



# Technical Standards and Safety Authority Minutes of the Boilers and Pressure Vessels Advisory Council Meeting held on May 3, 2017

Minutes of the Boilers and Pressure Vessels Advisory Council (BPVAC) meeting of the Technical Standards and Safety Authority (TSSA) held in the Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario from 9:30 a.m. – 1:00 p.m. on May 3, 2017.

**Present:** Steve Lawrence, Chair (OPG), Joe Adams (Sleegers Engineered Products Inc.), Glen Crawford (ODIM Numet Ltd.), Michael Hulbert (Babcock & Wilcox Canada), Ryan Jones (Royal & Sun Alliance), Ed Narejko (ArcelorMittal), Fred Oliver (MCA Sarnia c/o Kelgor), Hillar Pritts (CIMCO Refrigeration), Kavita Ramcharan (CBMUA), David Stek (Suncor Energy), Paul Sterescu (CBMJA), Brian Taylor (Waterloo Mfg. Co. Ltd.).

**Attendees:** Michael Beard, President and CEO (items 6-15), David Scriven, VP, Safety Strategy and Corporate Secretary (items 1-15), Peter Wong, VP, Operations (items 9-15), Mike Adams, Director (items 1-15), Wilson Lee, Director, Stakeholder Relations (items 7-15), Cathy Turylo, Manager, Engineering (items 1-15), Kerti Pikk, Policy Advisor (items 13-15), Consuelo Esquivel, Council Coordinator (items 1-15).

**Guests:** Daniel Hoornweg (Chief Safety Risk Officer), Ministry of Government and Consumer Services (MGCS): Nathan Fahey, Senior Policy and Program Analyst and Saba Zanib (all items except item 17), Jamie Webb, Mechanical Contractors Association of Ontario.

## **1. Constitution of Meeting**

S. Lawrence, Chair, called the meeting to order at 9:30 a.m. The Chair welcomed Council members and introduced Jamie Webb, who is representing the Mechanical Contractors Association of Ontario (MCAO), as a guest.

As part of the safety moment, a video on Carbon Monoxide awareness “Silent Killer” video was presented. TSSA has carried out an extensive publicity campaign through all forms of media – mass print advertising in TTC subway stations, bus shelters, and GO trains, as well as videos in cinemas and social media. TSSA collaborated with the Fire Marshall and Kidde.

S. Lawrence noted that prior to the meeting, Ed Narejko’s curriculum vitae had been circulated to be considered by Council as a prospective member. S. Lawrence called for a vote to confirm Ed Narejko from ArcelorMittal. The motion was seconded. Council voted unanimously. Ed Narejko was welcomed as a new member of Council.

## **2. Approval of Agenda**

Council members approved the agenda for the May 3, 2017 meeting as presented.

## **3. Approval of the Minutes**

Council members approved the minutes of the December 7, 2016 meeting as drafted, as being a true and correct record of the meeting.

J. Adams proposed a motion for approval.  
B. Taylor seconded the motion.  
Motion carried.

## **4. Review Action Items from Last Meeting**

C. Turylo introduced the completed action items.



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M. Adams elaborated about the mapping of TSSA orders to NB violations. The mapping was shared with the Canadian Boiler and Machinery Underwriters Association (CPMUA) in March 2017. There has been no official request by TSSA pending completion of regulatory review.

He added that the goal is to communicate online for data sharing once the above initiative is implemented.

S. Lawrence said that both he and C. Turylo are members of the Risk Reduction Group (RRG). Their names are to be added under item 6.

**Action:** C. Esquivel to update action items.

### 5. Council Chair's Report to the CEO

S. Lawrence thanked Council members for their input. Council is proud of its major achievements in FY 2017.

### 6. TSSA President and CEO's Report

Members had received a report from the President and CEO regarding TSSA's key activities over the current quarter (January to May 2017), which was treated as read.

He highlighted 20/20, a business transformation program to enhance organizational efficiency and business processes, in particular addressing data architecture and developing business intelligence. A consultant has been recruited. Program completion for core functionalities is targeted for November 2018.

With regard to the National Public Safety Advisory Committee (NPSAC), M. Beard and D. Scriven mentioned that both Alberta and Ontario are discussing their respective jurisdictions pertaining to perceived burden on registering pressure vessels and related fittings. Discussions will be taken up subsequently with NPSAC.

S. Lawrence encouraged Council to provide input. C. Turylo recognized some red tape in the process, i.e. the burden of obtaining CRNs. Deputy Minister, Angela Coke, had taken the matter up with NPSAC.

With regard to TSSA management changes, it was noted that while a search is under way for Wilson Lee's replacement (Director, Stakeholder Relations), David Scriven will be responsible for Stakeholder Relations in addition to his other portfolios.

### 7. TSSA Strategic Plan

D. Scriven discussed the presentation slides, which were shared with members in advance of the meeting. The strategic plan is currently at Year One of a 5-year plan.

He described the features of a Modern Regulator, namely, being collaborative, informative, innovative, effective and transparent. TSSA will adopt these attributes in order to be a credible regulator.

D. Scriven clarified that the focus is on the regulatory mandate and the purpose is to enhance safety where Ontarians live, work, and play.

When asked about financials in the strategic plan, D. Scriven replied that it comprises a 3-year financial forecast. While TSSA operates on a cost-recovery model, TSSA endeavors to keep costs down.



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### 8. 2016 Advisory Council Evaluation and Engagement Survey Response

D. Scriven spoke to this agenda item. The information before Council is a summary of responses from all advisory councils. Every three years, TSSA conducts a survey with Councils to look at opportunities for improvement.

Overall the survey elicited positive results, such as stating that TSSA is moving in the right direction. A few areas of focus for continued improvement included the slow decision-making process, non-alignment of priorities, and managing expectations.

To clarify one perception that TSSA owns control of the agenda, D. Scriven mentioned that TSSA (including Corporate Secretariat and Directors) works closely with the Chair on all Council matters. He also noted that the enhancement of the Advisory Portal has been put on hold pending completion of the 20/20 project.

D. Scriven encouraged Council to bring their ideas forward. S. Lawrence seconded this suggestion.

### 9. Compliance Safety Report for Boilers and Pressure Vessels

M. Adams shared a presentation which included the following: TSSA normally conducts 415 inspections per year. A total of 2,077 inspections were conducted in FY 2012 (Q4) to FY 2017 (Q3). Compliance rate of 97% is quite high, with a 3% non-compliance rate.

There were 3 orders prescribed this past year out of 3,000 plants inspected under the Operating Engineers Regulation.

When asked how TSSA is made aware of these occurrences, M. Adams stated that owners, inspectors, or the ministry call or email TSSA. The matter led to a discussion about the possibility of not receiving information in a timely manner, or an issue being overlooked. M. Adams advised that there is a link on the TSSA website to report incidents.

**Action:** M. Adams to provide clarification on opportunities for collecting near-miss events.

A question arose regarding boiler tube failures and whether this is a reportable occurrence. C. Turylo said that it depends on the seriousness of the occurrence. The majority of occurrences are of low risk and are therefore not reported. However, where there is substantial equipment, property damage and/or any injuries, these instances are reported and investigated.

### 10. Ministry of Government and Consumer Services (MGCS) – Regulatory Review Update

N. Fahey spoke to this agenda item. Council had received a report from MGCS, which was treated as read.

The review of the regulation on boilers and pressure vessels is on queue for approval. Information will be available on the Ontario Regulatory Registry for 45 days, from mid-May through the end of June. MGCS will share the link with TSSA and Council. N. Fahey shared the various stages of review, from policy committee to policy approval. Once approved, a draft regulation will be posted online, together with a plain language guide. The review is on track for approval by the legislative committee in September.

Publicity regarding the updated regulation will entail promotion by the Ministry, public ministries, government stakeholders, school boards, associations, TSSA and other networks.



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There was discussion about fees. P. Wong commented that a transition plan would need to be prepared, and collaboration with industry stakeholders would be required. N. Fahey confirmed that it will be up to TSSA to determine a transition plan.

N. Fahey also discussed Bill 27<sup>1</sup> which has received Royal Assent. One of the items in the Bill amends section 22(1) of the Technical Standards and Safety Act of 2000, which introduces a ninety (90) day time limit. Previously there was no time limit.

He also spoke about Bill 70<sup>2</sup> which includes amendments to the Ontario College of Trades and Apprenticeship Act of 2009, under Schedule 17. A member commented that representatives from the Ontario College of Trades (OCT) often stipulate regulations at construction sites, which in his opinion, are contrary to TSSA regulations. He asked that TSSA assist in clarifying roles in this regard.

It was decided that it would be helpful for TSSA to learn more about the overlaps in inspections.

**Action:** Council members to inform TSSA (C. Turylo) and the MGCS (N. Fahey) about concrete examples of conflicting mandates.

### 11. Boilers and Pressure Vessels Regulatory Review Initiative

This agenda item was discussed in combination with agenda item 10.

### 12. Priority Issue: Propane Tank Task Force

C. Turylo had discussed this issue under item 5 of Pending Action Items. The National Board of Trustees had rejected permission to use the requested segment from the National Board's publication, the National Board Inspection Code (NBIC). A solution, however, was proposed and training information was prepared using information from the NBIC.

### 13. Priority Issue: Agriculture Exemption Task Force

S. Lawrence spoke to this agenda item. He referred to the presentation before Council. He recommended that the regulatory review complete its course, after which Council and TSSA can determine where risks lie with regard to exempting the agriculture industry from the regulation. He asked that any concerns and recommendations from Council be directed to the Task Group which is comprised of himself, J. Adams, R. Jones, K. Ramcharan, B. Taylor, and C. Turylo.

**Action:** Task Group to write a white paper on the agricultural exemption.

### 14. Boilers and Pressure Vessels CAD Update

C. Turylo provided an update on the BPV CAD Amendment. The matter is now in the final stage and is in final review with the MGCS. N. Fahey confirmed they were working with the usual 30-day final review timeframe. C. Turylo also confirmed that if no further actions were required, the new BPV CAD Amendment could tentatively be posted on the TSSA website before the end of the month and would take effect the date of posting.

### 15. Questions on Information items and Other Business

- Alberta Manufacture Design Reviews (ABSA) – C. Turylo reported that she had discussed this initiative with ABSA in January. The basic principle is that a local manufacturer could establish a

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<sup>1</sup> Burden Reduction Act 2017.

<sup>2</sup> Building Ontario Up for Everyone One Act (Budget Measures), 2016.



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quality program for which ABSA would not necessarily review each design submitted. At the time, ABSA had not implemented this process.

- TSSA Requirements to inspect Federal facilities – M. Adams clarified that TSSA does not inspect federal plants. Typically, insurers inspect federal plants. A member commented that it might be in TSSA's interest to inspect federal plants as well to derive more revenue. P. Wong advised that this is not part of our mandated scope as defined with the MGCS through the Memorandum of Understanding of 2013.

### 16. In-camera

Council met *in-camera* without TSSA staff and guests.

### 17. Adjournment

The meeting adjourned at 3:00 p.m.