



Technical Standards and Safety Authority

Draft Minutes of the Liquid Fuels Advisory Council Meeting on November 27, 2013

Minutes of the Liquid Fuels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1434, 14th Floor, Centre Tower, and 3300 Bloor Street West, Toronto, Ontario at 9:00 a.m. on the 27th day of November 2013.

Present: Robert (Bob) Smith (Chair), Canadian Oil Heat Association, Terry Ablett, Wagg's Petroleum Equipment Ltd., Trish Anderson, CIPMA, Eric Bristow, Canadian Fuels, Brent Francis, Francis Fuels Ltd., John Lastoria for (Andrea Ongaro), Canadian Tire Corporation, and Matilda Presner, Consumers Advisory Council.

In attendance: Ann-Marie Barker, Engineer, (all items except 19), Susy Ceolin, Advisor Research and Education (item 16), Zenon Fraczkowski, Engineering Manager (all items except 19), Wilson Lee, Director Stakeholder Relations (items 16 and 17), Maram Khalif, Council Coordinator (all items except 19), David Scriven, VP Research and Corporate Secretary (items all except 16 to 19), Richard Smart, Chief Financial and Information Officer (item 8), Srikanth Mangalam, Director Public Safety Risk Management (item 10), Jonathan Tsao, Advisor Government Relations (all except items 19) and Peter Wong, VP Operations (all items except item 19).

Regrets: Jim Wood, McKeown & Wood Ltd.

Guests: Sarah Jeffrey-Hampton Senior Policy and Program Analyst, Ministry of Consumer Services (MCS) (items 1 – 14), Hussein Lalani, Manager, MCS (all items except 19), Stephen Koch, Canadian Oil Heat Association (items 1-15), Dereck Northcotte, North Waterloo Farmers Mutual Insurance.

1. Constitution of Meeting

R. Smith, Chair, called the meeting to order. Z. Fraczkowski introduced the emergency evacuation terms in case of fire during the meeting. Roundtable introductions followed.

2. Canadian Oil Heat Association (COHA)

S. Koch, President of COHA, joined the meeting.

3. Approval of Agenda

Council members approved the agenda for the November 27, 2013 meeting as presented.

4. Approval of the Minutes

Council members approved the minutes from the May 15, 2013 Liquid Fuels Advisory Council meeting as drafted, as being a true and correct record of that meeting.

5. Review Action Items From Last Meeting

A. Barker reviewed the outstanding action items from previous meetings with council members, noting that the items highlighted in grey were completed.



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The first outstanding item was regarding the protocol for the Fuel Oil Spills and Leaks. The Risk Reduction Group (RRG) met on November 19, 2013 to discuss the protocol. R. Sumabat will send the minutes of the Protocol to both the Fuel Oil RRG and the Council, once it is complete.

The second outstanding item regarding council voting on the top priority safety issues will be discussed under item 15 of the agenda.

6. Council Chair's Report

As part of the advanced materials for this meeting, members received the Chair's annual report to the President and the CEO, which was treated as read.

The Chair's report was also shared with TSSA's Board of Directors. The Board Chair sent a letter of acknowledgment and appreciation to all council Chairs.

The continuing review of the fuel oil sector and the fuel oil Code of Adoption (CAD) was noted. The Chair emphasized the importance of having the RRG focus on this CAD, in order to adopt the latest CSA B139, which is expected to be published in 2015. The Chair suggested that TSSA's mandate upgrades the training for Oil Burner Technicians once the new B139 is adopted. In addition, he recommended TSSA to focus on public education since many homeowners are unaware that they are legally required to maintain oil burning equipment.

7. TSSA CEO'S Report

As part of the advanced materials for this meeting, members received a report from the President and CEO regarding TSSA's key activities over the last quarter, which was treated as read.

D. Scriven, on behalf of M. Beard, informed council that changes were made to TSSA's Board of Directors at the last Annual General Meeting, noting the appointment of a new Chair, Judith Wolfson and Vice-Chair, Norm Inkster. The recruitment of five new board members was also noted.

TSSA recently held its strategic session in which, TSSA's commitment to focus on advocacy for public safety while still reinforcing its mandate to improve the safety of Ontarians were endorsed.

Injuries and fatalities related to Carbon Monoxide (CO) and its impact on the industry were discussed. Further discussion ensued around the recently submitted private member's bill for CO detectors (similar to that of smoke detectors) for private dwellings. TSSA continues to emphasize that scheduled maintenance will continue to be the primary focus of its activities relating to reduction of CO related incidents.

8. Fee Review & White Paper Working Group Update

R. Smart provided information around the background of the fee review process and the implementation process for the Liquid Fuels Safety Program. The changes pertaining to traveling costs and the introduction of minimum fees were reiterated.

No changes were made to licensing, registration or examination fees during this fee review cycle. The overall strategy for the fee review was to drive positive compliance behaviour. The use and the cost benefits of declaration of compliance for non-safety orders were also discussed.



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There have been no industry specific issues since the implementation of the new fee on May 1, 2013.

Moving forward, the establishment of a white paper working group was noted. This working group will focus on simplifying complex fee structures and developing incentive drives for the next cycle of fee review and framework in the next three years. The council engagement in this regard is being revisited. Further information will be shared at the next meeting.

The Council recommended that TSSA consider developing pamphlets or Frequently Asked Questions about TSSA, specific to Northern Ontario businesses not familiar with TSSA.

The possibility of TSSA utilizing E-commerce was also discussed. TSSA's new digital strategy focusing on future technical improvements was also noted.

9. Council Evaluation and Engagement Survey Report

As part of the advanced materials for this meeting, members received the results of the council evaluation and engagement survey conducted in 2013, which was treated as read.

D. Scriven provided background information of the council evaluation and engagement survey. He highlighted that overall the results have been positive. All current members of Liquid Fuels Advisory Council participated. The overall percentage of all council participation was 93%. The next council survey to be conducted in 2016.

Some of the challenges that arose from the survey were due to a lack of communication between meetings. TSSA has taken steps to develop an Advisory Council portal to encourage dialogue between meetings and this will be shared with Council Chairs at the January meeting.

The benefits of having Risk Reduction Groups were highlighted as well as focusing on areas of interest to the council at the meetings.

Some members expressed concerns regarding data sharing and incident reporting in the survey. Council was informed that the launch of the Field Support Services will improve the collection of data. TSSA is also working on formalizing its relationship with the Spills Action Centre in order to further improve the data sharing between TSSA and the Ministry of Environment and subsequently improving incident information provided to council.

10. Issues and Incident Report

There were no incidents reported since the last meeting.

11. Liquid Fuels Safety Compliance and Annual Safety Performance Report (ASPR)

As part of the advanced materials for this meeting, council received TSSA's Annual Safety Performance Report (ASPR), which was treated as read.

With the aid of a PowerPoint presentation, P. Wong provided an overview of the corporate safety compliance results for Fiscal Year 2012/2013. S. Mangalam provided safety compliance information regarding the Fuels Safety Program.

Consolidated root cause analysis indicated that injury or fatality due to non-compliance are largely due to carbon monoxide poisoning and other external factors which were further discussed during the meeting.



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Further discussion ensued in regards to spills and leaks data and distinguishing devices in the compliance information provided to council. For example, council requested to view incidents involving single wall versus double wall or double bottom tanks, etc.

TSSA will be launching the Field Support Services for all its safety programs starting in December 2013 with the Elevating Devices Safety Program. The Field Support Services will standardize orders and inspections and data presented to council will be more specific as per their request. This will include providing the top five non-compliance category and the possibility of analyzing the root cause of the issues. The Field Support Services' launch for liquid fuels is scheduled for summer 2014.

A high level discussion ensued regarding the Ministry of the Environment's (MOE) commitment to reduce greenhouse gas emissions and improve air quality by proposing a regulation that would require that Ontario's diesel pool contain a minimum percentage of diesel made from renewable sources. Council noted the impact this mandate may have on its industry in Ontario. There were fundamental issues with the proposal such as the lack of information about how this proposal will affect the devices or equipment that are already in place. Council's position was that more research is needed before finalizing the mandate.

Some members of council agreed to provide their collective comments to the consultation papers posted by the MOE which closes to the public on December 16, 2013. E. Bristow will share with TSSA the council's comments to the proposal submitted to MOE and the consultation paper when it is completed.

Liquid fuels backlog update: The liquid fuels backlog has been completed ahead of schedule and TSSA is taking steps to prevent backlogs in the future.

Some of the challenges resulting from the elimination of the backlog were discussed. The need for training in the industry was also highlighted. The logistics of providing training in the region were considered. The council recommended:

- Approaching contractors and site owners differently according to their needs in training and increasing TSSA's awareness;
- TSSA partnering with the appropriate associations or partners in the industry upon indentifying specific issues or concerns to launch education and awareness initiatives, as appropriate;
- There is no dramatic need for action focused on Northern Ontario and TSSA should focus on contractors who do not comply instead of considering issues that are region or industry specific.

ACTION: ASPR presentation will be sent to council.

ACTION: E. Bristow to share council's comments submitted to the MOE in regards to greenhouse gas emission.

12. Priority Safety Issues: Risk Reduction Group (RRG) Updates

As part of the advanced materials for this meeting, members received a briefing note updating the outstanding fuels RRG which was treated as read.

A. Barker informed council that a decision was made not to extend mobile fueling to boats at this time since it may be used as replacement for a properly constructed marina. Council members were concerned with the process of the decision making and requested that the proposed decision be discussed at the upcoming RRG to provide the RRG with an opportunity to rebut the decision.

The Council was supportive of TSSA's intent to streamline the process of updating the Code Adoption Document (CAD) Amendments by re-issuing all of the CAD Amendments in one document rather than issuing each change as a separate update.



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13. Ministry of Consumer Services (MCS)

MCS complemented TSSA on the elimination of the liquid fuels backlog.

14. Input on Industry Trends and Issues

As part of the advanced materials for this meeting, members received a list of all industry issues and trends, which was treated as read.

There were no new issues at this time.

15. Establishing Safety Priority Issues for 2013 to 2015

As part of the advanced materials for this meeting, members received a historical list illustrating all industry issues as revised at the last meeting while setting the priority safety issues, which was treated as read.

D. Scriven facilitated a session to categorize the historical list, distinguishing priority safety issues and other safety issues.

Council agreed to categorize all issues into the following areas:

1. Leaks/Spills (may include: tanks, aging other sources of data, root causes)
2. Compliance (contractors and distributors etc)
3. Promotion of public education
4. Consistency of Inspection
5. Training and Certification issues

Council voted on the above issues and selected items 1 to 3 as priority safety issues. Each council member was asked to rank the top three items they would like TSSA to address. The results will be shared at the next meeting.

ACTION: Share council's final votes on the top priorities at the next meeting.

16. Customer Value Survey Result

As part of the advanced material for this meeting, council received a customer value survey result briefing note, which was treated as read.

With the aid of a PowerPoint presentation which forms part of the record of the meeting, S. Ceolin presented the findings of the most recent customer value survey result 2013.

W. Lee informed council that in response to industry's request for communication and information sharing, TSSA will be utilizing social media to engage certain industry sectors. Safety Advisories, Director's Orders, Code Adoption Documents and other documents pertaining to the industry will be featured in some of the social media. It was noted that this platform will include different mediums of communicating such as conducting interviews with the appropriate TSSA personnel to discuss the changes to a particular document and the benefits associated with the change.



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In regards to the industry customer value survey, overall value of the organization remained unchanged. However, some notable changes were observed in the perception of accountability, impartiality and management. In regards to TSSA's ability to achieve its core mandate, customers feel that TSSA is effective at maintaining public safety. The survey was conducted from May 2012 to April 2013.

17. Other Issues:

Source Water Protection: W. Lee informed the council that this was an ongoing consultation with MOE and 13 local source protection committees. He reported to council that there has been no change since last meeting.

He also provided a brief update around the issue: MOE and the local source protections named TSSA and MCS under implementation phase of policies disregarding TSSA's mandate and its regulations. Some of these committees have removed TSSA and MCS from their policies. TSSA and MCS were diligently working with MOE and other source protection committees to have all municipalities remove any references to TSSA and MCS in their implementation phases.

Ontario College of Trades (OCOT): W. Lee provided a brief background on this issue by highlighting the overlapping regulatory issues arising from the inception of OCOT especially in gas fitters trade for this industry. He reported to council that an agreement has been achieved to allow gas fitters to remain under TSSA's regulatory mandate due to its nature of interacting with the general public. He noted that an agreement was in progress and further information will be shared when completed.

18. Questions on Information Items and Other Business

Membership: There was no discussion under this item.

CSA –B139 Code Adoption: This item was noted under item 6.

19. In Camera

Council met without management.

20. Termination

The meeting was terminated at 1:45 p.m. **The next meeting is scheduled for May 15, 2014.**