular piece of equipment, machine or device will comply with the act and regulations if it is constructed, developed, reconstructed, altered and installed in accordance with the design drawings, layout and specifications.

*Occupational Health and Safety Act* states that safety reviews are required for construction, development, reconstruction, or alteration of, or installation in, a factory for the following:

(a) Any equipment, machine or device that is used in a process that uses or produces a designated substance, or a substance that is hazardous because of its toxicity, flammability, temperature, pressure or other property; or

(b) Any equipment, machine or device that is required by the regulations made under the *Occupational Health and Safety Act* to have a shield, guard, operating control acting as a guard, or other device preventing access.

So in general Pre-Start Health & Safety Reviews are applicable for new or modified systems. Requirements state that measures taken to ensure compliance to the provisions of regulation 851, be documented in a report format, along with any additional testing prior to operation. These reports should underline any special safeguards needed during commissioning.

As a further requirement a professional engineer must affix their seal of approval onto the written report. Companies must therefore exercise due diligence when modifying or purchasing

equipment that may contravene the Health & Safety act.

Performing a pre-start health and safety review can be daunting especially if you are not familiar with the many applicable safety codes and regulations. LAVLAN Engineering has the commitment and experience necessary to analyze the safety risks associated with your application.

With over 15 years of experience in the automation and manufacturing sectors **LAVLAN Engineering Inc.** provides compliance and approval reports (PSR's) for a wide variety of industries.

- **Automotive**
- **Advanced robotics & automation**
- **Food processing**
- **High Tech Component Manufacturing**
- **Furniture Fabrication**
- **Manufacturing**

Non-compliance with the Occupational Health and Safety Act carries liabilities for corporations and individuals. A corporation convicted of non-compliance could face a maximum fine of \$500,000 per occurrence. As well, individuals, such as officers, directors, managers, engineers, owners and lessees could be fined as much as \$25,000 per occurrence, plus a 20 percent victim surcharge, and/or imprisonment for up to one year.

Another way of looking at a **PSR** is that, while the responsibility for compliance lies ultimately with the employer, owner or lessee, once appropriate PSR's are obtained, a significant part of the liability shifts to the professional who has signed and sealed that document. Recognizing the opportunity in this arrangement, companies could reduce their liabilities by contracting outside.

A professional engineer undertaking a PSR must be aware that Section 31(2) of the OHSA sets out the personal liabilities incurred by an engineer who gives advice and provides reports required under the Act. These liabilities are personal liabilities and apply to the engineer whose seal and signature are found on the report or drawings and not to the company that employs that engineer.