



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council Meeting on October 30, 2014

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 30th day of October 2014.

- Present:** David Karn (Chair), Dowler-Karn Limited; J. L. Adams, EDPRO; Brian Horsman, Consumers Advisory Council; John Lastoria, Canadian Tire Petroleum Network Development; Peter Maddox, Canadian Propane Association; Kevin Johnson, Superior Propane; Sue Hardy, National Energy Equipment; and Steven Sparling, Sparling Propane.
- In attendance:** Michael Beard, President and CEO (all items except item 14); Zenon Fraczkowski, Engineering Manager (all items except item 14); Wilson Lee, Director, Stakeholder Relations (item 7); Vira Seneviratne for Maram Khalif, Council Coordinator (all items except item 14), John Marshall, Director, Fuels Safety Program (all items except item 14); David Scriven, VP, Research and Corporate Secretary (items 1 to 8); and Peter Wong, VP of Operations (all items except item 14).
- Regrets:** Andre Alie, PNE Corporation; Larry Boyd, Ontario Recreation Vehicle Dealers Association; and Doug Fines, HURONIA/MED-E-OX Ltd.
- Guests:** Nicole Stewart, Director, Ministry of Government and Consumer Services (MGCS) (all items except item 14); Hussein Lalani, Manager, MGCS (all items except item 14); Nathan Fahey, Senior Policy Analyst, MGCS, (all items except item 14).

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, Kevin Johnson of Superior Propane, representing the fuel distributors sector.

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

2. Approval of Agenda

Council members approved the agenda as drafted, for the October 30, 2014 meeting.

3. Approval of the Minutes

Council members approved the minutes of the June 3, 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 with council, noting that those highlighted were completed.

For the outstanding action item requiring follow up with the Inter-Provincial Gas Advisory (IGAC) on the matter of propane fueled school buses, J. Marshall reported that progress was being made and completion of the IGAC's consideration of this matter anticipated by spring 2015. High-level discussion followed around ways to resolve the propane-fueled school buses issue in Ontario. The impact of jurisdictional limitations and labeling issues arising from Original Equipment Manufacturers (OEM) were noted.



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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 FY14, which was treated as read.

The Chair reported to council that he attended TSSA's Public Annual General Meeting (AGM) and would like to discuss his findings at the next meeting.

ACTION: The Chair will provide an update on TSSA's General Annual Meeting to council at the next meeting.

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 concerning TSSA's key activities over the last quarter, which was treated as read.

M. Beard provided an overview of the safety awards categories and noted the first award is to be presented at next year's AGM. He also reported on the joint MGCS and TSSA Regulatory Renewal Project, which had been initiated during the previous Deputy Minister's tenure.

7. Ministry of Government and Consumer Services (MGCS)

Propane Project Panel Update: N. Stewart introduced Nathan Fahey to the council.

N. Stewart reported to council that the consultation paper completed in February 2014 was delayed due to the outcome of the provincial elections in June. The revision to the regulation has now been passed and will be implemented effective January 1, 2015. The changes in the regulation are listed below.

N. Stewart highlighted the changes made to the regulations as follows:

- Moving from annual to risk-based inspections so that higher-risk facilities are inspected more frequently than lower-risk facilities
- Permitting facilities to select the most appropriate senior management person to complete the mandatory safety training that is required of staff who directly handle propane for transfer
- A new requirement to carry insurance will be set at minimums of \$1 million for small propane transfer facilities and \$5 million for medium-to-large propane transfer facilities. This requirement will come into force on January 1, 2016
- Align the decision making of Level 1 RSMP templates – transfer authority for changing the data elements of the templates to the Statutory Director

Council was informed the insurance amount recommended by the Task Group was reduced by the Ministry of Consumer Services without input from the Task Group.

The other two remaining issues raised, namely that of operators storing propane off site (not being required to be licensed), and propane distributors (non-fixed site distributors not requiring a license) issue were further discussed. N. Stewart informed council the Government had determined more time was required to consider steps to address the last two issues remaining. No deadline was given as when to provide an update.

Embedded Fee Update: W. Lee informed council the above-mentioned changes will impact the embedded inspection fee already in place. TSSA was working on ways to address this issue including the possibility of



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discontinuing the embedded fee. TSSA will communicate any fee changes to the regulated customers in the propane industry through TSSA's Exchange Blog.

8. Annual State of Public Safety Report (ASPSR) and Compliance Safety Report for Propane

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received the ASPSR and Compliance Safety Report, which were treated as read.

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, P. Wong provided an overview of the ASPSR and the safety highlights of FY14.

9. Issues & Incidents Update

J. Marshall reported to council that two incidents of note occurred since the last meeting. One incident involved a propane fire in a residential dwelling and the other incident involved an issue that was outside of TSSA's jurisdiction.

10. Code Adoption Document Update and Communication

Z. Fraczkowski reported to council on the process of adopting new codes. He also advised that there is now a need to make some minor changes to adopting the propane codes because of the regulation changes. The new codes will be effective by January 1, 2016.

Challenges related to effectively communicating changes in codes to those required to apply them was discussed.

11. 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 June 23, 2014, meeting, which were treated as read.

12. Canadian Propane Association (CPA) Update

P. Maddox reiterated the supply difficulties experienced by the industry during last winter. CPA approached current Ontario members of parliament to discuss ways to improve the new storage capacity to prevent a similar experience.

He also informed council he met with David Lisle of TSSA to discuss how different regulators were working on Carbon Monoxide issues in Ontario.

MGCS representatives at the meeting requested a copy of the package sent to the MP and MPP of Ontario.

ACTION: P. Maddox will share the package sent from CPA to the MP of Ontario with MGCS (mainly Hussein Lalani).



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13. Questions on Information Items and Other Business

Cardlock/keylock and private use of propane dispensers for auto refueling: D Karn informed Council that this item was brought before the RRG and had consensus from both industry and TSSA staff; however, it was discussed at the RRG to bring it back to the PAC so that J. Marshall could review and decide the appropriate action. P. Maddox and J. Marshall where to review and bring this back to the next meeting.

ACTION: J. Marshall and P. Maddox will provide update around the cardlock/keylock and private use of propane dispensers for auto refueling at the next meeting.

Natural gas refuelers (truck to truck): D. Karn informed council of industry concerns regarding a level playing field for propane and natural gas as it relates to refueling. Council agreed the two sectors should be treated the same.

Status on changes to Regulation 125: This item was discussed under item 7.

TSSA staff attendance at the Propane Advisory Council: D. Karn noted there was a large presence of TSSA staff at the meetings and recommended individuals attend as per needed basis. It was noted that most of the staff were needed for the duration of the meeting. However, those needed for one item will be notified to attend for the assigned item only.

Reviewing the results of the last Propane Conversion Centre audits performed by TSSA: Z. Fraczkowski provided information around the process of reviewing the last conversion centres. He noted some of the challenges with the mobile nature of the sector. He also noted there had been a learning opportunity since all the sites were different. This is still a work in progress and further updates will be provided when information becomes available.

Ontario College of Trades (OCOT): J. Marshall informed council that the Ministry of Training, Colleges and Universities (MTCU) was engaging OCOT to review key areas of Ontario's skilled trades system that fall within the mandate of OCOT. A former Secretary of Cabinet and Head of the Ontario Public Service, Tony Dean, has been appointed to lead this consultation. TSSA would like to be engaged in this consultation to propose that OCOT's certification regimes not overlap with TSSA's jurisdiction.

14. *In Camera*

Council met *in camera* without TSSA and guests.

15. Adjournment

The meeting was terminated at 1:30 p.m. The next meeting is scheduled for March 12, 2015 starting at 9:30 a.m.