Minutes of the Boilers and Pressure Vessels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardrooms 1433 and 1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 9:30 a.m. on the 6th day of December, 2011.

Present: Peter Harschnitz (Chair), ArcelorMittal Dofasco Inc., Joe Adams, C/o Sleegers Engineered Products Inc., Glen Crawford, OCI C/o Rolls Royce, Fal Desai, Cleaver-Brooks of Canada Limited (alternate for Nowell Brain), Barbara Hanley, CB & MUA C/o B.I. & I. (alternate for Paul Sterescu), Steve Lawrence, OPG Nuclear, Alan Little, Mechanical Contractors Association, Hillar Prits, CIMCO Refrigeration, Paul Sterescu, CB & MUA C/o B.I. & I. (items 1 to 6, 8, 9, 11, & 14 only), Brian Taylor, CBS C/o Waterloo Manufacturing Company Limited, Ron Vallier, OPIA C/o Imperial Oil, Nanticoke Refinery, Christine Wilson, Babcock & Wilcox Canada.

In attendance: Mike Adams, Director Boilers and Pressure Vessels/Operating Engineers (BPV/OE) (all except item 19), Michael Beard, Vice President of Operations (all except item 17), Judy Harrison, Project Manager, (item 13 only), Maram Khalif, Council Coordinator (all except item 19), Cole Lepine, Public Safety Performance Analyst (item 11 only), Srikanth Mangalam, Director and Chief Advisor, Public Safety Risk Management, (item 11 only), Kathy Milsom, President & CEO (all except item 19), David Scriven, Corporate Secretary (item 8 only), & Richard Smart, Chief Financial & Information Officer (items 8 & 9 only), Cathy Turylo, Manager, BPV Engineering (all except item 19).

Guest: Judith Borts, Senior Policy & Program Analyst, Ministry of Consumer Services, (MCS) (all except item 19).

Regrets: Nowell Brain, Cleaver-Brooks of Canada Limited.

1. Constitution of Meeting

P. Harschnitz, Chair, welcomed council members and called the meeting to order. Roundtable introductions were held.

The council voted on a new member: Yan Huang. The council unanimously approved Yan Huang’s nomination to join the council as a regular member.

2. Approval of Agenda

The order of the agenda was modified to accommodate participants’ schedules. The minutes are presented in the order of the agenda as distributed for ease of reference to the materials.

Council members approved the agenda of the December 6, 2011 meeting as drafted.

3. Approval of the Minutes

Council members approved the minutes of the May 12, 2011 Boilers and Pressure Vessels Advisory Council meeting as drafted, as being a true and correct record of that meeting.
4. Review Action Items From Last Meeting

C. Turylo reviewed the action items from previous meetings with council members noting that some of the items would be discussed as part of the agenda as items 9 & 16. All other items are ongoing except as noted in the action plan.

5. Council Chair’s Report

The Chair advised that the last Committee of Council Chairs’ meeting was held on September 21, 2011. He highlighted discussion around agenda setting and having more industry agenda items. He encouraged the council to submit emerging issues for discussion prior to the planning meeting. He also highlighted the CEO presentation on the first quarter especially the discussion around periodic inspection passed on the first visit.

K. Milsom followed with a high level update on TSSA public awareness campaigns including carbon monoxide (CO) awareness and other major campaigns targeting other programs such as ski lifts.

The Chair also provided an update of the TSSA AGM which was held on September 27, 2011, which he felt was a positive event. The recording of the AGM is posted on TSSA website and the council was reminded the event is open to all to attend.

6. TSSA CEO’S Report

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

With the aid of a PowerPoint presentation, K. Milsom gave an overview of TSSA second quarter safety performance in relation to all programs. It was noted the presentation is a snapshot in time and the results should not be interpreted as an emerging trend. A brief discussion followed around safety vs. compliance data and clarifications around risk vs. compliance. A brief discussion followed around risk informed decision making (RIDM) and associated health outcome metric reporting.

7. Business Plan

With the aid of a PowerPoint presentation, M. Beard gave an overview of TSSA’s business plan for fiscal year 2011/2012. The presentation outlined TSSA’s objectives and initiatives that are under way for 2011/2012 with examples cited for the various programs. He further provided details specific to the BPV initiatives such as enhancing compliance oversight for insured boilers and pressure vessels.

Further discussion ensued around TSSA’s communication strategy including the possibility of utilizing social media to interact with regulated industry and the general public.

8. Fee Review and Framework Process

As part of the advanced materials for this meeting, members received a briefing note on the fee review framework and process, which was treated as read.

R. Smart informed council that this fee review will not be as comprehensive as the last one and the focus will be on creating incentives and deterrents for compliance and non-compliance respectively. The consultative
process will ensure transparency and TSSA will seek to simplify the fee structure where possible. He also emphasized that consideration will be given to value for money and TSSA’s status as non-profit entity.

He noted that the process will be governed by TSSA’s Memorandum of Understanding (MOU) with MCS – Schedule “I” Fee Setting Process and Criteria. It was noted that TSSA consults MCS as stipulated in the MOU; however, MCS does not approve fee increases.

Discussion ensued around bundling fees and de-bundling some of the fees that are already in place and the impact this may have on fee review. It was noted that de-bundling some of the fees may be beneficial to some programs more than others.

R. Smart concluded by outlining the plan to engage each council to provide input and recommendations throughout the process. He also reviewed the timeline for the communication strategy and noted the final implementation of the fee changes to be May 1, 2013.

9. Travel Cost vs. Billing Cost Analysis

Following up to the discussion from the Fee Review and Framework Process item and with the aid of a PowerPoint presentation, R. Smart provided background on the fee structure including standard 1-hour travel time for all inspections, regardless of actual time travelled. He noted a commitment was met to review the average travel times in January 2011 to see if adjustments were warranted. The result was no changes are warranted. He also reminded council that each program needs to be self sustaining to avoid cross subsidization of other programs, and BPV/OE is still being cross subsidized by other programs, although the amount has been significantly reduced.

A high level discussion ensued around the recovery of travel costs by TSSA. It was confirmed that TSSA still does not fully recover all travel costs; however, the analysis demonstrated that most customers pay within a narrow range of actual travel costs, with only a small percentage of customers paying more or less than the actual travel time [2.3% are billed less than hours travelled & 1.5% are billed more than hours traveled]. It was also noted that the government had required consistency of the amount charged for travel across the province. J. Borts undertook to follow up to determine if this is still a government requirement.

It was noted TSSA adopted a new travel policy recently and TSSA has a strong focus on safety of drivers. Monthly reporting of travel times is also provided to supervisors.

**ACTION:** J. Borts will follow up on finding out if it is still a government requirement to maintain consistency in travel charges across the province.

10. Advisory Council Survey Result

As part of the advanced materials for this meeting, members received the final result of the advisory council survey, which was treated as read.

D. Scriven provided an overview of how the survey was conducted. All members had participated in part 1 and only one member missed part 2, the follow up.

Some of the themes captured in the report were:
- balancing the agenda to contain TSSA’s updates and industry driven issues; and
- dealing with uninsured vessels and other safety issues.

A further discussion ensued around the TSSA and council relationship and following up on council recommendations as well as some of the contradictory comments provided in the report.
11. Safety and Compliance Information on Boilers and Pressure Vessels

With the aid of a PowerPoint presentation that forms part of the record of the meeting, S. Mangalam updated the council on the RIDM framework and annual public safety performance report structure, and annual safety results ending fiscal year 2010/2011. He also introduced C. Lepine, another member of TSSA’s Public Safety Risk Management team.

He also provided an update on the challenges of capturing near misses and the council was encouraged to assist with communication to industry in this regard. It was noted the near miss data is very minimal at the moment but council acknowledged it could be quite large if reporting improved.

Further discussions ensued on data collection methods, reasons behind regulating installation of pipes but not inspections after the initial inspections, and inspections conducted by insurances companies.

12. Ministry of Consumer Services Update

J. Borts gave an overview of the new minister, Margarett Best. J. Borts reported that the Minister has been briefed on the administrative authority model. The briefing on TSSA was very high level and Minister Best has not raised any issues yet. There is a new Deputy Minister of Consumer Services also, Gilles Gherson.

J. Borts reiterated that MCS is interested in attending council meetings and risk reduction group meetings in order to build an understanding of the technical nature of the business.

13. Input on Industry Trends

M. Beard introduced J. Harrison who will be collecting data on industry trends as input into TSSA’s strategic planning process. M. Beard requested council members to share any industry trends in technology, work plans, or procedures that may be emerging. The council members indicated they were not prepared for this item and would like to take some time to be able to provide more thorough input.

Some of the emerging trends that were noted included having manufacturing plants in India and what this may imply for TSSA. It was noted they may not use the ASME Code. Another emerging issue was hospitals specifying equipment such that operating engineers are not required regardless if whether the systems selected as a consequence are the most efficient systems. The implication this may have on skill levels and automation was also noted.

ACTION: Council members will consider emerging industry trends and send information to TSSA.

14. Risk Reduction Group (RRG) Update – Internal Inspection Group

As part of the advance materials for this meeting, members received a briefing note highlighting three deliverables on internal inspection, which was treated as read. The three deliverables are as follows:

- Determine a fixed frequency for internal inspection supported by a justification document: there is a comprehensive document that has been developed and the RRG has reviewed what other jurisdictions are doing and trends were noted.
• Determine what is/are the requirement(s) or the qualification(s) for exception to the risk based inspection frequency with a guidance document. The point was raised that audits would need to be mandatory; however, who needs to conduct the audit that is whether internal audits would be satisfactory or a third party is needed, should be explored.

• Potential plan forward to reintroduce internal inspection requirements – consider a revised CAD through a Director’s Order plus technical guidance document or a safety bulletin: this deliverable is still underway and a further update will be provided at the next meeting.

C. Turylo informed the council that internal inspection has not been part of the regulations since 2001. The possible reasons behind the removal of the regulations were discussed. Discussion ensued around which industry sectors, such as the dry cleaning industry, will be impacted by this requirement the most and the financial challenges that it may entail.

A high level discussion ensued around TSSA’s consultation process before drafting a Director’s Order. J. Borts reiterated the benefits of having MCS at the RRG level so when a matter such as this is brought to MCS, MCS can respond more effectively. J. Borts requested to attend the next Internal Inspector - RRG meeting as it may have implications that may drive certain policies at MCS.

**ACTION:** J. Borts to attend the next Internal Inspector Group meeting on January 11, 2012.

15. Insurance Data Initiative

With the aid of a PowerPoint presentation, M. Adams provided an overview of the progress of the Insurance Data Task Group.

A discussion ensued around the exact number of boilers in Ontario. It was noted TSSA is currently working on capturing this information from all insurer reports being sent from the industry and the insurance agencies. M. Adams reiterated TSSA is committed to standardizing the process of receiving reports and tracking insured boilers in Ontario. He also expressed appreciation to those companies sending the information and encouraged them to continue providing that information in order to have a robust insurer data base. It was reiterated that while it is necessary for TSSA to capture this data, TSSA is committed to seeking to minimize the burden on insurance companies.

The challenges of identifying boilers with expired insurance were highlighted. A high level discussion ensued around how other jurisdictions deal with the issue of tracking insured or canceled insurance boilers.

M. Adams provided further details around TSSA’s two pronged approach consisting of verification of TSSA BPV data and introduction of a quality assurance process for BPV insured device inspections.

16. Update on Mechanical Contractors Association of Ontario (MCAO) Two-year Pilot

With the aid of a PowerPoint presentation, M. Adams presented an update on the final recommendation of this pilot project of welder ticket renewals. M. Adams reported on a meeting held with MCAO and a review of data from several other jurisdictions that were studied and compared with Ontario on welder testing frequency. It was observed that Ontario’s 12-month period is average and that other jurisdictions with a 24-month testing frequency (such as Alberta) had a much more vigorous testing process.

Further details on extending to a 24 months cycle were discussed including interviews with such personnel as the chief welding instructor of the Joint Training and Apprentice Committee (JTAC) who were unanimously against extending the Ontario pressure welder test frequency from 12 to 24 months. It was
further discussed and agreed that, given the lack of any success in the pilot and very little interest by industry, continuing the pilot was of no benefit.

The council discussed the recommendation to end the MCAO 2-year welder testing pilot and to have Ontario revert back to a consistent annual testing regime for pressure welders. The council supported the recommendations as presented.

17. Membership Review and Matrix

All members with expiry dates of May 2011 will be renewed for another term.

18. Information Items and Other Business

Membership matrix was discussed as noted under Item 17.

19. In Camera

Council members met in camera without TSSA and guests.

20. Termination

The meeting was terminated at 2:47 p.m. The next meeting will be on May 1, 2012.