



14th Floor, Centre Tower
3300 Bloor Street West
Toronto, Ontario
Canada M8X 2X4
Tel.: 416.734.3300
Fax: 416.231.1626
Toll Free: 1.877.682.8772

www.tssa.org

December 3, 2010

To: Propane Filling Plant and Container Refill License Holders, Propane Regulation Risk Reduction Group and Propane Advisory Council

Re: **Regulatory Amendments to Ontario Regulation 211/01 of the Technical Standards and Safety Act, 2000 Pertaining to Risk and Safety Management Plans**

Attached for your information is the Ministry of Consumer Services' memorandum regarding the amendments to Ontario Regulation 211/01 of the *Technical Standards and Safety Act, 2000*. The amendments change the risk and safety management plan process for propane transfer facilities.

Please note that any questions about the amendments should be directed to Andrea Wallace at the Ministry of Consumer Services at (416) 326-2587 or by email at andrea.wallace@ontario.ca.

TSSA will be providing additional detailed information regarding the new process, including the Level 1 RSMP form and an advisory, in December to all licence holders.

Sincerely,

A handwritten signature in black ink that reads 'John Marshall'.

John Marshall
Director, Fuels Safety Program
Tel: 416-734-3424
Toll: 1-877-682-8772
Fax: 416-231-7525
Email: jmarshall@tssa.org

Enclosure

**Ministry of
Consumer Services**

777 Bay Street, 5th Floor
Toronto ON M7A 2J3

Tel: (416) 326-8862
Fax: (416) 325-8885

**Ministère des
Services aux consommateurs**

777, rue Bay, 5^e étage
Toronto (Ontario) M7A 2J3

Tél: (416) 326-8862
Télé: (416) 325-8885



MEMORANDUM

TO: Technical Standards and Safety Authority and Propane Transfer Facility Licensees

FROM: Ontario Ministry of Consumer Services

DATE: December 3, 2010

This memo is to advise the Technical Standards and Safety Authority (TSSA) and certain propane facility licensees of changes to Regulation 211/01 of the *Technical Standards and Safety Act, 2000*, pertaining to risk and safety management plans.

In October, the province consulted on the Risk and Safety Management Plan (RSMP) process for small propane transfer facilities, and whether to provide all facilities with additional time to file their RSMPs with the TSSA. The government has now approved changes to the regulatory requirements.

As of January 1, 2011, small facilities will be required to complete a Level 1 RSMP, which includes facility information, an updated facility site plan, a map of the surrounding area, and an emergency response and preparedness plan. For the purposes of these regulatory requirements small facilities are those with a total capacity of 5,000 US water gallons (USWG) or less, or a facility where the fixed storage capacity is exactly 5,000 USWG and there is no more than 500 USWG of portable storage capacity on the site. The government will use the information collected through the RSMP process to determine what other requirements might be needed for small facilities, and implement these by 2013.

All other facilities will continue to be required to complete a RSMP prepared by a professional engineer, which is a Level 2 RSMP.

All facilities will be required to file their RSMPs, either a Level 1 or a Level 2 RSMP, within 120 days following their licence renewal date in 2011. Consultation with industry indicated that this timeline would be adequate for small facilities to comply with the new RSMP requirements and for medium and large facilities to work with their engineers and local fire services to prepare the RSMP.

The regulation has also been amended to allow for an alternate senior management person to be designated to complete the Record of Training requirement where no officer, director, partner or proprietor exists or where such person is not available to complete the requirement because they reside outside of the province. This amendment is in effect immediately.

The Ministry asks that the TSSA distribute this memo to facility licensees. The TSSA is developing an advisory regarding these changes, and will provide this along with the form for Level 1 RSMPs to all licensees in December. Information will also be available on the TSSA's website at www.tssa.org/regulated/fuels/default.asp.