



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council Meeting on November 9, 2017

Minutes of the 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 9th day November 2017.

Present: David Karn (Chair), Dowler-Karn Ltd., Joe Adams, EDPRO, Vlado Carapina, Superior Propane, Bruce Coomber, Sparlings Propane Co. Ltd., Sue Hardy, National Energy Equipment, John Lastoria, Canadian Tire Petroleum Network Development, Peter Maddox, Canadian Propane Association.

Peter Wong, Vice President, Operations, Zenon Fraczkowski, Engineering Manager, Guy Castagne, Supervisor, Solomon Ko, Senior Engineer, Steve Robinson, Manager, Communications Advocacy Team, Kristian Kennedy, Senior Policy Advisor, Consuelo Esquivel, Council Coordinator.

Guest: Shranna Jaggernath, Ministry of Government and Consumer Services.

Regrets: Doug Fines, HURONIA/MED-E-OX Ltd., Dereck Northcotte, Heartland Farm Mutual, David Scriven, Acting President and CEO, John Marshall, Director of Fuels.

1. Constitution of Meeting

D. Karn, Chair, called the meeting to order at 9:30 a.m. The Chair welcomed Council members and introduced new Council Member, Vlado Carapina.

For the Safety Moment, two films were shown – The Silent Killer and its Campaign Summary. S. Robinson related the tremendous response to the film and the extensive campaign around Carbon Monoxide awareness. He added that TSSA has built a portable model home that features all the safety features. It will make the rounds of cottage and home industry exhibits throughout Toronto. The next safety communications project will focus on fuel burning appliances.

2. Approval of Agenda

Council approved the agenda for November 9, 2017 meeting as presented.

3. Approval of the Minutes

Council approved the minutes of the PAC meeting of April 6, 2017, as drafted as being a true and correct record of the meeting.

4. Review Action Items from Last Meeting

D. Karn mentioned that item no. 1 from the action items list dated November 2, 2016 does not accurately reflect the turn of events and should be amended. The Canadian Propane Association (CPA) responded to the invitation to present at the National Public Safety Advisory Committee (NPSAC). However, CPA's presentation did not meet NPSAC's deadline for documents submissions. As a result, the subject was not included in the NPSAC agenda.

Z. Fraczkowski updated Council on item 1 from the action items list dated April 6, 2017: TSSA has completed the redaction exercise to prepare the L1 RSMPs for posting. It is anticipated that posting of RSMPs will take place in January 2018. L2 RSMPs will be completed at a later date. TSSA's



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Communications department is developing an online retrieval/viewing tool on the website. See item 17 below.

For Item 5, there is no candidate from HRAI to date.

Action: C. Esquivel to revise above-referenced items on the action items list.

5. Council Chair's Report

The Chair referred to his report to the CEO, which was shared with Council in advance of the meeting and treated as read.

6. TSSA President and CEO's Report

The report by the President and CEO was distributed to Council in advance of the meeting and treated as read.

P. Wong provided additional information. TSSA celebrated its 20th anniversary on November 7, 2017. John Walter, first TSSA President and CEO, extended his congratulations via video message, and recalled his experiences during his first years at TSSA.

In FY2019 there will be a fee review of all programs. The last review was carried out in FY2013. We are presently preparing an analysis of prospective fees. P. Wong added that the reduced scope of the Upholstered and Stuffed Articles (USA) regulation will have a huge impact on the revenue stream due to a decreased number of USA registrations. Previously, TSSA had 11,000 registrations. With the modernized regulation, that number will decrease to 3,000-3,500 registrations.

TSSA is also introducing a new Certificate of Inspection (COI) fee for periodic inspections in the Boilers and Pressure Vessels (BPV) program as part of the revised regulation.

Both the USA and BPV new fees will go into effect in July 2018.

For the second phase of the regulatory review initiative, TSSA and MGCS are reviewing the regulations to determine which will be prioritized.

7. Annual State of Public Safety Report and Compliance safety report

D. Caza elaborated on his slide presentation, which was shared with Council in advance. There were a couple of comments posed:

- What type of vehicles are noted with meter collisions? Snow plows, automobiles, bobcats, snowmobiles, lawn mowers, etc. are colliding with meters on the exterior of buildings. Fork lifts are colliding with unit heaters, supply lines and meters.
- What do the 2 occurrences in discovery of petroleum products refer to?

Occurrence 1: Root cause - Defective or failed operating procedures; Older occurrence with very few details.

Occurrence 2: Root cause - not established. A Jeep Cherokee was found in a back parking lot with eight industrial sized propane tanks inside. An odour was present at the site. The owner of the vehicle was not very cooperative and had tendencies of intoxication.



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- Why is there a difference between 99% and 79% inventory risk profile in 2016 and 2017 respectively? The harmonized threshold is lower for reporting purposes only. Council to review reporting of year-over-year inventory risk profiles at the next meeting.
- Is it possible to post this data online? The Council slides are not posted online. A similar figure is in the FY 2017 Annual State of Public Report, where a detailed explanation of the change of threshold is given.

Action: R. Wiersma/D. Caza to lead a review by Council of reporting inventory risk profiles.

8. Ministry of Government and Consumers Services' (MGCS) Update

Through the document distributed to Council beforehand, which was treated as read, MGCS provided its bi-annual update to TSSA and the members of the AC. S. Jaggernath reaffirmed the Government's commitment to completing the regulatory review on Boilers & Pressure Vessels, Upholstered and Stuffed Articles, and Operating Engineers. In all likelihood, any changes in these programs will come into force in the new year.

The Government has also embarked on the Red Tape Challenge. It is not yet known how recommendations stemming from the regulation changes will affect fee changes. Also, there is a new burden reduction statute that states that for every administrative cost imposed on the public, there must be a resulting cost offset with exceptions. S. Jaggernath clarified that administrative costs are not the same as compliance fees. Another requirement is for government to consider different forms of compliance for small business. TSSA is not subject to this rule of offsetting any administrative cost imposed on the public. It is a Ministerial rule.

K. Kennedy said that TSSA has notified stakeholders with broad language for large-scale variances, for instance CRN. The NPSAC, where D. Scriven is chairing a meeting today, and TSSA have been tasked with harmonization of the CRN process. The industry has drafted a white paper which will be submitted to the Ministry. This matter will be further explored at NPSAC.

9. Priority Issue – Liquefied Natural Gas (LNG)

S. Jaggernath stated that there was no new information about LNG, except that this will be deliberated on in the future in the context of the regulatory renewal.

10. Priority Issue - Card Lock Key

K. Kennedy advised that TSSA is helping the Ministry understand the Record of Training requirement for propane refueling. Revising the ROT requirement would require a change to the regulation. The ROT requirement has been noted in the regulatory inventory for Phase II of the Regulatory Renewal Initiative.

11. Priority Issue – Original Equipment Manufacturers (OEM) propane labels

Z. Fraczkowski said that TSSA will be releasing an advisory which would require fuelling attendants to determine if a vehicle is an OEM vehicle or if it has been converted to run on propane. This proposal opened up extensive discussion. Members think that task should not be delegated to fuel



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attendants who may not have the vehicular technical knowhow. It further creates confusion about fueling issues in Ontario and other jurisdictions.

Z. Fraczkowski explained that TSSA is bound by the Memorandum of Understanding with the Government. He is open to revising the advisory and asked Council for alternative options to address this predicament.

Council asked that feedback first be provided to TSSA prior to publication of the CSA B149.5 in 2020. J. Adams offered to inquire from United States counterparts, e.g. Blue-Bird Corporation, a leading propane auto-gas bus manufacturer.

Action: J. Adams to obtain feedback on the use of OEM propane labels on vehicles.

12. Review of Other Priority Issues

D. Karn spoke to this item, referring to the priority issues as of October 1, 2017. The document was shared with Council in advance of the meeting. Following the Action item in PAC's meeting of April 2017, the priorities have been rearranged accordingly. He asked Council for ideas on how they can be resolved as these issues have been ongoing for nine years.

From MGCS' point of view, S. Jaggernath stated that OEM will entail some legwork. Harmonization with other jurisdictions in Canada is a multi-layered issue. Resolution is not foreseen in the immediate future.

Whether the Propane Regulation will be up for review will depend on various factors including consultations between MGCS, TSSA, and stakeholders. K. Kennedy added that TSSA is utilizing a methodology and inventory of regulatory articles to determine which regulation will be reviewed in the second phase. The parties are working hard to solidify the regulatory review process.

13. Other Items

- **Operating Engineers Rewrite**

Following the precedent in the Operating Engineers sector where a recruitment and training process was set up, the Propane sector would like to do something similar for gas technicians. It has been recognized that industry needs young and freshly trained technicians.

P. Wong suggested that Members consider Skills Ontario and its links to trade and technical colleges.

- **Sensitive Public Definitions Task Force**

S. Ko spoke to this item. The Risk Reduction Group recommends that external experts be recruited for the Sensitive Public Definitions Task Force. In his opinion, we cannot have such a task force as we need engineers for this activity. He will ask RRG about it.

Action: S. Ko to follow up with RRG regarding setting up a Sensitive Public Definitions Task Force.

14. Issues and Incidents update

Z. Fraczkowski reported one occurrence involving a propane torch being used as a burner to melt lead. A homeowner was injured when the vessel holding the lead exploded.



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Z. Fraczkowski explained the process of identifying issues and trends, notifying the RRG and sharing findings with the standards committees and the Interprovincial Gas Advisory Council (IGAC) at the national level.

15. Standing Items

- **Rail to truck transfer/transloading**

P. Maddox spoke to the item, referring to the letter to TSSA dated October 23, 2017 from the Canadian Propane Association (CPA). It was distributed to Council prior to the meeting today, and was treated as read. It is CPA's hope that the important and crucial safety regulatory differences between Federal and Provincial bodies regarding propane rail to truck transloading be resolved through NPSAC. Industry is confused with the varying requirements and lack of clarity regarding the lead authority.

- **Contractor Audit Process**

Council inquired whether the new contractor audit process is working. Z. Fraczkowski said that implementation was off to a slow start because the contractors were concerned with their legal liabilities. They did not understand that they had an option of making a declaration and focusing the audit on field activities, as opposed to following the existing process of an office audit followed by a field audit. This matter was clarified by TSSA. At present, TSSA has completed 400-500 audits.

16. CNG Keylock Filling Station

D. Karn said that there is a new CNG keylock filling station in the Woodstock area. He wondered what kind of regulatory oversight it will have, and whether a record of training will be required. He would like to know more about the set-up. Z. Fraczkowski offered to find out more about the new filling station.

Action: Z. Fraczkowski to provide more information about the new CNG keylock filling station at PAC's next meeting in the spring of 2018.

17. Industry Issues Updates

Z. Fraczkowski provided updates as follows:

- **Open Data**

The new TSSA website has an improved search functionality. In January 2018, Level 1 information will be made available. More improvements to the open data initiative are planned through the 20/20 project.

- **One Pound Non-refillable Cylinders**

This refers to the use of adapters to re-use one-pound non-refillable cylinders. TSSA does not have the authority to control the market for this product, reportedly online sites. TSSA will continue to promote safety awareness, but cannot regulate companies that sell adapters that allow refuelling of one pound non-refillable cylinders.

- **90 Days' Notice for Minor Repairs**



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In the regulation, there is no option for delay in minor repairs, for example painting signs during wintertime. Unless the regulation is amended, TSSA is unable to effect change on this matter and can only resolve them by granting variances.

18. Risk Reduction Group Update

- RRG Update

S. Ko referred to his update, which was shared with Council beforehand. It was treated as read. The last meeting of the RRG on Propane was in July 2017. Following that, a CAD was published.

- Inspection of Propane Tanks and its criteria

S. Ko said that the six pages of NBIC Supplement 7 is only available with the whole code; this may be too costly for the industry. The CPA is working with TSSA to propose alternative criteria for the industry.

S. Ko further said that the RRG awaits the decision of the pipeline task force and CSA B149.2 T/C to determine whether smart meters are a source of ignition. There is no decision at this point.

- Tank Evacuation for PRV Replacement

The industry is working on details and considering the use of PTO to do the tank evacuation. The matter is under review by TSSA Legal to see if this is allowed in the regulation.

The next RRG meeting is in January 2018.

19. Canadian Propane Association's Update

P. Maddox provided an update from the CPA. The board had met recently. He has a new role at the CPA dealing with government relations.

He spoke about the increasing trend towards the use of propane and the use of natural gas by rural consumers. The CPA is working to promote propane as a good fuel source. There are millions of homes with no access to natural gas.

20. Questions on information items and other business

Z. Fraczkowski spoke about implementing mandatory training for all fuels certificate holders. He asked Council for their thoughts on this. The last mandatory upgrade training for propane and gaseous fuels certificate holders was carried out 20 years ago.

TSSA is considering an audit of private liquid fuels facilities. Regrettably, we do not have a database of private fuel facilities names and locations.

21. Adjournment

The meeting adjourned at 1:00 p.m. Council met in-camera without TSSA staff and guests. The next meeting is scheduled on March 8, 2018.