



Technical Standards and Safety Authority

Minutes of the Liquid Fuels Advisory Council Meeting on July 7, 2016

Minutes of the Liquid Fuels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Ontario Boardroom, 1st Floor, 345 Carlingview Drive, Toronto, Ontario at 9:00 a.m. on the 7th day of July 2016.

- Present:** Robert (Bob) Smith (Chair), Canadian Oil Heat Association, Trish Anderson, CIPMA Eric Bristow, Canadian Fuels, Brent Francis, Francis Fuels Ltd., John Lastoria, Canadian Tire Corporation, , Dereck Northcote, Farmers Mutual Insurance, Michelle Rae for Terry Ablett, Wagg's Petroleum Equipment Ltd., and Jim Wood, McKeown & Wood Ltd.
- In attendance:** Michael Beard, President and CEO (all items except 17 and 18), Ann-Marie Barker, Engineer (all items except 18), Zenon Fraczkowski, Engineering Manager (all items except 18), Kristian Kennedy, Policy Advisor (all except items 18), Maram Khalif, Council Coordinator (all items except 18), John Marshall, Director Fuels Safety Program (all items except 18), Kavitha Ravindran, Performance Analyst (item 10), and David Scriven, VP Research and Corporate Secretary (items all except 17 and 18) and Peter Wong, VP Operations.
- Guests:** Sarah Jeffrey-Hampton, Senior and Program Analyst, Ministry of Government and Consumer Services (MGCS) (all items except 18), and Stephen Koch, Canadian Oil Heat Association (COHA), (all items except 18).
- Regrets:** Laurie Marcil, the Northern Ontario Tourist Outfitters Association (NOTO), and Jane McCarthy, Consumers Advisory Council.

1. Constitution of Meeting

R. Smith, Chair, welcomed Council members and called the meeting to order.

The Chair encouraged Council to focus on priority issues for their resolution at the meetings.

2. TSSA's Safety Reminder

J. Marshall provided information on the emergency evacuation procedures in case of fire during the meeting.

As part of the safety moment, Council viewed a safety video highlighting distracted walking while using mobile devices.

3. Approval of July 7, 2016 Agenda

Council members approved the agenda for the July 7, 2016 meeting as presented.

4. Approval of the Minutes

Council members approved the minutes from the December 3, 2015 Liquid Fuels Advisory Council meeting, as presented, as being a true and correct record of that meeting.



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5. Review Action Items from Last Meeting

A. Barker noted that all highlighted action items were completed. The outstanding items were discussed as follows:

E. Bristow recommended three transporters' sector representatives. TSSA contacted the three 'nominees', however, no one responded. After a brief discussion of the challenges of filling the above vacancy, Council decided to keep the position open and continue to seek to fill it. T. Anderson will recommend a transporter representative from her network.

The Chair suggested adding a member from the rental generators sector to the membership matrix. Council considered as an alternative to include a new sector that would be broader – Industrial Commercial. This would include major users, such as, institutional and industrial users.

In light of this discussion, the Council membership matrix will be included with the agenda for the next meeting.

In regards to the other outstanding action item on portable generators, the Canadian Standard Association has created a technical committee to develop a code for portable generators.

ACTION: T. Anderson will reach out to her network for a transporter representative.

ACTION: J. Marshall and D. Scriven will review the Council membership matrix's composition prior to the next planning meeting with the Chair. The redefined matrix will be shared with Council at the next meeting.

6. Council Chair's Report

The Chair shared the major achievements of the Council for fiscal year 2015. He highlighted the importance of having a consistent Ministry of Government and Consumer Services' (MGCS) representative at the meetings.

7. TSSA CEO'S Report

As part of the advance materials for this meeting, members received a report from the President and CEO regarding TSSA's key activities over the last quarter, which was treated as read.

M. Beard welcomed the Council to TSSA's new location at 345 Carlingview Drive.

He also highlighted TSSA 20/20 infrastructure and system changes that are underway. He illustrated some of the anticipated features for increased efficiency and cost effectiveness. System changes will be flexible to accommodate future upgrades. Collaborations with other organizations, such as, Ontario College of Trades in terms of technology and synchronizing the certification process will be considered.

8. 10 Years Fuel Inspection Working Group Update

B. Francis updated the Council on the discussions since the last meeting on this topic. He highlighted the following:

- The 10-year inspection is perceived as a warranty by the consumer.



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- The 10-year inspection may have contributed to a shortage of people entering the Oil Burner Technician trade due to liability issues. The liability issue was not as widespread in the northern regions as was previously thought.
- The main issue with the failure of a 10-year inspection was environmental damages and burden on business.
- Next steps included the industry's interest in requesting a regulation review.

The origins and the rationale behind the 10-year inspection were thoroughly discussed. Council agreed that conducting an annual inspection is best practice.

It was reiterated that the regulation requires the 10 years inspection or alternatively employment of a quality assurance program. TSSA does not provide assistance in the development of QA programs and is not able to share approved QA programs due to privacy concerns.

Developing a business case for a regulation review and ways to approach the MGCS were further discussed.

COHA members will contact MGCS directly on this issue. COHA and TSSA will discuss the details offline.

9. Issues and Incident Report

There were no incidents related to Liquid Fuels since the last meeting.

10. Priority Safety: Annual State of Public Safety Report and Liquid Fuels Compliance

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, J. Marshall provided a compliance update on the Liquid Fuels Safety Program.

Questions arose regarding the compliance rate of 33% and the non-compliance rate of 56% since they do not add up to 100%. This discrepancy is due to inspection omitted from the analysis as a result of either having a passed status with orders issued or having a shutdown status with no orders issued.

ACTION: The number of licensed facilities in Ontario will be included in the next compliance update.

11. Safety Priority: Single Wall Fuel Oil Tank Analysis

J. Marshall, on behalf of S. Mangalam, provided an update on the progress of oil tank failures. A small task group consisting of industry, TSSA and COHA was constituted to gather evidence and address potential failures of residential oil tank due to internal corrosion. This Task Group was to evaluate the possible use of sensors to detect and respond to potential corrosion related failures. The group met in February 2016 and the following key points and actions resulted from the meeting:

- Intel, a 3rd party consultant, presented a PowerPoint presentation on currently available sensors and potential opportunities for application by residential owners and fuel oil distributors.
- Concerns from COHA were noted regarding the available data indicating failures and also the cost effectiveness of sensor applications.
- General direction of industry is moving towards fibreglass tanks in order to eliminate any potential risks over time.
- Recommendation to involve tank manufacturers in the discussion.



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- Next steps – TSSA will work with COHA to engage manufacturers in evaluating the feasibility and potential application of sensors to address corrosion failures during the course of the current fiscal year.

Discussion ensued around industry's resistance to fibreglass tanks. The impact of the age of the tank on corrosion and the availability of data were discussed. In particular, it was noted that the data was not quantified in the Director's Order and each insurance company has different guidelines.

12. Priority Safety: Promotion of Public Education

TSSA is currently reorganizing the Research and Education and information was not available at the time of this meeting. Council acknowledged the benefits of seasonal safety brochures produced by this department in the past.

13. Risk Reduction Group (RRG) Update

As part of the advanced materials for this meeting, Council received the status of all RRG's activities in the Fuels Safety Program, which was treated as read.

A. Barker reported to Council that a company approached TSSA regarding conducting on-demand fueling of personal vehicles in a residential setting. Neither the current TSSA's Liquid Fuels Handling Code (LFHC) nor the proposed version support this type of mobile fueling. She highlighted some of the regulatory challenges and safety concerns of this proposed activity, which may already be taking place in the marketplace. Due to the timing of this issue, it will not be included in the proposed LFHC at this point.

14. Code Adoption Document (CAD) – Fuel Oil

Z. Fraczkowski reported to Council that all training on the new fuel oil Code Adoption Document (CAD) was completed. Additional sessions will be scheduled in Fall 2016 for the remaining CADs. He noted that he was looking forward to greater involvement with the related industry associations. He also noted his intention to have all fuel CAD processes aligned.

A certificate of attendance was issued at each training session.

15. Canadian Oil Heat Association (COHA)

S. Koch acknowledged TSSA's commitment to its Advisory Council, engaging processes, and COHA working with TSSA.

He further provided an update on the ongoing activities impacting the industry nationally. COHA is focusing on three areas:

- Data collection;
- Communication to homeowners regarding annual maintenance; and
- Reducing the time limit for spill cleaning.

In regards to a discussion around the source protection implementation process, S. Jeffrey-Hampton noted that MGCS representatives will be sharing consumer related information from Advisory Council meetings with the Consumer Protection Division of MGCS.



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16. Ministry of Government and Consumer Services (MGCS)

As part of the advanced materials for this meeting, members received a report from MGCS, which was treated as read.

S. Jeffery-Hampton informed Council the appointment of a new Minister, Honourable Marie-France Lalonde, MPP (Ottawa—Orléans) on Monday, June 13, 2016. Hon. Lalonde is also the Minister Responsible for Francophone Affairs.

She also noted that some key functions of the Ontario College of Trades (OCOT) have been transferred to the Ministry of Labour from the Ministry of Training, Colleges and Universities.

The term limit for appeals in the Technical Standards and Safety Act has been set for 90 days.

17. Questions on Information Items and Other Business

Spills Action Centre: B. Francis reported to Council the challenges he faced when contacting the Spills Action Centre. He noted problems with wait times for inspections and discrepancies with the process.

J. Marshall highlighted TSSA's policies regarding the Spills Action Centre. Any information about the process for Spills Action Centre can be directed to J. Marshall offline.

18. In Camera

Council met *in-camera* without management and guests.

19. Termination

The meeting was terminated at 12:47 p.m. The next meeting is scheduled for November 23, 2016 at 345 Carlingview Drive, Toronto.