



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council

Meeting on March 8, 2018

Minutes of the Propane Advisory Council 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 8th day of March 2018.

Present: Dave Karn (Chair), Dowler-Karn Ltd.; Joe Adams, EDPRO; Bruce Coomber, Sparlings Propane Co. Ltd.; Ian D'Cruz, Superior Propane; Doug Fines, Huronia/Med-E-Ox Ltd.; Sue Hardy, National Energy Equipment; Hando Kang, Canadian Propane Association; John Lastoria, Canadian Tire Petroleum Network Development; Dereck Northcotte, Heartland Farm Mutual (on Skype).

David Scriven, Acting President and CEO; Peter Wong, Vice President, Operations (item 7); Georgina Kossivas, Chief Financial Officer (item 6); John Marshall, Director, Fuels Program; Zenon Fraczkowski, Engineering Manager; Solomon Ko, Senior Engineer; Steve Robinson, Safety Awards Committee (item 1); Robert Wiersma, Manager, Public Safety Risk Management (item 7); Denis Caza, Public Safety Risk Analyst, Public Safety Risk Management (item 7); Kristian Kennedy, Sr. Policy Advisor, Stakeholder Relations; James Ban, Policy Advisor, Stakeholder Relations; Consuelo Esquivel, Council Coordinator.

Guests: Melanie Levac, Canadian Propane Association; Shranna Jaggernath, Ministry of Government and Consumer Services.

1. Constitution of Meeting

D. Karn, Chair, called the meeting to order at 9:30 a.m. He welcomed everyone, and introduced new Council members, Ian D'Cruz and Hando Kang.

For the Safety Moment, in response to safety hazards identified by the Fuels program, two films were presented on the dangers of grease fires in the kitchen.

S. Robinson talked about the upcoming Safety Awards and directed Council to information and nomination forms available on the website. He urged Council to nominate individuals from the propane industry.

2. Approval of the March 8, 2018 agenda

Council approved the meeting agenda for March 8, 2018 as presented.

3. Approval of November 9, 2017 minutes

S. Jaggernath raised objections to the minutes. The minutes will be revised, incorporating MGCS' proposed changes once received, and sent to Council at a later date for approval.

4. Review action items from last meeting

J. Marshall summed up the pending action items, three of which will be discussed in today's meeting.

D. Scriven spoke to action item no. 1 under November 2, 2016. The letter from the Canadian Propane Association (CPA) will be discussed at the upcoming NPSAC conference call. In the Chair's view, this action item has not been completed, and should be recorded accordingly.



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With regard to the status of RSMP open data initiative, due to resource shortcoming the redacted L1 RSMPs have yet to be uploaded. L2 RSMPs are currently under review and will be uploaded once ready, per J. Marshall.

Action: C. Esquivel to update action item no. 1 under November 2, 2016 and action item no. 1 under April 6, 2017 as Standing Items.

5. TSSA President & 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 spoke about the new president, Bonnie Rose, who will be commencing her duties on April 4.

He informed Council about the Auditor General of Ontario's Value for Money audit of TSSA. The audit began in January 2018. He stressed that this is not a financial audit, but rather an audit focused on economy, efficiency, and effectiveness of TSSA's operations.

There were no questions from Council. The Chair complimented TSSA's mobile home which he had visited. It was very well done.

6. FY 19 Fee Review

G. Kossivas, Chief Financial Officer (CFO), elaborated on the presentation slides on the Fee Review which were shared with Council in advance of the meeting. Fees of all the programs will be reviewed in FY 2019, with a targeted implementation date of May 1, 2019. Prior to implementation, the fee review will entail consultation with various stakeholders, approval by the Board, and submission of a business case to MGCS. Fees have already been reviewed for the Boilers and Pressure Vessels COI and Insurer Audit Fees with an in force date of July 1, 2018, and the Upholstered and Stuffed Articles fees which are pending Cabinet approval.

Council raised questions to which the CFO responded. The fuels programs continue to be in deficit and have been subsidized by other programs. When analyzing fees, changes stemming from future regulatory reviews and cost impact on consumers will be important factors to consider. The cost structure is based on program and activity type (Inspection, Engineering, and Licensing Registration and Certification or LRC). TSSA's financial system does not allocate costs between type of fuels. The FY 2019 fee review will be based on the current fee structure. Council appreciated receiving the update about the deficit in the fuels programs as it was the first time they had learned about it.

The CFO assured Council that TSSA does not receive any government subsidy; TSSA pays the government for oversight functions and has supported certain regulatory related activities with additional payments to the government over and above the fee in some cases, consistent with the MOU.

7. Safety and Incidents/Issues Report

- a) D. Caza elaborated on his presentation slides, which were disseminated to Council in advance of the meeting. There were questions which he responded to.

A Council member suggested comparing incident data where a supplier/contractor was at fault with where a user was at fault. TSSA said this suggestion can be explored.

Referring to slide 6, a member raised that a daily facility check may not be necessary under the site's RSMP. J. Marshall will need to doublecheck the data.



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Action: J. Marshall to inform Council about records of daily facility inspections under Reg 211/01 s3.1.

b) Review of reporting inventory risk profiles

R. Wiersma spoke to the item with his presentation slides, which were shared with Council beforehand. Responding to a Council member's question, he confirmed that the non-compliance dashboard utilized the same criteria for FY13-FY17.

8. Ministry of Government and Consumer Services' update

S. Jaggernath provided updates to the MGCS bi-annual report. The report had been distributed to Council in advance of the meeting, and considered read.

With the forthcoming provincial elections in June, when the Legislative Assembly dissolves on May 9th, the government will be entering the "care-taker mode" with little to no major policy decisions being made except on urgent matters.

Standard operating procedures are in place for the Code Adoption Document and Director's Orders. Industry will be briefed on the new process through advisory councils and risk reduction groups (RRGs).

Regarding increased equivalency in the regulatory requirements and enforcement between the different fuels sectors, Council inquired if the "level playing field" concerns will be addressed via the regulatory renewal process. TSSA and MGCS confirmed that issues revolving around recommendation 36 of the Propane Safety Review Report have been included in the inventory of regulatory issues.

D. Scriven reminded Council that regulatory renewal is a lengthy process involving extensive consultation with stakeholders and policy analysis. Revision of the Boilers and Pressure Vessels regulation took four years. There is a planned steering committee meeting between the TSSA CEO and the Deputy Minister in the spring.

9. Priority Issue: Card Lock/Key – Record of Training (ROT)

K. Kennedy spoke to the item. The Council members inquired if the issue of ROT requirements being too burdensome for propane card/keylock facilities have made it on to the regulatory renewal agenda. K. Kennedy confirmed that this issue has been logged on to the regulatory renewal inventory.

K. Kennedy reminded stakeholders that while much work has been undertaken to populate the inventory, prioritizing of issues has not yet occurred. TSSA will assist MGCS in the prioritization process.

10. Priority Issue: Original Equipment Manufacturers (OEM) propane labels

Z. Fraczkowski spoke to the item. The next step is to decide on the most appropriate and effective way of disseminating information about OEM propane labels. CPA offered to inform its members.

Action: TSSA to find out the best means of educating users regarding OEM propane labels.

11. Review priority issues and trends

The Chair reminded Council to review the list of priority issues dated October 1, 2017.

Action: Council to provide recommendations on priority issues.



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12. Chief Safety and Risk Officer (CSRO)'s report, 2017

D. Scriven spoke to the item and the Action Plan referenced as attachment. This was shared with Council in advance of the meeting, and considered read.

The Chief Safety and Risk Officer reports formally to the Board of Directors. The 5-year appointment of the CSRO is subject to approval by the Minister. The job is akin to that of internal auditor, but focused on safety. All CSRO reports are available on the TSSA website.

Action: Reference to the CSRO reports will be communicated to all advisory councils, in addition to information whenever updates are posted.

(The links to the CSRO reports on the TSSA website were subsequently shared with all Advisory Councils.)

13. Standing Item – Canadian Propane Association's presentation to NPSAC

D. Scriven stated that he has brought the issue of transloaders before the NPSAC in 2017 (supplemented by Canadian Propane Association's formal letter). NPSAC endorsed the matter by sending a formal letter to Transport Canada. To date, however, there has been no response from Transport Canada.

Action: D. Scriven to follow up on CPA's concerns with Transport Canada.

(This action has been completed by D. Scriven following today's meeting.)

14. Mandatory training for all fuels certificate holders

Z. Fraczkowski spoke to the item. Council provided some mixed feedback about mandatory training. They would like to have more information on how TSSA plans to carry it out and the estimated costs.

Action: Z. Fraczkowski to provide Council an idea about the planned mandatory training.

15. Risk Reduction Group update

S. Ko referred to his update which was shared with Council beforehand. With regard to amending a definition of "sensitive institution," the Risk Reduction Group indicated that it does not have the competencies for this purpose. A member asked whether TSSA is avoiding responsibility by not refining the term "sensitive public definitions." TSSA said that its focus lies in licensing of propane facilities as opposed to defining what is or is not a sensitive institution. The issue was discussed at the RRG which recommended that TSSA continue with existing definitions. TSSA cannot go back to the RRG when it had already arrived at a decision, unless there is something new and significant related to the subject.

16. Questions on information items and other business

- a) Private Fuel Outlets (PFO) – J. Marshall informed Council that TSSA currently does not periodically inspect PFOs; however, given the significant risk from non-compliances, TSSA is preparing a briefing note for the Ministry to commence inspections of PFOs.



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- b) Car Washes – J. Marshall talked about *ad hoc* inspections of car wash sites in 2017. There was a significant number of non-compliances. TSSA is currently exploring options on how to best proceed with this problem.
- c) ONCORP – Z. Fraczkowski spoke about the cost of carrying out corporate searches. TSSA needs to ensure orders and prosecutions are issued to the correct company legally registered in Ontario. In collaboration with industry, TSSA is finding different ways of reducing costs particularly for companies who are able to renew their existing licence when no changes are declared.
- d) CNG Facility, Woodstock – Z. Fraczkowski showed photos of the facility. TSSA records indicate that the emergency preparedness plans are based on Union Gas's response. The location meets Branch Standard no. 9 siting requirements. The local fire department had visited the site. The local municipality accepted the development. Council members were satisfied with the information.
- e) Propane Tank Safety and the BPV Council Priority Safety Issue – Z. Fraczkowski referred to his communications with the Chair and J. Adams. It was concluded that the issues identified by the BPV Council had been resolved.
- f) Council administration

The following Members renewed their term on Council: Joe Adams, Doug Fines, Dave Karn.

17. Adjournment

The meeting adjourned at 1:00 pm. Council met *in camera* without TSSA staff and guests.