



Technical Standards and Safety Authority Minutes of Propane Advisory Council Meeting on June 3, 2014

Meeting Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1433/34, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 9:30 a.m. on the 3rd of June 2014.

- Present:** David Karn (Chair), Dowler-Karn Limited, J. L. Adams, EDPRO, Andre Alie, PNE Corporation, Sue Hardy, National Energy Equipment, Brian Horsman, Consumers Advisory Council, John Lastoria, Canadian Tire Petroleum Network Development, and Peter Maddox, Canadian Propane Association.
- In attendance:** Michael Beard, President and CEO (all items except 17), Sandra Cooke, Compliance Manager (item 9), Zenon Fraczkowski, Engineering Manager (all items except 17), Maram Khalif, Council Coordinator (all items except 17), Solomon Ko, Senior Engineer (all items), John Marshall, Director, Fuels Safety Program (all items except 17), Richard Smart, Chief Financial & Information Officer (item 8), and Jonathan Tsao, Advisor (all items except 17).
- Guests:** Mohamed Awad, Senior Policy Advisor, Ministry of Consumer Services (MCS) (items 1 to 16), Hussein Lalani, Manager, MCS (items 1-16).
- Regrets:** Doug Fines, HURONIA/MED-E-OX Ltd., Scott Sprack, PSL Facility Energy Management Services, David Passador, Superior Propane, Nicole Stewart, Director, MCS, Larry Boyd, Ontario Recreation Vehicle Dealers Association and Steven Sparling, Sparlings Propane.

1. Constitution of Meeting

D. Karn, Chair, welcomed the council members and called the meeting to order. Chair introduced two new members to the council: S. Hardy of the National Energy Equipment and B. Horsman representing the Consumers Advisory Council.

A distracted driving video was shown as part of the safety moment.

2. Approval of Agenda

Council members approved the agenda of June 3, 2014 with one additional item under #16, Pan Am Games 2015 led by J. Marshall

3. Approval of the Minutes

Council members approved the minutes of the October 30, 2013 Propane Advisory Council meeting as drafted, as being a true and correct record of said meeting.

4. Review Action Items From Last Meeting

J. Marshall reviewed the outstanding action items from previous meetings with council, noting that those highlighted were completed.

For the outstanding item, training offered by the Canadian Propane Association continues to be in progress. J. Marshall and P. Maddox are working together on this item and a further update will be provided once completed.



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5. Council Chair's Report

As part of the advanced materials for this meeting, council received the Chair's annual report to the President and CEO highlighting the council's accomplishments and opportunities for fiscal year 2013/2014, which was treated as read.

6. TSSA President & CEO'S Report

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

A recent incident in the industry was highlighted. The rapid response provided and the coordination with other organizations such as Office of the Fire Marshall was acknowledged.

7. Ministry of Consumers Services (MCS) – Propane Project Panel Update

H. Lalani reported to council that the propane project panel roundtable was concluded in December 2013. MCS developed a consultation paper in which submission from industry and the public was to be completed in the summer. After all submissions are received and reviewed, a briefing paper will be prepared for the Cabinet to make the final decision. However, due to the election cycle, all non-priority matters are delayed until a new government is in place. The timeline for decision was deemed unpredictable at this time pending the outcome of the provincial elections.

Discussion followed regarding TSSA's risk based inspection criteria and assumptions as well as the specifics of using the Risk Informed Decision Making (RIDM) model. Further discussion followed regarding other additional topics that arose during the consultation phase for consideration, such as an insurance proposal in the propane industry and the importance of gathering more information and evidence in order to change regulations.

8. Option Paper Fee Review and Framework and Embedded Fee Update

With the aid of a PowerPoint presentation which forms part of the record of the meeting, R. Smart provided an update regarding the option paper fee review and framework.

Lessons learned from the fee changes were noted. Some of the challenges faced were highlighted, such as; recognizing and rewarding a positive compliance and ways to deter non-compliance. The option paper will be concluded by the end of the summer and the final report will be shared shortly after.

Regarding the embedded fee item, R. Smart informed council that the embedded fee was introduced to the Propane and Liquid Fuels Sectors in 2004. However, recently TSSA has learned that some of the inspections were not performed; therefore, funds for services not rendered were being returned to the customers in the form of a credit or full refund. It was noted this impacted on a small percentage in the Propane sector and mostly impacted the liquid fuels sector.

There was discussion on how RIDM may impact inspection and may the lower overall cost of the program. Brief discussion ensued around ways to contain cost and the possibility of lowering MCS's fee as a result of utilizing RIDM.



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9. Introduction of TSSA's External Ombudsman

As part of the advanced materials for this meeting which forms part of the record of the meeting, council received the charter for TSSA's Ombudsman office, which was treated as read.

With the aid of a PowerPoint presentation which forms part of the record of the meeting, S. Cooke provided an overview of the process for the Ombudsman's Office.

She further highlighted that the Ombudsman's office falls under TSSA's Legal Department and if, at anytime, there were a conflict of interest, she would remove herself from that particular case.

10. Safety Compliance Report

With the aid of a PowerPoint presentation which forms part of the record of the meeting, J. Marshall provided an update regarding the compliance rates for this program since last meeting.

The top five clauses cited for FY14 Q3 in periodic inspections were highlighted as follows:

- Risk Safety Management Plan (RSMP) – Operation of certain facilities
- FS – Unlisted Deficiency,
- Safe Operating Condition,
- A container filling or storage building or a building containing a pump and compressor, and
- Certificate required to handle a propane

11. Issues & Incidents Update

J. Marshall reported that six incidents occurred since the last council meeting. Four involved user behavior and two training issues. One incident involved fire in a dwelling. One was a result of an explosion in a house. Two incidents involved Carbon Monoxide and the last one was an overfill incident.

The council was encouraged to be aware that those assembling BBQs in retail should be certified in accordance with the regulations. Distributing generic information on this issue to the industry was recommended. It was reiterated, that it was the retailers' responsibility to be proactive in this area. TSSA could provide more literature and other information, if needed, and is currently working with two service providers to develop alternative programs for BBQ assembly.

12. Risk Reduction Group (RRG) Update

As part of the advanced materials for this meeting which forms part of the record of the meeting, council received the RRG minutes from December 6, 2013, which was treated as read.

In regards to the implementation of the service/inspection of Pressure Relief Valves (PRV) for propane tanks, this item was noted to be tabled for further discussion at the next RRG meeting. The criteria for replacement and frequency have been an ongoing issue at the RRG level and the industry proposed to follow the new B51 -13 requirements. An implementation program will need to be selected.

In regards to Liquefied Natural Gas (LNG), the licensing requirements are similar to that of propane industry; however, there were some differences in their regulations. A presentation on how LNG facilities are licensed will be made at the next RRG.



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13. Canadian Propane Association (CPA) Update

P. Maddox reported to council ongoing initiatives at the CPA mainly around its marketing strategy and issues facing its members and the industry in general, such as, shortage of propane supply during this past winter. Lessons learned from this winter were shared. Challenges facing CPA in relation to the other organized industries, such as, Natural Gas and Farming were highlighted.

Collaborative partnerships between TSSA and CPA in issues facing the propane industry were recommended.

Further discussions around the impact of CO in the propane industry were discussed and P. Maddox referenced CO research which was conducted in British Columbia.

ACTION: P. Maddox will send the CO research conducted in BC to D. Scriven.

14. Matrix Revised

In advance of the meeting, council received a briefing note highlighting the purpose for the revision of the matrix and a revised matrix, which were treated as read.

Council' overall goal is to be inclusive and transparent of the industry. The differences between Owners versus Distributors were discussed and council agreed to keep the matrix as presented.

The current membership update was provided as follows:

- L. Boyd would like to renew his membership for another term (3 years)
- S. Sparling has indicated he will be stepping down from council when his term expires (as per the Chair)
- S. Spark will be removed from the list as he has indicated he will not be remaining on council.

ACTION: The Chair will contact D. Passador - to find out his intentions to remain as member-of the Advisory Council.

15. Input Industry Issues and Emerging Trends

In advance of the meeting, council received input on industry issues and emerging trends collected at the previous meetings, which were treated as read.

There were no changes to this document.

16. Questions on Information Items and Other Business

Ontario College of Trades (OCOT) Update: Overlapping regulatory issues for TSSA, MCS, OCOT and Ministry of Training Colleges and Universities (MTCU) were still ongoing. Some progress has been made and an update will be provided once it becomes available.

Training for the Advisory Council Portal: Two webinars will be scheduled for July 15 and July 22. Invitations will be sent to council.



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Filling for propane fueled school buses: J. Adams and D. Karns presented to council an issue involving provincial jurisdictions which currently require specific labeling for vehicle fuel systems designed to operate on propane fuel. Historically, these have been provided by the provincially licensed converters of the vehicle. Given that vehicles prepared by Original Equipment Manufacturer (OEM) are not processed through a provincially licensed entity, access to the required labels is an issue. A company named Blue Bird approached the Propane Advisory Council (through the Chair) to initiate the necessary actions allowing an OEM to install any necessary labeling for an OEM-installed propane fuels system certified to CMVSS 301.1.

This issue was thoroughly discussed and deemed outside of TSSA's jurisdiction and not fit for establishing an RRG at this time. However, it was also noted that this issue was under the radar at a recent National Public Safety Advisory Committee (NPSAC) meeting. J. Adams will provide more information around this issue to J. Marshall to share it with Inter-Provincial Gas Advisory Council (IGAC).

ACTION: J. Adams and D. Karn to send more information regarding fueled school buses to J. Marshall.

ACTION: J. Marshall to follow up on the issue of propane fueled school buses with IGAC.

Pan Am Games Preparation: J. Marshall reported to council that TSSA had developed a committee to focus on preparing for Pan Am Games starting on July 2015 in and outside the Greater Toronto Area. These games are similar to the Olympics and will attract a lot of people, vendors and media. Council was encouraged to ensure all inspections are up to date and appropriate information is disseminated to the industry.

17. In Camera

Council met in camera without TSSA and guests.

18. Adjournment

The meeting was terminated at 12:30 p.m.

Next meeting is scheduled for: October 30, 2014 starting at 9:30 a.m. to 2:00 p.m. In camera session will follow after the meeting.