



Technical Standards and Safety Authority Minutes of Propane Advisory Council Meeting on April 10, 2013

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 12:00 p.m. on the 10th of April 2013.

Present: David Karn (Chair), Dowler-Karn Limited, J. L. Adams, EDPRO, Jim Facette, Canadian Propane Association, Doug Fines, HURONIA/MED-E-OX Ltd., John Lastoria, Canadian Tire Petroleum Network Development, Elizabeth Nielsen, Consumers Advisory Council & David Passador, Superior Propane.

In attendance: Michael Beard, President and CEO (all items), Zenon Fraczkowski, Engineering Manager (all items), Maram Khalif, Council Coordinator (all items), Solomon Ko, Senior Engineer (all items), Wilson Lee, Director Stakeholder Relations (item 7), Srikanth Mangalam, Director Public Safety Risk (item 10), John Marshall, Director, Fuels Safety Program (all items), Richard Smart, Chief Financial & Information Officer (only for item 7), Supraja Sridharan, Public Safety Risk Analyst (Item 10).

Guests: Frank Denton, Assistant Deputy Minister, Ministry of Consumers Services (MCS) (items 1 to 7), Colleen Sonnenberg, Manager, MCS (all items), Nicole Stewart, Director, MCS (items 1 to 7), Kerri Tam, Senior Policy & Program Analyst, MCS (all items)

Regrets: Andre Alie, PNE Corporation, Larry Boyd, Ontario Recreation Vehicle Dealers Association, Laverne Coulter, Coulter Heating & Air Conditioning, G. R. Steven Sparling, Sparling's Propane Co. Ltd G.R., Scott Sprack, PSL Facility Energy Management Services.

1. Constitution of Meeting

D. Karn, Chair, welcomed the council members and called the meeting to order. Chair noted that the council had an in camera session prior to the meeting. Round table introductions were made.

2. Approval of Agenda

Council members made changes to the agenda of April 10, 2013 as revised.

3. Approval of the Minutes

Council members approved the minutes of the December 10, 2012 Propane Advisory Council meeting as drafted, as being a true and correct record of that 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 items, he provided the following updates:

- L. Coulter is no longer a member and a replacement is in progress.
- If there were no changes from previous year's submission, the renewal fee for Level 2 of Risk and Safety Management Plans (RSMP) will be reduced to \$300 flat fee. This was further highlighted under the fee review and process (item #8).



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- TSSA will share the financial impact of the propane fee at the next meeting.
- J. Marshall was currently working with P. Maddox to proceed on the training offered by the Canadian Propane Association (CPA).

5. Council Chair's Report

The Chair noted that he provided the Chair's annual report to the President and CEO for 2013.

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.

M. Beard reiterated that the strategic plans for TSSA will remain unchanged. He further shared with council that TSSA's public safety initiative, Risk Information Decision Making (RIDM) has a patent pending in the United States and the patent application is underway in Canada.

He also acknowledged D. Scriven's contribution as the Interim President and CEO during the CEO recruitment process.

Corrections were made to the reference pertaining to the pipeline damages in the propane sector in the report. The CEO's report will be updated for the next meeting.

7. Ministry of Consumers Services (MCS) – Propane Review

F. Denton introduced the background of the propane regulation project and provided information around the events that led to the 2008 and 2010 propane reviews. The current status on propane is that the Ministry has received direction to carry out a third round of reviews which is being initiated by the following four drivers:

- The 2010 government's commitment to look at RSMP safety data to determine whether additional safety measures are required for small propane facilities in 2013;
- Consistent with the safety objectives of the Propane Safety Review (PSR) panel recommendations and addressing any outstanding recommendations;
- Address Industry safety concerns, including looking at reducing the burden where safety is not impacted; and
- Respond to concerns from the Office of the Fire Marshall (OFM) and their Fire Chiefs.

Council was taken through the information contained in the Ministry slide deck. A discussion took place regarding a proposed consultation process to gather early input on the proposals for the government's consideration and the proposed timelines to carry out the work of the propane project. It was clarified by the Ministry that requirements for additional safety measures for small propane facilities will be based on evidence and data to support the recommendations. MCS has been informed that TSSA data currently indicates an improvement in compliance rates and therefore, an overall improvement in the propane safety culture. It was also identified that some of the proposals coming forward for consideration may be operational in nature and may not require a regulatory amendment.

N. Stewart provided an update with the details and the deadlines of the consultation process. She recommended that tentatively, during April/May, sharing data; stating the issues; discussion on what needs resolution; and what is emerging should be the focus of the group. During June, MCS will be taking all



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feedback; refining where necessary; and landing on a set of proposals with TSSA that will be shared back with the groups. By late summer, MCS will have drafted the consultation paper that will be shared broadly on the regulatory registry where additional feedback will be sought. By fall, a final recommendation will be developed from which decisions will be made.

A high level discussion ensued around the instruction and the naming of this consultation group. There were some concerns calling it an RRG or naming possibly it altogether something else specific to this project.

Council further discussed how the three groups already determined by the MCS (RRG, Fire Chiefs, and Others – i.e. consumers/industry etc) may contribute to the meetings. The logistics of these meetings were discussed with emphasis on cohesiveness and effectiveness. It was reiterated that this process will be transparent and all those involved will share the same information.

The membership matrix of this group was also discussed in detail and while there was no consensus at this meeting, engaging and consulting with key industry stakeholders and consumers through a sub group of the advisory council was supported by all members. The importance of having the right people from the onset in order to justify the credibility of any recommendation going forward was emphasized by the members. Further consideration to the size, composition, and process will be made by the MCS.

It was noted that this review was solely for Level 1 of RSMP; however, having recommendations for Level 2 may be beneficial for all involved. It was reiterated by F. Denton that any recommendations coming forward needed to be evidence-based with data support, enhance safety in the propane sector, and/or reduce burden on businesses where safety is not impacted, and would not extend the project timelines.

There were concerns raised on the timing of the consultation and the probability of having recommendations by the end of this year.

The MCS recommended that the first meeting for this consultation commence in May 2013, if all the logistics are settled.

ACTION: MCS & TSSA will determine the instruction and the name and the format to be used for engaging with the consultation groups.

ACTION: An update on the progress of this consultation will be provided at the next meeting.

ACTION: J. Facette will provide names of industry personnel who may have the expertise in propane to be considered to be part of this consultation group.

8. Fee Review Framework and Process Update

R. Smart provided background information around the process of the fee review and framework in the past few months. The first official communication was sent on November 1, 2012, six months prior to the effective date of May 1, 2013. He further highlighted other communications to the industry and stakeholders through newsletters and a subscription list. He also noted that any invoices sent since March 2013 contained a reference to the upcoming fee changes and directed clients to the TSSA website.

Internally, TSSA has been focused on training and preparing system changes for the fee review and process. He also emphasized the council's feedback regarding the level 2 RSMP and reported to council that the fee has been reduced to \$300 flat fee if there has been no change from the previous year's submission. This information has been posted on TSSA website.



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R. Smart also informed council that he was currently working on a white paper for future fee reviews and processes and emphasized that all feedback received from council during this fee review and process will be considered and improvements will be made, where necessary, at the next fee cycle.

A brief discussion ensued around unpaid invoices regarding licenses and TSSA's policy and process regarding this issue. R. Smart highlighted the process in place and informed council that he will follow up directly offline with D. Fines regarding his concern.

ACTION: R. Smart and J. Marshall will follow up with D. Fines offline on the process for following up on unpaid invoices in regards to licenses specific to the customer in question.

9. Council Evaluation and Engagement Survey Update

J. Marshall provided background on the council survey. Council discussed some of the wording in the last survey questions and requested that the survey focus on domestic industry rather than harmonizing with other jurisdictions. Further discussions highlighted that adopting certain codes required the involvement of other jurisdictions.

Members of council noted that they would like more time to discuss and implement the survey findings. M. Khalif informed council, moving forward, the survey will be conducted every three years to have enough time to follow up on council's feedback.

10. Issues & Incidents Update

J. Marshall reported that seven incidents occurred since the last council meeting as a result of explosions and one fatality involving Carbon Monoxide (CO). J. Marshall provided details of the incidents and noted that they were still under investigation. Further information will be provided as it becomes available.

Educating consumers and TSSA's focus on CO initiatives were discussed. The possibility of TSSA partnering with CPA to educate consumers around CO was also noted.

11. Safety Compliance Report

With the aid of a PowerPoint presentation, S. Mangalam presented the safety compliance report as it applies to the propane industry. S. Sridharan joined the meeting in progress for this item.

He highlighted the Periodic Inspections Outcomes from 2004/2005 to 2011/2012, & Occurrences inspection Results from 2007/2008 to 2011/2012.

Further discussion ensued around the top five cited orders. Improving the data collected was discussed. Council was informed that TSSA was undergoing a system change and will be standardizing order fields in an effort to obtain more meaningful and precise data.

ACTION: Safety compliance report presentation will be sent with the minutes.

12. Risk & Safety Management Plan (RSMP) Update

Industry Update: There was no industry update.



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TSSA Update: J. Marshall presented the current levels of compliance in RSMP and number of applications submitted for modification. He noted that there were no significant issues since the last meeting. Risk based inspection versus annual inspections were discussed and the review of the regulations discussed earlier was to address this issue.

13. Canadian Propane Association (CPA) Update

J. Facette provided the highlights of CPA's initiatives in Canada. He highlighted the area of focus for the CPA and their four priorities: propane image, government relations, advocacy, and training. He noted that CPA was still working with various levels of governments to support and promote energy strategy involving propane.

He also highlighted that CPA's Board of Directors' focus on strategic plans for the association and noted that the directors may approach safety authority for input, if necessary.

14. Input Industry Trends & Issues

As part of the advanced materials for this meeting, council received a document containing all collected input regarding propane industry trends and issues, which was treated as read.

M. Beard informed council that this document contained information that was beneficial and useful for TSSA's strategic planning. It was noted that some of these items were also currently being monitored by the council.

D. Karn added an emerging trend; conversion from oil heating to other fuel types, and in many parts of Ontario, propane is considered as an alternative.

15. Questions on Information Items and Other Business

Risk Reduction Group: Z. Fraczkowski and J. Adams reported to council, highlights from the last Propane RRG (Dec.18, 2012). They noted that all feedback was received and that the Code Adoption Document has been revised.

As for the Propane Task Group update, it was presented under item 7 and MCS advised that it will take the lead on the direction for this task group.

Skills shortage update – HRAI Career Promotions Committee Update: J. Marshall reported to council that HRAI Career Promotion continues to work on its career committee initiatives to attract young people to trades. He also noted that the HRAI was working on approaching colleges/universities in the near future. Discussion ensued around how HRAI was marketing these initiatives. J. Marshall will invite a member of HRAI to present the HRAI program to the Propane Advisory Council at the next meeting.

Examination Fee Update: J. Marshall informed council that there were some concerns with examination integrity and as a result, TSSA has pulled all examinations back from the training providers and were now being administered by TSSA. There were no new updates on this issue.

Ontario College of Trades Update: J. Marshall provided background information around The Ontario College of Trades (OCOT) that has been recently formed by the Government of Ontario. C. Sonnenberg added that in particular the OCOT has the potential to treat the G2 program as a mandatory apprenticeship program that could be seen as a duplicate of TSSA's program and would increase the cost. She also added that the regulatory impacts and the challenges arising from re-enforcing certain trades while making safety the primary focus.



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Discussions ensued around the benefits of having the apprenticeship and the College of Trades' mandate for the skilled trades. A high level discussion ensued around how to minimize all the concerns impacting the regulations, the industry and the trades involved.

Further discussions ensued around any particular impact this may have on the propane industry and TSSA's position on any of the contentious issues being impacted. It was reiterated that TSSA's position, is first and foremost, public safety and is mandated by the MCS for the safety of Ontarians.

C. Sonnenberg reported to council that OCOT, MCS and Ministry of Training Colleges and Universities (MTCU) were diligently working on all the issues presented today. She noted that there will be a public consultation paper where the public will be involved. She also reiterated that the panel will look at all submissions from the voluntary versus mandatory trades.

Cylinder exchange sites: D. Fines introduced this issue. He reported to council that there were no clear ways for a supplier to ensure he/she was providing products/services to a licensed site. Members of council shared ways their companies ensure that they were supplying to a licensed site including calling TSSA to confirm or having a check list in which is used every time they are providing a service.

Implementation of the new requirements in B51/13: J. Adams introduced this item. He reported to council that the industry recommended the implementation of a potential requirement for Pressure Relief Valve (PRV) inspection in B51/13 to be five years and rationales were provided. It was noted that CPA also supported the five year plan. Council discussed all elements in this implementation involved including the 10 and 25 year servicing interval for the PRV as well as costs and human resources.

Further discussions resulted to indicate that any rationale on moving forward with this issue would have to be based on safety and not the availability of cost or human resources. It was also agreed that when this issue reaches its implementation phase, a risk reduction group may be established to develop the appropriate implementation requirements.

Contractor Customer Value Survey: J. Marshall reported to council that contractors' rating is traditionally lower than other programs at TSSA. He informed council that TSSA is working on a work plan to address some of the issues in order to respond to the industry. He will send details regarding the contractors' performance rating survey information to J. Facette to be considered for the June CPA newsletter.

ACTION: J. Marshall will invite a member of HRAI to present the HRAI Careers Promotion program to Propane Advisory Council at the next meeting.

16. Business Arising from In-camera Session

J. Facette presented many scenarios involving municipal waste, in which in order to transfer cylinders to safety sites where compliance may be jeopardized. Council discussed ways to prevent compliance infractions while promoting a safe way of disposing or recycling propane cylinders.

Council was encouraged to prepare a proposal recommending solutions for this issue for TSSA and a further update will be provided when information becomes available.

17. Adjournment

The meeting was terminated at 4:10 p.m.

Next meeting is scheduled for: October 30, 2013 starting at 9:30 a.m. to 11:30 a.m. for in camera session followed by council meeting at 12:00 p.m. to 3:00 p.m.