



Technical Standards and Safety Authority Minutes of the Boilers and Pressure Vessels Advisory Council Meeting on May 3, 2018

Minutes of the Boilers and Pressure Vessels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in the Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario at 9:30 a.m. on the 3rd day of May 2018.

Present: Joe Adams (Chair), ED Pro Capital; Pete Chamberland, Ontario Power Generation; Mario Gogic, BWXT Canada Ltd.; Ryan Jones, Royal & Sun Alliance; Ed Narejko, ArcelorMittal Dofasco; Fred Oliver, MCA Sarnia c/o Kelgor; Hillar Prits, CIMCO Refrigeration; Kavita Ramcharan, CBMUA & BI&I; David Stek, OPIA c/o Suncor Energy; Brian Taylor, CBS c/o Waterloo Mfg. Co.; Jamie Webb, MCAO c/o Anderson Webb.

Bonnie Rose, President & CEO; David Scriven, Vice President, Safety and Strategy; Peter Wong, Vice President, Operations; Georgina Kossivas, Chief Financial Officer (Item 7); Mike Adams, Director, BPV and OE; Cathy Turylo, Manager, Engineering; Jessica Myrie, Business Analyst, Team Lead (Item 10); Sorin Corlaci, Safety Awards Committee (Item 1); Denis Caza, Public Safety Risk Analyst (Item 8); Humphrey Kitembe, Policy Advisor, Stakeholder Relations; Consuelo Esquivel, Council Coordinator.

Guests: Ministry of Government and Consumer Services: Erick Morales and Jessica Zhang; Michele Cheng-Newson, Organization of Canadian Nuclear Industries; Kevin Melo, Director, Finance (item 7); Joelle Harfouche, Finance Specialist (item 7).

1. Constitution of Meeting

The Chair called the meeting to order at 9:35 a.m. He welcomed Bonnie Rose, TSSA President and CEO, new members, Mario Gogic, Pete Chamberland, Kavita Ramcharan, and 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. Corlaci 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 boilers and pressure vessels industry.

2. Approval of Agenda

The Chair suggested that Council be informed of the new engineering guidelines on Electronic Application for Design and Welding/Brazing Procedure Registration. This subject will be included under item 4 today.

There will be an *in camera* session following today's meeting, with the President and CEO in attendance.

3. Approval of minutes of December 7, 2017 meeting

Council members approved the minutes of the December 7, 2017 meeting, as being a true and accurate record of the meeting.

4. Review of Action Items

The pending action items will be discussed today. TSSA referred to the new engineering guidelines on Electronic Application for Design and Welding/Brazing Procedure Registration. C. Turylo provided a brief explanation. The guidelines have been posted on the website.

5. Chair's Report



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The Chair's annual report had been shared with Council. The Chair added the importance of considering trends in the boilers and pressure vessels industry. Council members were asked to think about ideas for discussion in subsequent Council meetings.

6. TSSA President & CEO's report

B. Rose provided a little more information on her career as a brief background on her experience had been shared with Council beforehand. It is her intention to obtain feedback from Council at today's *in camera* meeting.

As part of the advance materials for this meeting, members received the President and CEO's report regarding TSSA's key activities over the last quarter, which was treated as read. There were no questions from Council.

7. FY 19 Fee Review Update

The Chief Financial Officer (CFO) elaborated on the presentation slides on the Fee Review which were shared with Council in advance of the meeting. There were two parts to the presentation: Status of BPV COI and Insurer Audit Fees and the FY19 Fee Review Overview for Advisory Councils.

Council had a number of questions to which clarification was provided. The questions pertained to subsidization of other programs, utilizing a single inspector for BPV and Operating Engineers inspections for the sake of economy, deficits in individual programs, baseline fee projections, how costing is calculated, and inspection costs. The deficit to support investment in IT enabled business transformation was noted. It is important to cost recover as per the MOU (Memorandum of Understanding) ensuring an appropriate financial position is maintained. The CFO assured Council that TSSA does not receive any government subsidy; TSSA pays the government for oversight functions, and has supported certain regulatory related activities with additional payments to the government over and above the fee in some cases, consistent with the MOU. The fee review has considered lean, conservative baseline projections, following the terms of the MOU. TSSA must target to eliminate the projected deficits in order to ensure it can deliver its mandate and address financial obligations in the future. The intention is to bring the program into balance by FY 2021 and establish a robust cost structure. The CFO will be bringing recommendations forward at the fall meeting.

8. BPV Incidents and Compliance Report

Council was given a presentation on the Boilers and Pressure Vessels Compliance Report by D. Caza and M. Adams. The slides were shared with Council beforehand.

Council asked for the definition of occurrence and near miss. D. Caza summarized the differences between an Incident and Near-Miss as stated in the 2017 Annual State of Public Safety Report. Currently, the definition for near misses, incidents, and occurrences is unclear to industry which may have led to some incidents not being reported. TSSA will take measures to address this and improve reporting, including clarifying expectations regarding what needs to be reported.

Council also asked about the recent ammonia occurrence in British Columbia and what concerns, if any, we may have in Ontario. M. Adams responded that TSSA has been advised that a detailed safety report is being issued in British Columbia within the next month or so. TSSA will review the report and consider what is appropriate at that time. As Ontario has more ammonia plants than all other provinces combined, TSSA will consider what are the best preventative measures. All ice rinks, including those in small rural areas, are regularly inspected according to the risk-based schedule under the OE program.

Regarding pressure vessels and related propane incidents and occurrences, the Director provided clarification. There is a section on oversight of propane in the Boilers and Pressure Vessels regulation insofar as construction and manufacturing. For example, when a pressure vessel is installed, the Fuels Safety program takes over compliance monitoring. A Council member asked whether there could be gaps in reports when BPV and Fuels Safety functions overlap. An action item was requested for confirmation.



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Action: TSSA to confirm that incidents and occurrences are reported in cases where BPV and Propane functions overlap.

9. Ministry of Government and Consumer Services' Update

E. Morales referred to MGCS's semi-annual report to advisory councils which was shared in advance of the meeting and was treated as read. He provided further updates on the Elevator Availability Action Plan, the completed regulatory review of USA and BPV, and proposed changes to the Operating Engineers regulation.

The report on the Agriculture Exemption is under review by MGCS' Legal Department in collaboration with TSSA. A Council member pointed out that another Regulation change was not needed since the agricultural exemption was a Minister's Order. E. Morales said that although the exemption is a Minister's Order, this is a significant policy change and requires further consultations including with impacted stakeholders. C. Turylo offered to arrange a discussion with the task group members who prepared the report at the appropriate time if this would be of assistance with the current review of the report. E. Morales welcomed this offer and will advise if this will be warranted.

Action: E. Morales to update Council on the Agriculture Exemption.

10. Priority Issue: following Regulatory Change

a) Transition Plan

Council was provided an overview of the next steps for the BPV/COI implementation through a presentation shared in advance of the meeting. The process for issuing the COI was explained in a more fulsome fashion by J. Myrie, Business Analyst.

Council members had several questions which were responded to by J. Myrie. The questions related to the BPV portal functionality and processes including the kind of information to be made available to owners of BPV devices, the role of insurers, and the firm regulatory in-force date of July 1, 2018.

It involves insurers who must provide Record of Inspection (ROI) to TSSA within 30 days of the inspection date. The ROI will be prepared in a form and manner set out in the code adoption document. The ROI information will feed into TSSA's database of BPV devices. Such data includes commercial and technical information and will be captured via TSSA's ROI/COI portal.

On the portal, owners of BPV devices will be able to validate the ROI information submitted by their insurer, and then pay for and receive their Certificate of Inspection (COI). Implementation date will follow the new regulation.

In the previous regulatory set-up, TSSA did not have contact with device owners except for a small group of owners of uninsured devices. To increase awareness of the regulatory changes, TSSA has rolled out an elaborate communication plan targeting device owners. TSSA would like to ensure the portal is user friendly and meets their needs.

A Council member suggested that it may be more practical to create the database before ROIs are released. TSSA confirmed this is the intent. After some additional discussion, TSSA confirmed it can provide data to owners (in Excel format) which owners can validate prior to the in-force date. Council was informed of an ongoing User Acceptance Testing (UAT) exercise. Owners and insurers are invited to participate.



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Action: TSSA to organize a meeting with Council members (and their industry representatives) within the second week of May 2018. TSSA to share minutes of the above-mentioned meeting with Council.

Council was reminded of the stipulations of the Regulation and timelines on compliance.

b) Introduction of CAD Amendment

The CAD Amendment was introduced to Council by C. Turylo. The slide presentations were shared in advance of the meeting. Council members will have an opportunity to give feedback following the *in camera* meeting today. Due to time limitations, a second session was scheduled for May 17th for which Council members can attend in person or participate remotely. Feedback from Council members is required as soon as possible.

Action: Council members to provide feedback to TSSA on the CAD amendment in a separate meeting on May 17.

11. Setting Safety Priorities

a) Status Review

The Chair went over BPVAC priorities that had been completed. He asked Council to think about prioritizing the remaining topics of: Pressure tests for piping systems and Emerging Safety Priorities. It was decided to convene a task group sometime in mid-July to talk about these. The topic of Unlicensed operations (and Counterfeit material) was parked for the time being.

Action: Task Group on pressure tests for piping systems comprising Ed Narejko, Fred Oliver, Hillar Pritts, David Stek, Cathy Turylo and Jamie Webb to meet in mid-July 2018 and report back to Council at the Fall meeting.

b) Fuels Safety Draft Advisory

The Draft Advisory was shared with Council prior to the meeting. Council wondered about how the Fuels Department executes its inspections. More time is needed to review the implications of the Advisory. A task group has been formed for this purpose.

Action: Task Group on the Draft Fuels Safety Advisory to comprise Joe Adams, David Stek, Cathy Turylo and Jamie Webb to review the draft advisory and report on its recommendations to Council at the Fall meeting.

12. CRN – Update from NPSAC

An update on CRNs was provided by D. Scriven. The National Public Safety Advisory Committee (NPSAC) is keen on facilitating jurisdiction to work towards harmonizing practices and streamlining standards throughout Canada. The goal is to identify practices that inhibit trade in the country. NPSAC held a joint meeting with the Provincial-Territorial Advisory Committee (PTAC) in November 2017 at which the two organizations agreed to work collaboratively to address trade issues, including the Canadian Free Trade Agreement. NPSAC will hold its next regular meeting on May 29-30. The matter of CRN is on the agenda. Updates will be provided at the next Council meeting.

Action: D. Scriven to update Council on the NPSAC meeting of May 2018.



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13. Code Adoption Document – Amendment Process

Council was briefed on the Standard Operating Procedure (SOP) for amending a CAD by H. Kitembe. The slide deck was shared in advance of the meeting. The process involves collaboration with relevant advisory councils and feedback from the Safety and Regulatory Advisory Committee (SRAC) and TSSA's Board of Directors.

A question was raised as to whether TSSA consults with regulators from other Canadian jurisdictions and whether current BPV CAD changes are being implemented through this SOP. This was confirmed by TSSA. Part of the consultation involves seeking feedback from other jurisdictions such as the Alberta Boilers Safety Association (ABSA).

Action: H. Kitembe to reference consultation with other jurisdictions in the CAD SOP.

14. Advisory Council administration

Council was given a proposed modification to the BPVAC membership matrix. The subject will be tabled at the next Council meeting in November.

Action: Council to discuss the BPVAC membership matrix in November 2018.

15. Adjournment

Council adjourned at 1:30 p.m. Council met *in camera*.