



Technical Standards and Safety Authority

Minutes of the Liquid Fuels Advisory Council Meeting

On November 23, 2016

Minutes of the Liquid Fuels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Ontario Boardroom, first Floor, 345 Carlingview Drive, Toronto, Ontario at 9:00 a.m. on the 23rd day of November 2016.

- Present:** Robert (Bob) Smith (Chair), Canadian Oil Heat Association, Eric Bristow, Canadian Fuels, G. Rae Dulmage, Consumers Advisory Council, Brent Francis, Francis Fuels Ltd., Terry Ablett, Wagg's Petroleum Equipment Ltd., Marcel Pouliot, Trimac Transportation, and Jim Wood, McKeown & Wood Ltd.
- In attendance:** Michael Beard, President and CEO (all items except 10 and 11), Ann-Marie Barker, Engineer (all items except 9 to 16, 18 to 21), Ruud Berkel, Technical Specialist, item 10, Zenon Frackowski, Engineering Manager (all items except 21), Kristian Kennedy, Policy Advisor (all except items 21), Maram Khalif, Council Coordinator (all items except 21), John Marshall, Director Fuels Safety Program (all items except 21), Supraja Sridharan, Advisor (item 9), and David Scriven, VP Research and Corporate Secretary (items all except 1 to 11, 21), and Peter Wong, VP Operations.
- Guests:** Sarah Jeffrey-Hampton, Senior Policy 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:** Trish Anderson, CIPMA, John Lastoria, Canadian Tire Corporation, Dereck Northcote, Farmers Mutual Insurance, and Laurie Marcil, the Northern Ontario Tourist Outfitters Association (NOTO).

1. Constitution of Meeting

R. Smith, Chair, welcomed Council members and called the meeting to order. G. R. Dulmage and M. Pouliot were introduced as two new members representing Consumers Advisory Council and the Transporter sector respectively.

Roundtable introductions followed.

2. TSSA's Safety Reminder

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

As part of the safety moment, Council viewed a safety video highlighting escalator safety.

3. Approval of November 23, 2016 Agenda

Council members approved the agenda for the November 23, 2016 meeting as presented.

4. Approval of the Minutes

Council members approved the minutes from the July 7, 2016 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.

6. Council Chair's Report

As part of the advance materials for this meeting, Council received the annual Chair's report to the President and CEO regarding Council's activities over the last fiscal year, which was treated as read.

R. Smith reported to Council that due to his recent retirement from COHA, he is resigning as Chair of the Council effective immediately following the meeting. He thanked all members for their support and encouraged them to nominate a candidate.

7. TSSA CEO'S Report

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

Safety award winners video was shown at the meeting.

8. Issues and Incident Report

There have been no incidents since the last meeting.

J. Marshall reported to Council that he received an application for the use of mobile fueling for private properties. Mobile fueling is a relatively new and emerging practice of bringing fuel to the vehicle and presents a risk of spillage in private or public spaces.

This new practice is a significantly growing trend in the industry. The risk, responsibilities and consequences of leakage were discussed. Further discussion ensued around the use of mobile fueling for construction sites and how this was managed and by whom. The jurisdictional limitation for TSSA and other Ministries, such as, the Ministry of Environment and Climate Change (MOECC) was further discussed. This practice is also emerging in some jurisdictions in the United States.

In summary, mobile fueling presents a potential safety risk and is not clearly addressed in current regulations. Council emphasized that a response for this emerging practice and regulatory gap should be developed.

The MGCS' representative will follow up with her counterpart at MOECC and will provide an update of her findings at the next meeting.

ACTION: S. Jeffrey-Hampton will discuss the mobile fueling issue with MOECC and will provide an update at the next LFAC meeting.

9. 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, S. Sridharan provided an overview of the FY16 Annual State of Safety Report for TSSA and J. Marshall added additional liquid fuels safety results.



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In reference to the safety priority for carbon monoxide (CO) affecting private dwellings, TSSA noted that one of the options being considered is a technological solution that would automatically shut down the appliance in the event of detected a CO leakage. TSSA is participating on the CSA Task Group that is looking at the inclusion of CO sensors on fuel-fired heating equipment.

Discussion ensued around the classifications and threshold for risk, as well as, other determining factors in the data. Council would like to have a discussion on the methodology used in determining risk at the next meeting. Council members noted that industry should be aware of orders considered high risk.

A distinction was noted between the methodology for assessing risk and the validation of the relative risk of standard orders. The agenda item for the next meeting will focus on the methodology for assessing risk.

Council and MGCS' representative acknowledged the improvement of risk data presented at the meetings.

ACTION: In regards to the next compliance report, Council requested TSSA to present the methodology of determining risk at the next meeting.

10. Contract Audit Process

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Berkel provided an overview of the contractor audit processes, which included outlining a permit system as a possible alternative.

The current contractor audit process was outlined, existing gaps noted, and ways to address the existing gaps by either improving them in the interim or including a regulatory review were presented.

The permit system, defined as a type of system in which contractors must register jobs, has been identified as a preferred alternative. Such a permit system would be similar to that used by the Electrical Safety Authority, which was introduced to Council last year. This presentation has been shared with all fuels Advisory Councils and the recommendations noted as being in the early stages of exploration.

Council discussed the benefits, disadvantages and some of the unknown elements (i.e. cost and job definition) that may arise if this proposal was implemented. In particular, the impact of cost on the consumer and the issue of unlicensed operators was noted and discussed. Council recommended that TSSA increase their engagement with the industry on the matter and seek a common solution.

11. Canadian Oil Heat Association (COHA)

S. Koch provided a high-level update on issues COHA that they are working on and of interest to the Council and TSSA. These efforts include the development of a consumer handbook for improving communication among different industries. Next steps will include engaging consumer groups and determining how to disseminate information.

12. LFAC Evaluation and Engagement Survey Result 2016

As part of the advanced materials for this meeting, Council received the results of the Council survey report for 2016, which was treated as read.

D. Scriven provided background for the survey, highlighting its objectives. He noted that opportunities to enhance support for all Councils has been identified, including taking advantage of the technology at new head office to offer attendance of future meetings via video conferencing.



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He also highlighted the benefits and the limitations of the Council Portal that was a response to a past survey result. The portal will be enhanced further under the TSSA 20/20 infrastructure project.

He reviewed a summary of key findings specific to the Liquid Fuels Advisory Council, which were discussed.

13. Safety Priority: Single Wall Fuel Oil Tank Analysis

Z. Fraczkowski and S. Sridharan provided an update on the data collection aspect of single wall fuel oil tanks. There have been 121 occurrences (in both underground and aboveground) from 2007-2016, with no demonstrable trend. The majority of the leaks occurred in private dwellings. Some of the factors for failure, such as the age of the tank at the time of failure, or the material of the tank, which may contribute to tank failures were discussed thoroughly.

The next steps for this issue is to continue collecting data on tank failures and present to Council. There was no consensus on what actions to take on the data being collected. Other industries, i.e. insurance, and how they may view some of the data being collected were also discussed.

This issue will remain on the agenda until further notice. A PowerPoint presentation highlighting some of the discussions from the meeting and other related data will be sent to Council after the meeting.

ACTION: A presentation highlighting the information discussed at the meeting about single wall fuel oil tank will be sent to Council after the meeting.

14. Priority Safety: Promotion of Public Education

K. Kennedy, on behalf of W. Lee, reported to Council that TSSA's public education department underwent a review since the last meeting. As a result, the department will discontinue its past research role and focus on public awareness with an emphasis on Carbon Monoxide, a top safety priority as noted in the prior discussions. Some of the specific activities, including utilizing social media, are still being determined and were discussed.

In regards to the past brochures for this industry, some Council members and guests recommended that TSSA consider engaging the insurance industry or gas industry in distributing leaflets or brochures to consumers. Other methods for conduct outreach directly to consumers was discussed in high-level.

15. Setting Priority Issues for 2016/2019

As part of the advanced materials for this meeting, Council received historical issues to consider in selecting the next priority issues, which was treated as read.

D. Scriven facilitated discussion in selecting priorities issues by highlighting some of the outstanding priorities as well as other issues highlighted in the 2016 survey results.

Aside those outstanding priorities on the agenda already, Council were encouraged to consider priority safety issues from the list below moving forward:

- Comprehensive inspection (10-year fuel oil inspection) this was to change to priority safety issue
- Consistency in inspection (this may be considered in Risk Reduction Group or Field Advisory Committee)
- Technicians and skills shortage (this may be combined under 10-year fuel oil inspection issue)
- Tank failure and related risk issue



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- Permit system process
- Collaboration of regulation (this item could be combined in one of the other possible priorities)
- Mobile fueling

There was no agreement on how to proceed moving forward.

16.10-year Fuel Oil Inspection Working Group

The Fuel Oil industry has expressed concern about the regulatory responsibility to conduct the 10-year comprehensive inspections. There has been some examples of where these are viewed in the judicial system as the fuel distributor providing a 10-year warranty. Industry representative have expressed that they feel these 10-year inspections should be completed by others. The working group would like to work with the government to make changes to the regulation.

As a way to minimize the impact on the industry, revisiting the use of quality assurance program for the industry was noted. Some of the barriers to having a single quality assurance program template among small businesses to big corporations were noted. How other fuels sectors utilized the quality assurance program was discussed. The background history of how the quality assurance program was included in the regulation was also provided to Council.

Other ways the industry could develop a template for quality assurance program assisted by their associations was also discussed.

ACTION: Fuel oil industry to work with the Ministry on possible regulation changes.

17. Risk Reduction Groups Update

As part of the advanced materials for this meeting, Council received a report highlighting all fuels RRGs activities since the last meeting, which was treated as read.

COHA representative requested to have a member at Fuel Oil RRG led by R. Sumabat.

ACTION: A. Barker will inform R. Sumabat to include COHA representative in the Fuel Oil RRG meetings.

18. Membership Matrix Discussion

Two new members were introduced at the start of this meeting. S. Koch will consider a member from COHA to have a seat at the Council.

A nomination for the Chair was encouraged to be sent to J. Marshall.

19. Ministry of Government and Consumers Services (MGCS)

As part of the advanced materials for this meeting, Council received a biannual report from MGCS' key activities involving TSSA, which was treated as read.

20. Questions on Information Items and Other Businesses

Removal of oil equipment and tanks system: J. Wood reported to Council the issue of a conflict-between the CSA B139 and CSA B149 codes with respect to installer responsibilities when converting from one



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fuel to another which could result in a hazardous situation- The code committee of the Canadian Standard Association (CSA) would be the right place for this item. J. Wood was encouraged to send a docket to CSA and report back to Council on his findings.

21. In Camera

There was no in-camera meeting.

22. Termination

The meeting was terminated at 2:40 p.m. The next meeting is scheduled for May 11, 2017 at 345 Carlingview Drive, Toronto.