

Office of the Fire Commissioner

Inspection and Technical Services



Variance Approval Program for Gas and Oil Burning Equipment

Date Issued: October 15, 2018
OFC 18 - 009

Replaces OFC ITSM 14-003

The *Variance Program* offered by the Inspection and Technical Services (ITS) section of the Office of the Fire Commissioner (OFC) provides for the approval of gas and oil burning equipment regulated by ITS, which does not exactly meet the requirements of the governing regulations or referenced codes and standards.

Note: *The program is not intended to circumvent the normal procedure of certification of appliances, equipment and components by designated testing organizations.*

Applications for variance approval will only be considered in the following instances:

- The proposed method or design is equivalent to, or exceeds the requirements of the code/standard/regulation; or
- The proposed method or design requires a mandatory approval from the OFC as indicated in the B149 codes and B139 code.

The *Variance Program* is valid only for the original intended purpose. Any change to the application or equipment as specified on the original application, requires submission of a new application for the altered appliance or equipment.

Modifications may be required as a result of our application review or site inspection. The application for variance must be submitted to the OFC on the approved application form, complete with the required documentation.

A separate application must be submitted for each piece of equipment. A submission will be reviewed only after receipt of an application.

All supporting variance documentation must be supported and stamped by a Professional Engineer, who is registered to practice in Manitoba through *Engineers Geoscientists Manitoba* (EGM), and must be submitted with the application by email, fax, mail or in person at 508-401 York Avenue in Winnipeg, MB.

The following engineered documentation must be submitted with each application form:

- A cover letter indicating the specific request or proposal for a variance, signed by the applicant;
- A letter indicating the specific code references to which the variance is being applied against;
- A completed *Application for Variance of Gas and Oil Equipment* form and *Assurance of Professional Design and Commitment for Inspection* form; and

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Website: www.firecomm.gov.mb.ca



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- Any supporting documentation, including drawings or schematics to support the request for variance.

Upon receipt of an application, the ITS Engineering Unit will review it to ensure that it is complete. If additional information is required, it will be requested from the applicant. Subsequent review will consist of a detailed examination by an ITS Engineer. Upon completion of the review, we will advise the applicant to obtain an installation permit, if not already obtained, and to book an inspection using the OFC's central dispatch to arrange for a site inspection and testing of the appliance or equipment.

Site inspection

The purpose of the site inspection is to verify that:

- The appliance or equipment has been constructed in accordance with the supporting documentation reviewed and accepted by the ITS Engineer, is compliant with CSA B149 codes and B139 code;
- The appliance or equipment has been installed in accordance with the supporting documentation reviewed and accepted by the ITS Engineer, is compliant with CSA B149 codes and B139 code, and applicable legislation; and
- All safety tests required in accordance with the supporting documentation reviewed and accepted by the ITS Engineer, and applicable codes have been verified.

The inspector will require the owner of the appliance or equipment to perform or cause to be performed tests deemed to be necessary to verify proper operation of the appliance being approved.

It will be necessary for qualified personnel to be present during the site inspection and to have the necessary test equipment on hand.

Upon completion of site inspection and testing, the inspector will provide inspection paperwork indicating that the appliance is safe to operate, or will provide Orders to Remedy, identifying further deficiencies that must be addressed.

Upon successful completion of site the inspection and testing, the inspector will issue a written confirmation of the appliance approval to the applicant's representative present on the site.

Fees

The fees under this program include Installation Permit Fees – Based on BTU's as described in the Gas and Oil Burner Regulation.

Forms

- Application for Variance of Gas and Oil Equipment Form
- Assurance of Professional Design and Commitment for Inspection Form