### Overview of TSSA’s Action Plan to Address the Auditor General of Ontario’s Recommendations

#### Progress as of October 31, 2019

<table>
<thead>
<tr>
<th>2. Review and Update IT Systems and Operating License Review Process</th>
<th>In Progress</th>
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<tbody>
<tr>
<td><strong>Recommendation</strong></td>
<td><strong>Steps Taken:</strong></td>
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</tbody>
</table>
| To further reduce the potential risks to public safety, we recommend that TSSA:  
  a. Review and update its information technology systems;  
  b. Conduct a review of its renewal process for operating licenses in the regulated sectors to determine if any licensed devices and companies should be required to meet specific conditions before their operating licenses are renewed;  
  c. Review all renewals of operating licenses to ensure that licenses of unsafe devices or companies or those that do not meet licensing conditions are not automatically renewed. |  
  - Hired project manager, hired CIO, TSSA 20/20 project re-planned, Director of Strategic Analytics hired, assessing conditions for license renewal, implemented new policy on Amusement Devices with high-risk orders, automated process to suspend licenses of elevating devices and amusement devices which are deemed inactive and initiated system changes to prevent renewal of authorizations for inactive devices, defined list of Fuel Safety workflows completed. |
| **Steps to be Taken:** |  
  - Peer-review of risk-based methodology, risk-based inspections, compliance support  
  - Implementation of Fuels Safety workplan |
| **Anticipated full implementation date:** | **06/2023** |

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<thead>
<tr>
<th>3. Safety Officer Responsibilities and Performance Management</th>
<th>Fully Implemented</th>
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<tbody>
<tr>
<td><strong>Recommendation</strong></td>
<td><strong>Steps Taken:</strong></td>
</tr>
<tr>
<td>To help its Chief Safety and Risk Officer (CSRO) review and report on the TSSA’s public safety activities and performance more effectively, we recommend that the TSSA, together with the Ministry of Government and Consumer Services, more clearly and precisely define the Safety Officer’s responsibilities and regularly evaluate the Safety Officer’s performance against established performance criteria.</td>
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</table>
  - Finalized CSRO job description and performance management framework, and hired Chief Safety and Risk Officer |

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1 Progress on recommendations 1 and 19 are not included in this plan, as they are directed to the Ministry of Government and Consumer Services to address.
4. Effectiveness and Transparency of Public Reporting

**Recommendation**

To help ensure the effectiveness and transparency of its operations, we recommend that, on a regular basis, the TSSA publicly report the following information, after reviewing it for completeness and accuracy:

a. The number and type of inspections performed in each safety program area;

b. The inspection and compliance rate in each safety program area, including the inspection compliance rate for each elevator maintenance company that operates in Ontario;

c. The most common non-compliance issues identified in each safety program area;

d. Safety incidents reported by each safety program area; and

e. The number and result of re-inspections completed in each safety program area.

**Steps Taken:** Recommended disclosures have been addressed in the 2018 Annual State of Public Safety Report (ASPR) and 2019 ASPR for indicators, device compliance and safety was reported as the compliance rate for maintenance contractors was not fully available.

5. Inspection Standards and Consistency

**Recommendation**

To improve public safety by ensuring that TSSA’s periodic inspections are conducted with greater thoroughness and consistency, we recommend that the TSSA:

a. Implement checklists in all its safety programs where practical;

b. Formalize its inspection standards, including those with respect to:
   • The type and amount of inspections that should be performed;
   • The number of samples that inspectors should select and inspect or test;
   • Inspection pass and fail criteria;
   • Minimum record keeping requirements; and

c. Implement an inspector oversight process that includes an after-the-fact review and/or re-inspection of completed inspections

**Steps Taken:** Assessed cylinder exchange program as low risk for inspector consistency; confirmed accreditation and continuing education requirements in place for Ontario boiler inspectors and that elevating devices program includes re-certification requirements; compliance support program launched.

**Steps to be Taken:**

- Launch compliance standards, checklists, implement risk-based inspection cycles and full-spectrum compliance program.
- Formalize new hire training program in fuels program and implement quality control audits, improve inspector consistency through improved inspector audit and quality control process.

**Anticipated full implementation date:** 06/2023
### 6. Continuing Education for Licensed Mechanics and Technicians

**Recommendation:**
To reduce the risk to public safety and help ensure that licensed mechanics and technicians remain qualified, we recommend that the TSSA implement, where needed, a continuing education requirement as a condition of recertification.

**Steps Taken:** Implemented continuing education for ski lift mechanics (per Director's Order Ed-272-18 effective January 1, 2019). Also updated processes related to review continuing education requirements as new codes are rolled out; completed internal analysis to identify potential areas requiring immediate continuing education and undertook industry stakeholder consultations.

### 7. Review Fee Structure

**Recommendation:**
To ensure that fees charged reasonably reflect the cost of operating each specific safety program and that some safety programs are not being used to cover the costs of running other programs, we recommend that the TSSA conduct a review of its fee structure and publicly report the fee revenues collected from and costs of enforcement in each safety program area.

**Steps Taken:** 2019 Fee review submission addressed adjustments to move away from cost cross-subsidization. Disclosure of fee revenues and costs of enforcement reported in the 2019 Annual Financial Report.

### 8. Risk-based inspection Program for Propane Sector

**Recommendation:**
To reduce the risk of potential incidents in the propane sector, we recommend that the TSSA adopt as soon as possible the Propane Expert Panel’s recommendation for its risk-based inspection program and use all relevant information found in the Risk and Safety Management Plans to establish a risk score used to determine propane facility inspection selection methodology.

**Steps Taken:**
- a. Enhanced risk-based inspection process developed for implementation in fiscal 2020; presented enhanced process to TSSA’s Propane Advisory Council; and developed database of information from RSMPs
- b. Issued communications to industry stakeholders regarding enhanced risk-based inspection process

**Steps to be Taken:**
- Complete gathering of outstanding details for select propane facilities.

**Anticipated full implementation date:** 01/2020*
9. Evidence-based Decision Framework

**Recommendation:**
To help ensure that the TSSA’s rationales for regulatory oversight are clearly based on evidence and its decisions balance public safety with the costs of regulatory compliance, we recommend that the TSSA establish a clear decision-making framework for when it is justifiable to:
- Request the Ministry of Government and Consumer Services to license businesses operating in a specific sector;
- Implement an ongoing risk-based periodic inspection program;
- Reduce the frequency of inspections or eliminate inspections; and
- Use other oversight methods, such as licensing conditions or voluntary registration.

**Steps Taken:** Completed assessment of propane cylinder exchange program; hired a Director of Strategic Analytics. Continuing with existing risk-based inspection processes which are already in place for select program lines.

**Steps to be Taken:**
- Transition to a peer-reviewed evidence-based safety model for programs that do not have risk-based inspections in place.

**Anticipated full implementation date:** 09/2021

10. Fuel Oil Contamination

**Recommendation:**
To reduce the risk of fuel oil contamination from fuel oil tanks and hazardous carbon monoxide releases from fuel-burning equipment, we recommend that the TSSA as soon as possible:

a. Require fuel oil distributors to submit inspection report of oil tanks they service to the TSSA as part of their annual licensing conditions; and

b. Together with the Ministry of Government and Consumer Services (Ministry), develop an action plan outlining the specific steps the Ministry and the TSSA plan to take with oil distributors and tank owners to improve the safety of oil tanks.

**Steps Taken:** Reiterated to fuel oil distributors their responsibilities under the Fuel Oil regulation and associated code adoption document; completed staged implementation of compliance standards; commenced enhanced licensing for fuel distributors and contractors.

**Steps to be Taken:**
- Formalize audit plan for fuel oil distributors; complete enhanced licensing for fuel distributors and risk-based inspections for fuel oil distributors and fuel contractors.
- Lead initiative to improve safety of oil tanks with oil distributors and tank owners.

**Anticipated full implementation date:** 04/2020*

11. Private Fuel Storage Sites

**Recommendation:**
To reduce the risk of contamination of source water, we recommend that the TSSA:

a. Work together with pertinent implementing bodies for source water protection plans and the Ministry of Environment, Conservation and Parks on developing a plan to identify the location of private fuel storage sites that pose a significant threat to source water; and

b. Where further action is needed, establish a risk-based periodic inspection program for private fuel storage sites that pose a significant threat to source water.

**Steps Taken:** Issued communications aimed at private fuel outlets.

**Steps to be Taken:**
- Collaborate with Ministry of the Environment, Conservation and Parks (MECP), Source Water Committees (SWCs) and Ministry of Government and Consumer Services (MGCS) to identify appropriate private fuel outlets for outreach that pose threat to source water.
- In collaboration with MECP, SWCs and MGCS, develop a risk-based plan to undertake select inspections of PFOs that pose threat to source water.

**Anticipated full implementation date:** 06/2020*
12. Abandoned Fuel Sites  

**Recommendation:**
To reduce the risk of contamination spreading on and beyond abandoned fuel sites, we recommend that the TSSA:

a. Update its memorandum of understanding with the Ministry of the Environment, Conservation and Parks (MECP) and work together to develop and implement a centralized database inventory of all abandoned fuel sites and a risk prioritization model to identify high-risk sites – In progress; and

b. Work together with the Ministry of Government and Consumer Services (MGCS) and the MECP to develop a long-term funding strategy to remediate abandoned fuel sites – Initiated.

**Steps Taken:** Finalized the Memorandum of Understanding (MOU); provided a list of abandoned sites to MGCS and MECP; and, implemented (prospectively) a standard operating procedure for ongoing identification for potentially abandoned sites.

**Steps to be Taken:**
- Collaborate with MGCS and MECP to identify high risk abandoned fuel sites and take steps to mitigate risks; collaborate with MECP related to long-term funding strategy to remediate abandoned fuel sites

**Anticipated full implementation date:** 03/2020

13. Pipeline Safety  

**Recommendation:**
To reduce the risk of pipeline safety incidents, we recommend that TSSA:

a. Review its current oversight practice for pipeline operators against best practices from other jurisdictions; and – In progress

b. Move towards a risk-based oversight approach based on each pipeline operator’s specific safety risks – Initiated

**Steps Taken:** Completed interjurisdictional scan of best practices.

**Steps to be Taken:**
- Complete review and assessment of best practices of other jurisdictions
- Provide the Ministry with a draft of an evidence-based safety model for pipeline audits using a risk-based approach. The approach will be informed by best practices
- Implement final strategy

**Anticipated full implementation date:** 06/2022 (conditional on foundational data to be collected form 06/2020)

14. Fuel-Burning Installation and Maintenance  

**Recommendation:**
To reduce the risks of carbon monoxide releases due to poor fuel-burning equipment installation and maintenance, we recommend that the TSSA:

a. As a part of its annual licensing conditions require fuel-burning installation and maintenance companies to submit to the TSSA a list of all employed technicians – In progress;

b. Develop and implement a robust centralized information system that tracks the number of technicians working for each company – Initiated; and

c. Select a number of technicians from each company for inspection, ensuring that over time all technicians are inspected. Initiated

**Steps Taken:**
Contractor audit process requires information on technicians to be provided to TSSA and field audits performed based on number of technicians employed and list of technicians employed to be filed by each contractor as a condition for license renewal for all certificate beholders they employ.

**Steps to be Taken:**
- Evidence-based safety model for fuel contractors to be implemented
- Develop and implement a repository/database to support collection of information that facilitates tracking of contractors’ technicians and TSSA inspections

**Anticipated full implementation date:** 06/2020
### 15. Compliance with Safety Laws for Elevating Devices

**Recommendation:**
To improve compliance with safety laws in the Elevating Devices sector, we recommend that the TSSA, together with the Ministry of Government and Consumer Services (Ministry), develop an action plan outlining specific steps the Ministry and TSSA plan to take with elevator owners and maintenance companies to resolve current safety issues and bring the safety law compliance rate to an acceptable level.

**Steps Taken:**
Monthly compliance support continues to be provided to four main maintenance contractors, and contractors have been requested to develop a compliance action plan with priorities.

**Steps to be Taken:**
- Develop a joint plan between MGCS and TSSA to address needed regulatory changes and other steps TSSA needs to take to improve compliance in the industry.

**Anticipated full implementation date:** 11/2019

### 16. Safety of Amusement Park Rides

**Recommendation:**
To improve the safety of amusement park rides, we recommend that the TSSA:

a. Implement an oversight process to ensure that operating permits are issued only to rides that have been inspected and found to be safe after any safety issues are remedied; **in progress**

b. Establish an inspection process to ensure that only rides with valid operating permits are in use. **Implemented**

**Steps Taken:**
Initiated rotating audits of amusement park devices; launched operational audits throughout province to check operating permits; implemented policy for rides with high-risk orders to cease issuing operating permits until orders are resolved.

**Steps to be Taken:**
- Complete process documentation related to new processes noted above.

**Anticipated full implementation date:** 03/2021

### 17. Upholstered and Stuffed Articles Program

**Recommendation:**
To significantly improve the effectiveness of its upholstered and stuffed products safety program, we recommend that TSSA:

a. Develop an action plan to improve this program so that its inspection and enforcement resources are used effectively and most efficiently to protect public safety; and

b. Ensure that inspectors have the required training and equipment.

**Note:** Effective July 1, 2019 the Upholstered and Stuffed Articles regulation will be revoked.
**18. Inspection of Boilers and Pressure Vessels**

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<thead>
<tr>
<th>Recommendation:</th>
<th>In Progress</th>
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<tr>
<td>To start fulfilling its responsibilities under the <em>Technical Standards and Safety Act, 2000</em>, with regard to the safe operation of boilers and pressure vessels, we recommend that the TSSA:</td>
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<tr>
<td>1. Establish inspection standards for boilers and pressure vessels and ensure that insurance companies are following these standards when conducting their inspections; <strong>Fully Implemented</strong></td>
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<tr>
<td>2. Use the information collected from insurers to develop and implement a robust centralized system that tracks the number of boilers and pressure vessels that operate in Ontario, their location and their safety status; and <strong>in progress</strong></td>
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<tr>
<td>3. Start collecting required information from insurance companies, review this information, and issue Certificates of Inspection for insured boilers and pressure vessels – <strong>In progress</strong></td>
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**Steps Taken:**
Continued to conduct BPV inspections in accordance with the National Board of Boiler and Pressure Vessel Inspectors and American Society of Mechanical Engineers inspection standards; implemented insurer audit program to assess insurer compliance.

**Steps to be Taken:**
- Continue to collect device information as input to the COI process and continue to collect ROIs for BPVs (points b, c)

**Anticipated full implementation date:** 12/2021*
### Legend:

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<thead>
<tr>
<th>Status</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Not yet initiated</strong></td>
<td>Action not yet underway</td>
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<tr>
<td><strong>Initiated</strong></td>
<td>Action has begun, but significant action remains</td>
</tr>
<tr>
<td><strong>In Progress</strong></td>
<td>Action is underway, but more action is needed</td>
</tr>
<tr>
<td><strong>Implemented</strong></td>
<td>Actions have been taken to fully address the findings that gave rise to the recommendation</td>
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<tr>
<td><strong>Under Review</strong></td>
<td>To be updated on-line once status confirmed</td>
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- Anticipated Full Implementation date has changed due to new actions and/or updated action plan.

**Questions?** Please contact us at [media@tssa.org](mailto:media@tssa.org).