



# Technical Standards and Safety Authority

## Minutes of the Amusement Devices Advisory Council Meeting on March 19, 2018

Minutes of the Amusement Devices Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in the Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario at 10:00 a.m. on the 19<sup>th</sup> day of March 2018.

**Present:** Cindy Sypher (Chair), Sypher & Associates Field Engineering Ltd.; Vince Brennan, Ontario Association of Agricultural Societies; Keith Brown, Ontario Place Corporation; Bill Carter, Jim Kong Amusements Inc.; Mike Cruz, Canadian National Exhibition; Darryl Hore, Caliber Engineering Corporation; Bill Kane, North American Midway and Entertainment; Peter Gismondi, Superior Events; Rick McCullen, 401 Mini-Indy Limited; Peter Switzer, Canada's Wonderland; Andreas Tanzer, Proslide Technology Inc.; Kathryn Woodcock, Consumers Advisory Council.

David Scriven, Acting President and CEO; Roger Neate, Director, Elevating Devices and Amusement Devices; Kevin Melo, Director of Finance (item 6); Rob Kremer, Manager; Joelle Javier, Engineer; Sonny Silva, Inspector; Dean McLellan, Incident Management Specialist; Steve Robinson, Safety Awards Committee (Item 1); Denis Caza, Public Safety Risk Analyst (Item 8); Nameer Rahman, Policy Advisor, Stakeholder Relations; Consuelo Esquivel, Council Coordinator.

**Guests:** Richard Hustwick, Ministry of Government and Consumer Services; Maddalena Gismondi, Superior Events; Michelle Playfair, Bingeman's Inc.; Shelly Ginelle-Sicat, Student Intern.

**Regrets:** Andrew Gidaro, A to Z Fun Rentals; Janice Jeffreys, A.E. Jeffreys Insurance Brokerage House Inc.; Joshua Sorman, Team Leader; Brendan Turner, Camp Quality Canada; Peter Wong, TSSA's Vice President, Operations.

### 1. Constitution of Meeting

The Chair called the meeting to order at 10:00 a.m. She welcomed everyone including guests.

For the Safety Moment, in response to safety hazards identified by the Fuels program, two videos were presented on the dangers of grease fires in the kitchen.

S. Robinson spoke about the upcoming Safety Awards, and directed Council to information and nomination forms available on the website. He urged Council to nominate individuals from the amusement devices industry.

### 2. Adoption of March 19, 2018 agenda

Council approved the agenda for today.

### 3. Adoption of Minutes of November 28, 2017

The draft minutes of November 28, 2017 were shared with Council beforehand. The minutes were approved as being a true and correct record of the meeting.

### 4. Review Action Items

R. Neate said that there is only one pending action item which will be reported on under item 8 today.

### 5. TSSA President and CEO's quarterly report

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



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D. Scriven provided updates to the report.

- Bonnie Rose has been appointed President and CEO beginning April 4, 2018. He gave a brief background on her experience.
- The Auditor General of Ontario has commenced a Value for Money audit of TSSA beginning January 2018. He stressed that this is not a financial audit, but rather an audit focused on economy, efficiency, and effectiveness of TSSA's operations.

### 6. FY 19 Fee Review

K. Melo spoke to the item on behalf of Georgina Kossivas, Chief Financial Officer. He elaborated on the presentation slides on the fee review which were distributed to Council beforehand.

Fees of all programs will be reviewed in FY 2019, with a targeted implementation date of May 1, 2019. Fee reviews have already been completed in recognition of regulatory changes to the Boilers and Pressure Vessels and the Upholstered and Stuffed Articles (pending Cabinet approval). Prior to that, the review will entail consultation with various stakeholders, approval by the Board, and submission of a business case to the MGCS.

There was a question about the extent of fee increase. K. Melo explained that the review will look at the overall picture of the amusement devices, elevating devices, and ski lifts sectors. At this time, there are no projections.

### 7. Ministry of Government and Consumer Services' updates

R. Hustwick spoke to the item. He referred to MGCS' Bi-Annual Report to TSSA Industry Advisory Councils, which was distributed to Council in advance of the meeting and treated as read, as well as to Premier Kathleen Wynne's Throne Speech which was delivered today.

He updated Council on the Elevator Availability Action Plan. In March, Bill 8 was introduced. Bill 8 will amend the Technical Standards and Safety Act to give the TSSA new powers around the ability to apply Administrative Monetary Penalties (AMPs) and specific data collection requirements, subject to supporting regulations. Once Bill 8 is passed, the government plans on creating standards for repairs and prescribed timelines for resumption of service. It will appoint an authority to oversee and enforce requirements. The new regulation is expected to be introduced within the next two years.

A standard operating procedure has been established for Code Adoption Documents (CAD) and Director's Orders (DO). With respect to CAD, 30 days of consultation will be in place, followed by a 10-day review by MGCS, and implementation in 60 days after TSSA has posted the new CAD.

### 8. Report on Incidents and Trends

D. McLellan spoke to the item with his presentation slides which were shared with Council in advance of the meeting. There were a number of questions related to safety trends in go karts, the use of inflatables outside amusement parks, and what constitutes reportable incidents.

A Council member encouraged TSSA to expand the type of information (in particular relating the causal factors) it collects regarding incidents to enhance its ability to conduct root cause analysis.

### 9. Follow-up to Fireball Ride Incident in Ohio

J. Javier and S. Silva spoke to the item with their presentation slides, which were distributed to Council in advance of the meeting. The slides depicted the extensive corrosion and rust in the device that are considered contributing causes to the failure. As a result of this incident, ASTM International, an



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international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems, and services, has established three task groups. The groups will deal with design/engineering, manufacturing and maintenance, and inspection/NDT. ASTM International has worked with TSSA on amended language of existing standards.

### 10. Manufacturer's Bulletins

J. Javier and S. Silva spoke to the item in conjunction with the draft Director's Order (DO) 538/18 and Manufacturer's Bulletin under item 9 above.

N. Rahman clarified that the standard operating procedures will not apply to the DO in this instance. It will take on an expedited route, with no governmental review. J. Javier asked Council members to provide feedback on the documents.

**Action:** Council members to provide feedback to J. Javier and S. Silva regarding the Director's Order and Manufacturer's Bulletins.

### 11. Adoption of ASTM International

R. Kremer said that the new CAD has been adjusted to include attention to aging rides, anchoring of all inflatables, and control of flow meters.

N. Rahman spoke about the status of the CAD. It has not yet been submitted to the ministry as the CAD is under review by TSSA's Legal Department. When cleared by Legal, the CAD will go through a 30-day consultation period, with concurrent notification to MGCS. Once approved, and as soon as posted by TSSA, the CAD will take effect within 60 days. N. Rahman will inform Council about the publication date.

Andreas Tanzer, on behalf of Council members, voiced his disappointment with the long delay of the CAD approval, and more importantly for not being apprised of the status in a timely fashion. He had followed up with TSSA on the matter on numerous occasions. He underscored the importance of implementing a new CAD for the sake of public safety.

N. Rahman extended his apologies. Attention to the CAD was reprioritized owing to the Elevator Availability Action Plan. R. Hustwick concurred that MGCS remains committed to reviewing the CAD but that attention was in fact directed to elevators.

**Action:** N. Rahman to keep Council informed about the status of the new CAD.

### 12. Eligibility and Accessibility Issues – Disability Accommodation Training at NAARSO

S. Silva said that the waterslide accommodation guideline is now available on the website. On an interim basis, the guideline can be adopted for other amusement devices. TSSA will next look at creating a guideline for all rides that will be based on the learnings from the waterslide design. The new CAD contains a section on accessibility. There were no questions from Council.

### 13. Control of Unlicensed Operators

S. Silva reminded Council that there is a 24-hour hotline number to report unlicensed operators. S. Silva urged the group to continue to call in reports of unlicensed operators.

A member commented that more inspectors are needed on the weekend when most incidents happen. R. Neate noted that TSSA could staff more inspectors on weekends; however, there is a cost for that and it would have to be passed on to the industry, perhaps in the form of higher fees in the future. A member commented that while weekend inspections are costly, safety is paramount and should not be compromised.



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### 14. Lifeguard Requirements on waterslides

R. Neate spoke to the item as a follow-up to discussion at the last ADAC meeting in November. He noted that the Ministry of Health is amending their regulation to also recognize the Canadian Red Cross as an acceptable provider for lifeguard certificates.

### 15. Questions and Answers / Other business

- a) S. Silva passed around samples of possible adhesive tags for inflatables.
- b) It was clarified that annual permits are valid until the end of March.
- c) Go-kart crash in Florida: a member inquired about the requirements from ASTM.

**Action:** S. Silva to inquire with ASTM about go-kart directives.

- d) Trampoline Parks: The Consumers Advisory Council (CAC) advocates for the ministry's establishment of regulatory compliance of trampolines. TSSA is in the process of obtaining more information.
- e) Call for Nominations: there are two advertisements on the TSSA website.

### 16. Adjournment

The meeting adjourned at 1:30 p.m. Council members met *in camera* without TSSA staff and guests.