

**VARIANCE**  
**WITHDRAWN-2021-10-22**

**No. VA20-004**  
**(IB20-012)**

*Subject* Variance to Section 15(5) of the Power Engineers Regulation (AR 85/2003) Renewal of Special Steam-powered Traction Engine Operator's Certificate of Competency.

*Date of Issue* April 30, 2020

*This Variance applies to* Province wide variance applies to the holder of a Special Steam-powered Traction Engine Operator's Certificate of Competency (certificate holder).

*Reason for variance* Section 15(5) of the Power Engineers Regulation requires:

*15(5) Despite subsection (1), a Special Steam-powered Traction Engine Operator's Certificate of Competency must be renewed every 2 years, and to be eligible for renewal the applicant must pass a practical examination that is satisfactory to the Administrator regarding the safe operation of historic boilers referred to in section 2(11).*

Due to the social distancing requirements and facility access restrictions associated with the COVID-19 pandemic, the certificate holder may be unable to either attend a practical examination or to gain access to a boiler required for performing the practical examination.

The renewal practical examination is intended to demonstrate the certificate holder continues to have the necessary skill to safely operate a historic boiler. The regulation does not require the certificate holder to have any operating experience during the certification period in order to be eligible for recertification. This Variance provides temporary recognition of operating experience in lieu of passing the renewal practical examination.

*Details of variance* This is a temporary variance to permit the certificate holder alternatives to the requirement to pass the practical examination to re-new the certificate during the period of current pandemic restrictions.

**Alternative 1 - Certificate Required**

1. If the certificate holder requires a valid certificate in order to operate a historic boiler during the period this variance is in effect, and the certificate will expire during pandemic restrictions, the certificate expiry date may be extended by 12 months.

The certificate holder must request an extension to the Administrator prior to the expiry date together with:

- i) a recommendation from the Historical Boiler Association of Alberta to

extend the expiry date, or

- ii) a testimonial outlining his/her operating experience for the previous 24 month period.

Alternative 2 - Certificate Not Required

2. If the certificate holder does not foresee the need to hold a valid certificate during the period when practical examinations are not available due to the COVID-19 pandemic restrictions, the renewal requirement is suspended and the certificate may be permitted to expire without future penalty, subject to the terms and conditions of this variance. Once the current pandemic no longer restricts access to practical examinations, the certificate holder will be eligible to renew, by successfully completing the renewal practical test, without penalty or any loss of eligibility.

This Variance expires May 1, 2021. Holders of extended or expired *Special Steam-powered Traction Engine Operator's Certificate of Competency* will have until October 1, 2021 to complete a practical renewal examination. The renewed certificate will be valid for 2 years from the date of the practical test.

All other requirements of the Safety Codes Act and regulations apply.

*Variance is specific and non-precedent setting*

This Variance is specific and sets no precedent.

*Authority under which the Variance is being issued*

Section 38(1) of the Safety Codes Act, Chapter S-1

*Advisement of Offence*

Contravention of a condition of this Variance is an offence under the Safety Codes Act.

*Approval of Administrator*

<original signed by>

Mike Poehlmann, P.L. (Eng.)  
Administrator  
Pressure Equipment Safety  
Province of Alberta

*Accredited organization employing the Administrator*

ABSA the pressure equipment safety authority  
9410 – 20 Avenue  
Edmonton, Alberta T6N 0A4

Phone: 780-437-9100  
Fax: 780-437-7787

*Submission of a copy of  
Variance to the Safety  
Codes Council*

A copy of this Variance will be submitted to:

Safety Codes Council  
Unit 500, 10405 Jasper Avenue  
Edmonton, AB T5J 3N4

*Explanation of variance*

A Variance is written permission issued to build, install, process or otherwise act in a manner not consistent with the specific requirements of an applicable code, standard or regulation but which provides, in the opinion of the issuing Administrator, an equivalent level of safety to persons and property.