

Regulations - Forest Practices Code of BC Act

FOREST FIRE PREVENTION AND SUPPRESSION REGULATION

Contents

**Repealing B.C. Regs. 139/81 - Forest Fire Fighting Compensation Regulations
and 52/92 - Forest Fire Prevention Regulation;**

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PART 1 - DEFINITIONS

Definitions

1. (1) In this regulation:

"**Act**" means the *Forest Practices Code of British Columbia Act*;

"**burn area**" means the area on which one or more open fires are ignited in accordance with the requirements for a Category 1 to 7 Open Fire;

"**burn plan**" means a burn plan described in section 23.9;

"**burning reference number**" means a burning reference number issued under section 25.1;

"**Category 1 Open Fire**" means an open fire described in section 23.1;

"**Category 2 Open Fire**" means an open fire described in section 23.2;

"**Category 3 Open Fire**" means an open fire described in section 23.3;

"**Category 4 Open Fire**" means an open fire described in section 23.4;

"**Category 5 Open Fire**" means an open fire described in section 23.5;

"**Category 6 Open Fire**" means an open fire described in section 23.6;

"**Category 7 Open Fire**" means an open fire described in section 23.8;

"**Category 8 Open Fire**" means an open fire described in section 23.9;

"**clearcut**" means a silvicultural system that

(a) removes the entire stand of trees in a single harvesting operation from an area that is

(i) 1 ha or greater, and

(ii) at least two tree heights in width, and (b) is designed to manage the area as an even-aged stand; "**clearcut with reserves**" means a variation of clearcutting in which trees are retained, either uniformly or in small groups, for purposes other than regeneration;

"**fire extinguisher**" means a fully charged and operable fire extinguisher bearing the Underwriters' Laboratories of Canada label that rates the extinguisher as suitable for use on class A, B or C fires;

"**fire watcher**" means a person at a worksite who provides surveillance for forest fires;

"**forest fire**" means a fire burning in a forest or a fire burning at a worksite which threatens to spread to a forest;

"**fuel break**" means

(a) an existing barrier or a change in fuel type or condition, or

(b) a strip of land that has been modified or cleared

that acts as a buffer to prevent fire spread; "**heavy equipment**" means crawler tractors, skidders, excavators or other similar equipment;

"**hot work**" means any work generating significant amounts of heat and includes the cutting, grinding, welding and heating of metals;

"**large engine**" means an engine having a power greater than 7.5 kw (10 hp) used in an industrial activity but does not include

(a) a water-borne engine,

(b) an engine in a vehicle which is primarily used for the transportation of people, or

(c) an engine in a helicopter; "**owner**" in relation to an industrial activity, means

(a) a person who owns the right to conduct the industrial activity if the industrial activity is conducted on private land, or

(b) a licensee or permittee if the industrial activity is conducted on Crown land under a licence or permit issued under the Act, the *Forest Act* or the *Range Act*; "**person in charge**" means

(a) a person who is present at the worksite and who is in charge of industrial activities conducted at the worksite, or

(b) a person who has been authorized by the owner to represent the owner at the worksite; "**pile**" means an accumulation of waste material not more than 15 m in width or diameter;

"**plant harvesting**" means the collection of plant life including, but not limited to, bark, berries, boughs, branches, burls, cones, conks, ferns, flowers, grasses, herbs, fungi, lichens, mosses, mushrooms, roots, shrubs, sedges, sprays and twigs;

"resource management purposes" means an open fire used

- (a) for silviculture treatment purposes,
- (b) for forest health management, wildlife habitat enhancement, fire hazard abatement, ecological restoration or range improvement purposes, or
- (c) for other purposes specified by a designated forest official; **"root raked windrow"** means an accumulation of waste material not more than 200 m in length, 2 m in width and 1 m in height, mechanically created for agricultural purposes;

"small engine" means an internal combustion engine having a power of 7.5 kw (10 hp) or less but does not include

- (a) a water-borne engine, or
- (b) an engine in a vehicle which is primarily used for the transportation of people; **"sump"** means a depression in the ground constructed for the purpose of storing water;

"surface soil erosion" means, for an area where a forest practice has been carried out, the movement of soil particles from the area by wind, gravity, or water at a rate that is greater than that which would have occurred had the forest practice not been carried out;

"waste material" means debris or material that, in the circumstances, may be burned in an open fire and not contravene the *Waste Management Act* and the regulations under that Act;

"water delivery system" means

- (a) a system consisting of a water supply, a water pump or equivalent means of pressurizing water plus the ancillary hoses, attachments and tools necessary for the operation and maintenance of the system if these can deliver, to any place on a worksite or burn area,

- (i) water at a pressure of 280 kPa (40 psi) and a rate of 90 litres per minute through a 9.50 mm straight bore nozzle opening for 50 minutes, or

- (ii) 2 500 litres of liquid, of which 0.5 per cent is a liquid surfactant concentrate that, when added to water and used with a pump, hose and nozzle, is capable of producing foam that will extinguish a fire in ordinary combustibles such as wood, paper or forest products, or (b) for a timber harvesting operation that uses helicopters to extract logs, a system consisting of a helicopter equipped with a helicopter water bucket that can deliver

4 500 litres of water per hour to any place on a worksite that relates to the timber harvesting; **"windrow"** means an accumulation of waste material not more than 200 m in length and not more than 15 m in width;

"Workers' Compensation Board" means the Workers' Compensation Board continued under the *Workers Compensation Act*;

"worksite" means

- (a) in the case of an industrial activity other than timber harvesting, the site at which the work is performed, or

- (b) in the case of timber harvesting, an area of land within which an operation relating to timber harvesting is performed. (2) In the Act and in a regulation made under the Act, **"industrial activity"** includes, in addition to the activities referred to in section 75 of the Act, engineering operations, plant harvesting, manufacturing, milling, railroad operations, trenching, and use of explosives.

(3) For the purposes of section 3 (5) of the *Waste Management Act*,

"resource management open fire" means a Category 8 Open Fire.

Interpretation

2.(1) If there is a conflict in this regulation between a metric measurement and an imperial measurement, the metric measurement is the correct measurement.

(2) If there is a conflict between the *Workers Compensation Act* or a regulation under that Act, and this regulation, the *Workers Compensation Act*, or the regulation made under that Act, prevails.

Application

3. (1) Parts 2, 3 and 5 apply

(a) from April 1 to October 31 each year, and
(b) to persons and industrial activities in or within 300 m of a forest. (2)
Part 4 applies, for the purposes of section 76 (1) of the Act, to an open fire in or within 1 km of a forest.

PART 2 - PERSONNEL AND EQUIPMENT

Fire watcher

4. (1) If a fire watcher is required to be present by this regulation, the fire watcher must

(a) watch for sparks and fires,
(b) report any fires to a designated forest official, a peace officer or the person carrying out an industrial activity at the worksite at which the fire watcher is engaged, and
(c) assist in fighting any fire that occurs in the area being watched by the fire watcher. (2) If the fire watcher reports a fire to a person carrying out an industrial activity, the person must immediately report the forest fire to a regional manager, district manager, a designated forest official, peace officer or person answering a forest fire reporting number.
(3) A person carrying out an industrial activity must ensure that a fire watcher has access to the following:
(a) one round-nosed shovel;
(b) one pulaski tool or mattock;
(c) one hand-tank pump containing at least 18 litres of water;
(d) a radio or telephone that can be used to report a fire and request assistance.

Fire fighting tools - general

5. (1) If the number of persons who normally work at a worksite is 3 or less, the person carrying out the industrial activity must ensure that the following fire fighting tools are kept at the worksite:

(a) one round-nosed shovel;
(b) one pulaski tool or mattock;
(c) one hand-tank pump containing at least 18 litres of water. (2) If the number of persons normally working at a worksite is more than 3, the person carrying out the industrial activity must ensure that the following fire fighting tools are kept at the worksite:
(a) one round-nosed shovel, pulaski tool or mattock for each person;
(b) one hand-tank pump containing at least 18 litres of water for every 3 persons, to a maximum of 8 hand-tank pumps. (3) For the purpose of subsection (2), the number of round-nosed shovels must, as nearly as possible, equal the combined number of pulaski tools and mattocks.

Fire fighting tools - large engines

6. A person carrying out an industrial activity must ensure that every large engine used in an industrial activity has attached to it the following fire fighting tools:

- (a) one round-nosed shovel;
- (b) one pulaski tool or mattock;
- (c) one fire extinguisher with a ULC rating of at least 1A 5BC;
- (d) one fire extinguisher with a ULC rating of at least 3A 10BC or an integral vehicle fire suppression system.

Fire fighting tools - hot work

7. In addition to any other requirement of this regulation, a person carrying out an industrial activity must ensure that the following fire fighting tools are kept at each worksite where hot work is performed:

- (a) 2 fire extinguishers each with a ULC rating of at least 3A 10BC;
- (b) one round-nosed shovel;
- (c) 2 hand-tank pumps containing at least 18 litres of water each.

Fire fighting tools - explosives

8. In addition to any other requirement of this regulation, if explosives are used in an industrial activity the person carrying out the industrial activity must ensure that the following fire fighting tools are kept at the place from which the blast will be controlled:

- (a) 2 round-nosed shovels;
- (b) 2 hand-tank pumps containing at least 18 litres of water each.

Fire fighting tools - helicopters

9. (1) In addition to any other requirement of this regulation, if one or more helicopters are normally used in a timber harvesting operation to move personnel and equipment to and from a worksite, the person carrying out the timber harvesting operation must ensure that there is kept at a landing spot near the worksite, for the exclusive use of each helicopter, a water bucket that is

- (a) of a type designed and adapted for aerial fire fighting,
- (b) capable of being attached to a helicopter, and
- (c) capable of being both filled and emptied from a helicopter while the helicopter is airborne. (2) A person carrying out a timber harvesting operation must ensure that all helicopters used in the operation are
 - (a) equipped and maintained so that they are capable of operating the water bucket specified in subsection (1), and
 - (b) operated by pilots who are knowledgeable about the use of the water bucket.

Water delivery systems - helicopters

9.1 A person carrying out a timber harvesting operation that uses helicopters to extract logs must ensure that all helicopters used in

the operation are

- (a) equipped and maintained so that they meet the requirements specified in paragraph (b) of the definition of "water delivery system", and
- (b) operated by pilots who are knowledgeable about the use of the water bucket described in that definition.

Water delivery systems - general

10. (1) In this section, "**portable pump unit**" means a water pump, not affixed to another machine, that is capable of maintaining a pressure of 1 000 kPa (145 psi) while delivering 135 litres of water per minute from 30 m of hose with

- (a) a nozzle having a 9.5 mm opening,
 - (b) a suction hose,
 - (c) at least 450 m of discharge hose having a diameter not less than
 - (i) 38 mm, unlined, or
 - (ii) 25 mm, lined, and (d) the tools and accessories necessary to operate and maintain the water pump and hoses.
- (2) In addition to any other requirement of this regulation, a person carrying out an industrial activity that includes an activity in risk classification A or B under Schedule 1 must ensure that each worksite has
- (a) one water delivery system if there are 4 to 10 workers working at the worksite, normally, or
 - (b) 2 water delivery systems if there are 11 or more workers working at the worksite, normally.
- (3) For the purpose of subsection (2), if more than one activity is carried on at a worksite, the number of persons working at the worksite is considered to be the sum of the number of persons normally working at each activity.
- (4) A person carrying out an industrial activity that is a sawmill must ensure that the sawmill has at least one water delivery system.
- (5) If a water delivery system is required by this section, the person carrying out the industrial activity must ensure that at least one person with the knowledge and competence to operate and maintain the water delivery system is at the worksite.
- (6) If it is unreasonable to provide the water delivery system required by subsection (2) because of the terrain, size of a worksite, or lack of available surface water on site, a portable pump unit and a water source of at least 4 500 litres may be substituted.

Central equipment cache

11. (1) In addition to any other requirement of this regulation, a person carrying out an industrial activity that is an activity in risk classification A or B under Schedule 1 must ensure that extra equipment is kept at a central equipment cache where it can be delivered to any place on each worksite that relates to the industrial activity within 2 hours.

- (2) The quantity of extra equipment required by subsection (1) is set out in Columns 2 to 5 of Schedule 2 opposite Column 1 which lists the number of persons who normally work at the worksite.
- (3) For the purpose of subsection (2), the number of persons in Column 1 of Schedule 2 is the sum of the persons normally working at all of the worksites referred to in subsection (1) and, for this purpose, if more than one industrial activity is carried out at a worksite, the number of persons

working at the worksite is considered to be the sum of the number of persons normally working at each activity.

PART 3 - FIRE PREVENTION

Large engines

12. (1) A person must not operate a large engine unless it is equipped with a safe and effective device for arresting sparks that is

- (a) an integral part of the exhaust system, and
- (b) in good repair. (2) A person must not operate a large engine that operates in a stationary capacity unless the site has been cleared of combustible material for a distance of at least 3 m in each direction from the large engine.
- (3) A person carrying out an industrial activity must ensure that a large engine meets the requirements under subsection (1) and that combustible material is cleared as required under subsection (2).

Small engines

13. (1) A person must not operate a small engine unless

- (a) the muffler on the small engine is maintained in good repair, and
- (b) there is available at all times a fire extinguisher charged with at least 0.225kg (0.5lb.) of fire extinguishing chemical. (2) A person must not operate a small engine if the ability of the muffler to reduce hot carbon emissions has been lessened by modification of the muffler or by redirection of the emissions.
- (3) A person carrying out an industrial activity must ensure that a small engine is equipped with a muffler that meets the requirements under subsections (1) (a) and (2) and that a fire extinguisher is available as required under subsection (1) (b).

Hot work

14. (1) A person must not perform hot work unless a fire watcher is present.

- (2) The fire watcher required under subsection (1) must, in addition to the requirements of section 4 (1), remain at the site of the hot work for 30 minutes after the hot work has ceased, unless a longer period is required under section 20 (1).
- (3) Subject to section 20 (1), a fire watcher is not required under subsection (1) if all combustible material is removed for at least 10 m from the place where the hot work is performed.

Cable logging

15. A person carrying out an industrial activity that is a cable logging system must

- (a) lay out all running lines in straight lines,
- (b) remove branches, brush and shrubs to a width of 75 cm on each side of the running line for a distance of 4 m in either direction from each corner block, and

(c) in addition to any other requirement of this regulation, provide a hand-tank pump containing at least 18 litres of water and keep it immediately adjacent to each corner block that is in use.

Sawmills

16. At least once in every calendar year, a person carrying out an industrial activity that is a sawmill must dispose of all combustible waste produced by the operation of the sawmill.

Fireworks

17. If an order made under section 78 (1) (a) of the Act prohibiting the use of an open fire referred to in section 22 is in effect in an area, a person must not ignite fireworks in that area.

Combustible material

18. (1) A person carrying out an industrial activity that involves a place that is a camp, mine, sawmill, refuse disposal site or timber processing facility must ensure that an area that extends inward 15 m from the perimeter of the place is kept clear of combustible material.

(2) A person carrying out an industrial activity that involves a camp, mine, sawmill, refuse disposal site or timber processing facility must ensure that all combustible material cleared from the area referred to in subsection (1) is disposed of at least once in every calendar year.

Explosives

19. A person must not use explosives at the site of an industrial activity unless a fire watcher remains at the site where the explosives are used for at least 30 minutes after the explosives have been detonated, unless a longer period is required under section 20 (1).

Restrictions on industrial activities

20. (1) A person carrying out an industrial activity must ensure that the activity is conducted in accordance with the requirements set out in Columns 3 and 4 of Schedule 5 that are opposite the industrial activity's risk classification in Column 2 and fire danger class in Column 1.

(2) The person carrying out the industrial activity must

(a) determine the industrial activity's risk classification from Schedule 1, and

(b) unless exempted by a designated forest official, obtain the fire danger class from a designated forest official. (3) A designated forest official must determine the fire danger class for the industrial activity from data provided by representative weather stations, the regions set out in Schedule 3 and the tables set out in Schedule 4.

(4) If the person carrying out the industrial activity is exempted from the requirement to obtain the fire danger class under subsection (2) (b), he or she must ensure that

- (a) a weather station is established that
 - (i) is acceptable to a designated forest official,
 - (ii) provides information that is representative of the area in which the industrial activity is being carried out, and
 - (iii) can provide information that can be used with the Canadian Forest Fire Weather Index System published by the Canadian Forest Service to determine, in accordance with subsection (3), the fire danger class for the industrial activity, and
- (b) calculations are made using weather data and the system referred to in paragraph (a), and the weather data or the results of the calculations, or both, are reported to a designated forest official as required by that official.

- Schedule 1
- Schedule 2
- Schedule 3
- Schedule 4
- Schedule 5
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