



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council Meeting on March 12, 2015

Meeting Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1433/1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 9:30 a.m. on the 12th day of March, 2015.

Present: David Karn (Chair), Dowler-Karn Limited; J. L. Adams, EDPRO; Bruce Coomber, Sparling Propane; John Lastoria, Canadian Tire Petroleum Network Development; Peter Maddox, Canadian Propane Association; and Sue Hardy, National Energy Equipment.

In attendance: Michael Beard, President and CEO (all items except item 14 and 16); Zenon Fraczkowski, Engineering Manager (all items except item 16); Brigit Gillis, Fuels Safety Engineer (item 15); Kristian Kennedy, Policy Advisor (all items except 9 to 11 and item 16); Maram Khalif, Council Coordinator (all items except item 16); Solomon Ko, Engineer (all items except item 16); David LeVasseur, Fuels Safety Inspector (item 7); John Marshall, Director, Fuels Safety Program (all items except item 16); David Scriven, VP, Research and Corporate Secretary (items 11 to 15); Supraja Sridharan, Public Safety Risk Analyst, (item 9); and Peter Wong, VP of Operations (all items except item 16).

Regrets: Andre Alie, PNE Corporation; Doug Fines, HURONIA/MED-E-OX Ltd., Brian Horsman, Consumers Advisory Council; and Kevin Johnson, Superior Propane.

Guests: Hussein Lalani, Manager, Ministry of Government and Consumer Services (MGCS) (all items except item 16); Nathan Fahey, Senior Policy Analyst, MGCS, (all items except item 16).

1. Constitution of Meeting

D. Karn, Chair, welcomed the council members and called the meeting to order.

The Chair introduced a new member to the council, B. Coomber of Sparling Propane, representing the distributors sector.

A video on prevention of Carbon Monoxide poisoning was shown as part of the safety moment.

2. Approval of Agenda

Council members approved the agenda as drafted, for the March 12, 2015 meeting.

3. Approval of the Minutes

Council members approved the minutes of the October 30, 2014 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, noting that those highlighted were completed.

The two outstanding action items were tabled as item 5 and item 11 on the agenda.



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5. Council Chair's Report

The Chair highlighted TSSA's Annual General Meeting (AGM) held on September 23, 2014 noting the launch of TSSA's Exchange Blog. He recommended that members subscribe to the Blog. The benefits of utilizing Risk Information Decision Making (RIDM), as well as focus on public education to address user behaviour, were also highlighted at the AGM.

6. TSSA President and CEO'S Report

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

M. Beard reported to council that TSSA's External Safety Award (item 7 on the agenda) will be launched the Spring of 2015.

He clarified that a Delegated Administrative Authority (DAA) oversight guideline initiative had been launched to formalize processes between DAAs and MGCS.

A formal process of resolving conflicts over orders issued by inspectors and having an appeal process was discussed. The current conflict resolution process, which is posted on TSSA's website, was described.

Discussion also ensued on the determination of the influence of risk factors on the overall rating of risk based periodic inspection scheduling. It was noted that discussions are currently in progress between industry and TSSA to determine the appropriate level of risk for certain standard orders. Some members indicated that they would like to be involved in this process.

ACTION: J. Marshall will consult with S. Mangalam and advise the Council on the most appropriate approach for industry engagement in the process of determining risk assessment for standard orders.

7. TSSA's External Safety Awards

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, D. LeVasseur provided an overview of the eligibility and the selection criteria, as well as the nomination and recognition processes.

The program will be launched via TSSA's Exchange Blog, Twitter and other social media. As the program progresses, it will be monitored and evaluated for success.

8. Ministry of Government and Consumer Services (MGCS)

N. Fahey provided a high-level overview of the joint TSSA/MGCS regulatory renewal initiative. He explained that the Operating Engineers review would be a comprehensive overhaul of the regulation. The Upholstered and Stuffed Articles regulation has areas that have been outdated by new technologies and it will require a comprehensive review as well. The Liquefied Natural Gas review would explore the need for a new regulation. The Boilers and Pressure Vessels regulation is already under review. These are currently the priorities of the regulatory renewal process. If other issues are considered as urgent, MGCS will look into it as a targeted issue. Additional discussions around regulatory review process were provided under item 14.



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9. Compliance Safety Report for Propane

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, J. Marshall provided an overview of the status of compliance in the propane sector.

The top five orders issued in FY15 Q1-Q2 were identified and discussed. The new use of RIDM in this industry will affect the data provided for the next meeting. Council requested to receive Level 1 versus Level 2 in the data for the next meeting.

Council reported how they promoted the use of risk-based inspection scheduling to their clients in the anticipation of the new regulation changes.

ACTION: J. Marshall will include the breakdown of the compliance rate for Level 1 versus Level 2 in the next meeting update.

10. Issues & Incidents Update

J. Marshall reported to council that there have been five incidents since the last meeting.

One incident involved fire and user. The investigation to determine the root cause has not been completed. Another incident involved CO release in mobile operations and resulted in a fatality. This is also under investigation. The other three incidents involved explosions and are also still under investigation.

J. Marshall reported to council that TSSA has been working with retailers around the assembling of gas appliances (Gas BBQ) in retail stores on behalf of customers. The issue of proper training or issuing a variance is a concern. Discussion ensued around the details of allowing an exemption in the regulation and the limitation of this exemption to avoid loopholes. The details of the exemption are presently being developed by MGCS and will be shared with council when completed.

11. Priority Safety Issues Discussion

In the past few years, the Propane Advisory Council focused on the regulation review of the Propane Regulation. Since this regulation review has essentially been completed, council would like to establish a new list of top priority safety issues to be addressed over the next three years. To this end, it was recommended that council develop a list of potential safety priorities prior to the next meeting using the Council Portal.

Some of the issues may be identified from the council survey conducted in 2013, which will be shared with council via the Council Portal.

ACTION: The Propane Advisory Council survey results from 2013 will be posted on the Council Portal. Council will indicate their priority issues and vote to determine the three safety priorities for the council to address going forward at the next meeting.

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 the November 25, 2014, meeting, which were treated as read.



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S. Ko reported to council that RRG processes were being revamped. The membership, the process and the structure will be reviewed to ensure the meetings are more meaningful for all attendees. Council recommended limiting the attendees to the issues discussed.

ACTION: S. Ko will inform the Council on the progress of changes made to the RRG process.

13. Canadian Propane Association (CPA) Update

P. Maddox provided high-level information around recent CPA activities, including a recent press release encouraging the industry to do their part to stay safe this winter.

14. Future Regulatory Changes Process

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received draft documents highlighting suggested changes in the regulations for propane storage and handling, fuels safety certifications, and boilers and pressure vessels. All documents were treated as read.

Regarding the recent propane regulations, there were two items (propane fuel distributor licensing regime and offsite cylinder storage) that were not included in the regulation review due to a lack of evidence based data. TSSA and the industry expressed concerns about the two outstanding items. Other mechanisms outside of the regulations that might address these concerns were also discussed.

As of now, any other propane regulations review will not be considered until the priority regulatory reviews identified earlier in the meeting are finalized.

Creating a continuous pathway to regulation reviews in a systematic and more efficient way was discussed. Having an inventory of existing gaps in regulations that could be kept in a queue for future regulation change opportunities were discussed. The standard regulation review process was noted as cumbersome and the possibility of having another way of conducting regulation reviews or revamping the standard process in place were further discussed. Having two different processes, one for comprehensive reviews and one for partial reviews were also noted as another possible solution.

The current process for regulation reviews that resulted the propane regulation changes was thoroughly discussed.

15. Questions on Information Items and Other Business

Original Equipment Manufacturer (OEM) Propane Vehicle Labels: J. Adams presented to council an issue involving a provincial requirement for labeling for vehicle that use propane as a fuel. Currently, an authorized conversion centre applies the label and this creates a challenge when the vehicle was designed and built to operate on propane fuel. Other jurisdictions were approached about how they deal with this issue and everyone who responded was struggling with the same challenges.

This issue was considered at the last RRG meeting held on November 25, 2014. Council discussed ways to resolve this issue, however, since there are other ministries and regulators involved in the process it was determined that it may be difficult to make changes without their participation.

OEM Garages Servicing OEM Converted Propane Vehicles: J. Adams informed council that the technicians at the OEM garages were not registered with TSSA; therefore, the technicians would be contravening the regulations when they service OEM converted propane vehicles. This issue relates to the above issue of OEM propane vehicle labels. TSSA and MGCS will continue to discuss the issue of training,



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servicing and labelling of propane-fuelled vehicles with the Ontario Ministry of Transport and Transport Canada.

Review of Propane Conversion Centers and Audits: B. Gillis presented to council her findings from a review of propane conversion centers and audits. She provided an overview of the process noting that the audit was based on an engineering review of components and inspection of vehicles.

There are 102 licensed propane conversion centres in Ontario. Out of the 102 propane conversion centres, 16 propane conversion centres have received 100 labels or more from TSSA (since 2008). All of these companies have been audited by TSSA.

From the current audit, two of these companies had to have further audits and inspections from TSSA due to more serious non-compliances. Most of these propane vehicles conversion centres do aftermarket propane conversions under the B149.5 except one that puts labels on recreational vehicles. These propane conversion centres have received approximately 80% of the all the labels TSSA has issued since 2008. Thirty-one out of the 102 propane conversion centres have been subject to a TSSA audit. Outside of the two propane conversion centres that were previously mentioned, there were no major issues cited.

Inspection of Propane Tanks in Boilers & Pressure Vessels Advisory Council Priorities: J. Adams reported to council that this is an information item for council. This issue deals with the training and certification of inspectors conducting propane inspections. Cathy Turylo of Boilers and Pressure Vessels Safety Program will schedule a meeting with J. Adams and D. Karn who will bring updates to the council as information becomes available.

RRG Process: The RRG process is under review as indicated under item 12. The council believes that the group is too large and the issues are too onerous for one meeting. Dividing the main group into task groups was recommended. Changes were being considered including developing a membership matrix for each RRG.

Propane Regulation Implementation Update: J. Marshall informed council that to date feedback on the implementation of the risk-based inspections scheduling has been neutral or positive.

16. *In Camera*

Council met *in camera* without TSSA and guests.

17. Adjournment

The meeting was terminated at approximately 1:40 p.m. **The next meeting is scheduled for October 28, 2015 at 9:30 a.m.**