



Technical Standards and Safety Authority

Minutes of the Liquid Fuels Advisory Council

Meeting on November 22, 2017

Minutes of the Liquid Fuels Advisory Council (LFAC) 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 22nd day of November 2017.

Present: Brent Francis (Chair), Francis Fuels Ltd.; Terry Ablett, Ontario Petroleum Contractors Association; Rae Dulmage, Consumers Advisory Council; Marc Gagnon, Canadian Fuels Association; Rick Hineman, Canadian Oil Heat Association; John Lastoria, Canadian Tire Corporation; Derek Northcotte, North Waterloo Farmers Mutual Insurance; Marcel Pouliot, Trimac Transportation; Jennifer Madigan for Jennifer Stewart, Canadian Independent Petroleum Marketers Association; Jim Wood, McKeown & Wood.

David Scriven, Acting President and CEO, John Marshall, Director of Fuels, Zenon Fraczkowski, Manager, Fuels; Ann-Marie Barker, Engineer, Fuels; Denis Caza, Public Safety Risk Analyst; Kristian Kennedy, Sr. Policy Advisor, Stakeholder Relations; Susy Ceolin, Communications Advisor; Consuelo Esquivel, Council Coordinator.

Guest: Sarah Jeffrey-Hampton, Ministry of Government and Consumer Services.

Regrets: Laurie Marcil, Nature & Outdoor Tourism in Ontario; Peter Wong, Vice President, Operations.

1. Constitution of Meeting

B. Francis, Chair, called the meeting to order at 9:00 a.m.

The Council held a moment of silence to honor Bob Smith, former Chair of LFAC, who had recently passed away.

The Chair welcomed Council members and introduced new Council members Marc Gagnon and Rick Hineman. He acknowledged the presence of guest, Jennifer Madigan, sitting in for Jennifer Stewart.

For the Safety Moment, two videos were shown – The Silent Killer and its Campaign Summary.

2. Approval of Agenda

M. Pouliot requested discussion of a new Transport Canada requirement under item 14. Council approved the agenda with this addition.

3. Approval of the Minutes

Council approved the minutes of the LFAC meeting of May 17, 2017, as drafted as being a true and correct record of the meeting.

4. Review Action Items from Last Meeting

A-M Barker said that the report on CGSB changes to lubricity will be discussed under item 10 today. K. Kennedy said that the TSSA report on On-Demand Mobile Fueling is still under review. With respect to item 9 in the Action Items, B. Francis said that there were no issues from Council.



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5. Council Chair's Report

The Chair referred to his report to the CEO, which was shared with Council beforehand. It was treated as read.

6. TSSA President and CEO's Report

As part of the advanced 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.

He thanked the new members for joining the advisory council. He updated Council on the recruitment of a new president and CEO. The Board of Directors has been interviewing candidates for the position and anticipates a decision by end of December.

In FY19 there will be a fee review of all TSSA programs. He noted that there has been no fee review since 2013. More details on the fee review process will be provided at the next LFAC meeting.

Separately from the FY19 fee review, prompted by regulatory modernization, two fees are already under review, namely BPV and USA. Those two fee reviews are expected to be completed soon.

Council asked for an update on recent discussions about introducing a permit system to replace the contractor audit process. As a regulatory change would be required to support a permit system, this matter has been noted in the Regulatory Renewal Initiative inventory of potential regulatory changes. No decision by the Government has been made on the next areas of focus for the Regulatory Renewal Initiative.

7. Issues and Incidents Report

J. Marshall was pleased to report that there were no recent incidents.

8. Annual State of Public Safety Report

D. Caza elaborated on his slide presentations, which were shared with Council in advance of the meeting. TSSA applies the fullest transparency in all metrics, giving the greatest attention to the areas of higher risk of injury or fatality. Mitigation strategies for the top safety priorities are informed by an assessment of the root causes of the risk.

Council and TSSA staff discussed strategies to address the top safety priorities in the fuels sector.

- With the focus on carbon monoxide, TSSA has been diligently promoting mandatory maintenance. Consideration of a code change to mandate inspections did not garner support at the relevant national code committee.
- A member proffered compliments on the excellent report.

9. The Ontario Petroleum Contractors Association's (OPCA) Issue

T. Ablett spoke to this item. Council had received the minutes of the Liquid Fuels Risk Reduction Group on reporting incidents, immediate and non-immediate hazards.

He referred to issues that OPCA (through their lawyer) sent to the MGCS. Specifically, OPCA is concerned about:

- a) The lack of clarity regarding incident reporting and the identification/reporting of non-compliances in the field; and



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b) The attestation document that petroleum contractors must sign as part of their audit.

J. Marshall commented that a number of concerns were already being worked on or had been previously addressed (such as reporting guidelines). TSSA is committed to revising the reporting guidelines. It would like to revise the reporting requirements for enhanced relevance to the sector; however, this would require a regulatory change.

Regarding the attestation document, the goal is to minimize administrative time spent on (and the cost of) a contractor audit. This enhancement to the contractor audit program was the result of concerns raised by contractors that too much time was spent on administrative issues.

D. Scriven encouraged all members to bring concerns to the Council or RRG level to allow for an opportunity to best understand concerns and identify a resolution, prior to engaging with the Ministry.

10. Priority Issue: Single Wall Fuel Oil Tank Analysis

B. Francis referred to the Canadian General Standards Board (CGSB)'s presentation entitled "Ethanol, Gasoline and Methanol in Diesel Static Headspace G-VUV," that was distributed to Council in advance of the meeting. The slide presentation documents the severe corrosion of metal components in underground tank systems caused by the presence of ethanol in diesel fuel. He inquired as to whether there were any actions TSSA could take to address this concern.

J. Marshall said that TSSA deals with corrosion issues but neither TSSA nor the Office of the Fire Marshal (OFM) has evidence of a lot of failures. OFM had consulted with TSSA regarding a complaint and it was concluded that no changes are required to the fire code at this time and the OFM would respond to the complainant. A significant amount of work has been undertaken by the insurance industry. A member said there are lots of issues with biodiesel which have not been addressed. T. Ablett indicated that the fuel industry has already addressed the ethanol issue; the new equipment/components are designed for ethanol service and double-bottom tanks were introduced for fuel oil. TSSA is willing to assist the Canadian General Standards Board if they are reviewing their requirements for tanks.

11. Priority Issue: Promotion of Public Education

S. Ceolin talked about the official launch of TSSA's CO Safety House – a model home with real fuel-burning appliances commonly found in homes, an augmented reality application that engages users through a visually impactful and interactive experience to highlight CO risks, and next steps for the Silent Killer campaign.

Council was impressed with the public education promotion efforts. S. Ceolin advised that TSSA is open to suggestions for locations to feature the CO Safety.

12. Advisory Council Priority Issues

The Chair introduced the subject of setting priorities for 2016-2019. Council members did not identify any new priority issues. The Chair encouraged Council to raise any potential issues when identified.

13. 10-year Fuel Oil Inspection Working Group Update

J. Wood updated Council on the group's work. They are obtaining more statistics on oil burner technicians (OBTs). OBT training courses are not readily available in remote areas so the group is considering the possibility of remote training. He also noted that they are considering a module-type approach to training which would allow a candidate to choose the modules that are most relevant to them.



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14. Transport Canada

M. Pouliot noted that Transport Canada has recently adopted the CSA-B621-14 which has a retroactive requirement for all highway tanks to have an air-intake shut-off on the tractor by January 12, 2018. This device will shut off the diesel engine if it detects flammable vapours (e.g. gasoline vapours). M. Pouliot asked whether TSSA has a role in this matter.

A-M. Barker indicated that Transport Canada would be the agency that enforces this requirement. For the record, A-M. Barker has not received a response from Transport Canada requesting clarification of this matter.

15. Ministry of Government and Consumer Services

S. Jeffrey-Hampton provided a summary of MGCS' work in the second half of 2017, with reference to an update circulated to Council beforehand, and which was treated as read. In particular, she noted recent completion of the review of the Boilers and Pressure Vessels regulation, and soon to be completed reviews of the Upholstered and Stuffed Articles and Operating Engineers regulations.

There were no questions from Council.

16. Risk Reduction Group Update

A-M Barker spoke to the item. Two documents had been shared with Council in advance of the meeting: the reporting of incidents and the proposed private fuel outlet (PFO) inspection audit. A-M Barker is working with the legal department to develop a guideline on incident reporting.

TSSA has no formal inspections for private fuel outlets (PFOs). TSSA proposed a pilot program to determine the state of compliance.

The RRG supports the need for further analysis through an audit of PFOs. The lack of a listing of PFO locations necessitates issuance of a Demand for Information to fuel suppliers.

Some members were concerned about commercial information concerning sites being shared with TSSA. TSSA will consult with the Legal Department regarding any restrictions on a Demand for Information.

J. Marshall asked Council to review the proposed PFO inspection audit.

Action: Council to provide comments to J. Marshall on the proposed PFO inspection audit.

17. Canadian Oil Heat Association (COHA)

J. Wood provided an update from COHA. In September 2017, he was appointed president of COHA. Beginning in 2018, the Ontario Chapter will change its name to Ontario Petroleum Transporters and Technicians Association (OPTTA). The Association is very much in favour of expanding membership and representation in industry stakeholder groups.

18. Associations' Updates

J. Wood asked about the Single Wall Tank study. There is a Director's Order for double bottom tanks or a secondary containment. There was no tabulation of failure. No further action is envisaged.

19. Questions on information items and other business



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There were none.

20. Adjournment

The meeting adjourned at 12:15 p.m. Council met in-camera without TSSA staff and guest.