



Revocation of Agricultural Exemption FAQ

What does the revocation of the Minister's Exemption mean for agricultural operations in Ontario?

As of July 1, 2021, all boilers, pressure vessels or piping used for agricultural purposes must comply with [Ontario Regulation 220/01 \(Boilers and Pressure Vessels\)](#).

Why was the Minister's Exemption revoked?

The Auditor General of Ontario's 2018 value-for-money audit of the Technical Standards and Safety Authority (TSSA) recommended that the Ministry of Government and Consumer Services (MGCS) assess agricultural operation exemptions from safety regulations. In response to this recommendation, MGCS undertook an assessment that included consultations with stakeholders, industry and other relevant groups to gather information. Based on collaboration and discussions with agricultural operators, the Ontario Government made the decision to revoke the exemption for boilers and pressure equipment.

Who is impacted by the revocation of the exemption?

Owners and operators of agricultural operations that use boilers or pressure equipment, including the following devices, must-effective July 1, 2021 comply with the BPV regulation and CSA code B51:

- Steam boilers
- Water boilers
- Refrigeration equipment using ammonia, carbon dioxide, Group A1 refrigerants² and all other refrigerants

What did the Assessment and Consultation Process Involve?

The assessment process involved research and a literature review, a scan of Canadian and U.S. jurisdictions on their laws pertaining to boilers in agriculture, two in-person consultations, and 17 interviews involving 32 individuals. This information was presented in a Findings Report that was circulated to participants in March 2020.

A total of forty participants were involved in the assessment. They included insurance providers, greenhouse growers, cannabis greenhouse representatives, boiler inspectors and technicians, TSSA program staff and representatives from broader sector agricultural organizations.

TSSA, the ministry and the stakeholders worked closely to develop a solution. The Ontario Greenhouse Alliance and the insurance industry view the change as a positive measure to enhance public safety.



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What is the Boilers and Pressure Vessel (BPV) regulation?

The [BPV regulation](#) applies to the design, construction, maintenance, use, operation, repair and service of boilers, pressure vessels and piping in Ontario.

An important compliance document that TSSA adopts by reference under the BPV regulation is the [Canadian Standards Association \(CSA\) “Boiler, Pressure Vessel and Pressure Piping Code” \(or “B51”\)](#), a national code that promotes safe design, construction, installation, operation, inspection and repair practices.

What is TSSA?

The TSSA delivers safety services and enforces provincial safety regulations, as delegated by the Government of Ontario, in the following key sectors:

- boilers and pressure vessels, and operating engineers;
- elevating devices, amusement devices and ski lifts; and
- fuels.

What are the next steps?

TSSA will continue to work collaboratively with their agricultural partners to implement these new regulatory requirements.

Owners and operators of boilers and pressure equipment in use for agricultural purposes shall provide the following information in writing to TSSA by **March 1, 2021**.

TSSA Guidelines for Registration and Initial Inspection

Owners of pressure equipment in use for agricultural purposes, shall provide the following information in writing, to TSSA by March 1, 2021.

- a. owner’s name and contact information including telephone number and email address,
- b. address of location of pressure equipment, if multiple sites, identify each site separately with the pressure equipment at each location,
- c. name of insurer,
- d. number of steam boilers [1] operating above 15psi,
- e. number of steam boilers operating at or below 15psi and water boilers,
- f. number of refrigeration systems using ammonia, carbon dioxide or other refrigerant than Group A1 refrigerants,
- g. list other type of pressure equipment, and
- h. where available, equipment manufacturer’s name and year of manufacture.

^[1] “Boiler” means a fired vessel in which gas or vapour may be generated or a gas, vapour or liquid may be put under pressure by heating. (O.Reg.220/01 s.1(1))



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TSSA will be conducting an initial inspection at each site as soon as practical with priority given to equipment with higher potential risk to determine:

- a. pressure equipment is within the scope of O.Reg.220/01, and
- b. any immediate hazards with any pressure equipment such that may require immediate shut down or immediate replacement of safety devices by the owner, and
- c. if any corrective actions other than any immediate hazards noted in a above that need to be completed by the owner. In the event that corrective actions are identified, the inspector will issue orders and will allow a time to resolve those orders in accordance with the maximum timeline specified in Table 1. Inspection order issues for any corrective actions that are high risk will be issued a shorter required completion time.

A Certification of Inspection (COI) will be issued provided there are no unresolved corrective actions.

Owners will be required to pay any application and inspection fees to TSSA.

Table 1 Implementation Matrix for Boilers and Pressure Vessels

Equipment Type (listed in order of risk)	Maximum Completion Time to Resolve Inspectors Orders
Steam boilers operating above 15psi	18 months
Steam boilers operating at or below 15psi and water boilers	36 months
Refrigeration equipment using ammonia, carbon dioxide or other refrigerant other than Group A1 refrigerants [2]	36 months
Refrigeration equipment using Group A1 refrigerant ²	60 months
Other pressure equipment	60 months

What about fees?

[TSSA fees](#) are levied using a cost recovery model for registration, inspection, engineering, variances and licensing services. Owners of BPV equipment will be required to pay applicable

^[2] Group A1 refrigerants are listed in CSA B52 Mechanical Refrigeration Code, Table 1.



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fees to TSSA. TSSA is also finalizing a new fee structure that introduces a more predictable fee structure and is expected to be in place before July 2021.

Who do I contact to learn more?

TSSA is committed to working collaboratively as a safety partner with owners and operators of agricultural operations to help them better understand the safety regulations for boilers and pressure vessels. For more information:

Phone: 1-877-682-TSSA (8772)

Email: customerservices@tssa.org