

September 17, 2025

Policy, Regulation & Research  
WorkSafeBC  
PO BOX 5350 Stn Terminal  
Vancouver, B.C. V6B 5L5

Sent via email: [OHSRegFeedback@worksafebc.com](mailto:OHSRegFeedback@worksafebc.com)

**Subject: BCAC Response to WorkSafeBC Consultation on Combustible Dusts**

To Whom It May Concern,

On behalf of British Columbia's farmers and ranchers, I am writing to express our appreciation for ongoing efforts by WorkSafeBC to ensure workplace safety across our province, including through amendments to the Occupational Health and Safety (OHS) Regulation.

BC Agriculture Council (BCAC) is the unified voice of British Columbia's agriculture industry, representing over 20,000 farm families and 96% of the province's farmgate sales through 29 member associations. We work to advance policies that support a strong and competitive agriculture sector across B.C. This competitiveness depends on the safety of our farmers and their employees as they work to deliver quality agricultural goods for B.C. communities.

With our membership, we have reviewed in detail the proposed amendments to the OHS Regulation's Part 6, Substance Specific Requirements – Combustible Dusts. We are concerned that several proposed provisions do not account for the distinct nature of agricultural workplaces. In particular, the "representative sample" envisioned in Sections 6.138(a) and 6.139(a) will be difficult to obtain in most agricultural workplaces, given the day-to-day variability of dusts generated by crops, livestock, inputs, the surrounding environment, and more. These factors differentiate farms from the other workplaces that were likely envisioned in the development of the proposed amendments, such as manufacturing facilities, where the composition of dusts is relatively uniform in day-to-day operations and the workplace is a closed environment.

The distinct nature of agricultural workplaces has been reflected in other relevant government legislation in B.C. For example, Section 1.1.1.1.4. of the *B.C. Building Code 2024* specifies that "farm buildings shall conform to the requirements in the *National Farm Building Code of Canada 1995*" rather than the *National Building Code of Canada 2020*. This is because, among other reasons, farm buildings fulfil functions different from other building types and fire risks are also different in the largely rural environments in which farm buildings are located.

In recognition of the *National Farm Building Code of Canada 1995* and the variability of dusts in agricultural workplaces, we propose the inclusion of a new clause 2(c) under Section 6.134 that exempts farm employers from the general duty to identify, assess, and manage combustion risks from dusts present in farm buildings.

Whether an exemption of the agriculture sector in recognition of these factors can be included in the amendments or not, we believe it is imperative that Section 6.133 be amended to include a definition for “comingled dusts” as well as a definition of “dirt” that separates those substances from “dusts” or else that these issues be addressed in OHS Guidelines. Addressing the distinctions between these substances through formal definitions or guidelines would help to mitigate the otherwise onerous testing requirement envisioned in Section 6.137. A formal definition of “representative sample” under Section 6.133 should be considered in addition to these definitions, in order to address the seasonal or even day-to-day variability of dusts present in agricultural workplaces.

In developing these definitions and OHS Guidelines, BCAC strongly encourages WorkSafeBC to engage closely with AgSafe, which is the relevant health and safety association (HSA). AgSafe possesses relevant expertise and strong partnerships with the agriculture sector, which would be invaluable in identifying how best to translate the policy objectives WorkSafeBC is pursuing through amendments to Part 6 of the OHS Regulation to the distinct context of agricultural workplaces.

In addition to definitions for “comingled dusts”, “dirt”, and “representative sample”, Section 6.151 must be amended to clarify that stored grain, oilseeds, silage, and animal feed are not considered dust in bulk storage. As currently written, the proposed language for Section 6.151 could inadvertently lead to such bulk storage being considered combustible dust for the purposes of the OHS Regulation and thereby creating the obligation for farmers to substantially modify grain silos and similar structures. To ensure these structures can continue to fulfil their core function and are cost-effective, it is important that Section 6.151 clarifies that harvested grains, oilseeds, and similar crops are exempted from the requirements envisioned in clauses (1), (2), and (3) despite being similar to dust in some instances.

Further, if an exemption for agricultural workplaces under Section 6.134 is not possible, it is important to revise the annual review envisioned under Section 6.142(a) to a biannual review or even a period of several years, at least as far as these reviews might apply to the agriculture sector. Currently, there are close to 20,000 farm properties in B.C., many of which are located in rural or remote areas where access to qualified persons who could conduct a review is quite limited. As currently envisioned, the annual review requirement in Section 6.142(a) would be difficult or even impossible for the vast majority of farm employers to fulfil despite their best efforts to comply.

Finally, we would propose amending Section 6.143 such that an employer is only required to provide instruction and training in relation to a combustion hazard and its management for those who are responsible for supervising staff working in relevant spaces rather than to all staff entering those spaces. This is because the current wording makes it unclear whether this responsibility extends to training for contractors and, in the agriculture sector, a wide range of contractors may enter farm buildings at any given time. For example, a poultry operation may have regular workers but may on occasion have inspectors present or specialized contractors facilitating the depopulation, venting, and cleaning of the barn in the event of a response to a federally reportable disease. As written, Section 6.143 makes it unclear whether the farmer would be responsible for the training and instruction of all these contractors on managing combustible dusts that may be present and may even have been generated by the contractors themselves.

In summary, we appreciate WorkSafeBC efforts to ensure the OHS Regulation is timely and comprehensive in its identification and management of workplace safety risks. We believe the amendments proposed to Part 6 would be improved by an exemption for agricultural workplaces under Section 6.134 as well as the following:

- Formal definitions for “comingled dust”, “dirt”, and “representative sample” under Section 6.133 or the OHS Guidelines, developed in close consultation with AgSafe;
- Revising the annual review to a biannual one or a review once every several years under Section 6.142(a);
- Revising the training and instruction requirement under Section 6.143 to apply only to those responsible for supervising staff; and
- Clarifying in Section 6.151(4) that structures storing grain, oilseeds, silage, or animal feed are also exempted from the requirements for bulk storage.

We appreciate your kind consideration for this feedback and hope it will inform future revision to Part 6 prior to the adoption of the amendments. Should you require any additional information or context, please do not hesitate to contact BCAC's Executive Director, Danielle Synotte, via email at [dsynotte@bcac.ca](mailto:dsynotte@bcac.ca) or via telephone at 604-854-4454.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Woike', with a large, stylized loop at the end.

Jennifer Woike, President  
BC Agriculture Council