



Technical Standards and Safety Authority

Minutes of the Natural Gas Advisory Council Meeting on February 27, 2013

Minutes of the Natural Gas Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1433/1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 9:00 a.m. on the 27th day of February 2013.

Present: Bill Vale, Triple B Solutions (Chair); Jim Angus (Larry Ryan), Utility Brokers and Rental; Jon Dalton (Gianluca Arcari), Canadian Standard Association; Martin Luymes, HRAI &; Dean Rawson (Jaime Milner), Enbridge Gas Distribution; Beth Cummings (Michael Shannon), Union Gas Ltd.; and Alan Reitzel, Reitzel Heating & Sheet Metal Ltd.

Teleconference: Scott Andrews, State Farm Insurance; Patricia Jensen (Elizabeth Nielsen) (all except 15 & 16), Consumer Advisory Council; and Wally Malcolm, Kitchener Utilities.

In attendance: Michael Beard, Vice President, Operations (all items except 20); Zenon Fraczkowski, Manager, Engineering (all items except 20); Maileen Gan, Advisor, Government Relations (all items except 20); Judy Harrison, Project Coordinator (item 9); Maram Khalif, Recorder (all items except 20); Srikanth Mangalam, Director and Chief Advisor (item 15); John Marshall, Director, Fuels (all items except 20); Lency Mulamootil, Decision Analysis Advisor (item 15); David Scriven, Interim President and Chief Executive Officer (CEO) (all items except 20); and Supraja Sridharan, Public Safety Risk Analyst (item 15).

Guest: Colleen Sonnenberg, Manager, Technical Safety Unit, Ministry of Consumer Services (MCS) (all items except 17).

Regrets: Rick Delaney, Link-Line Group of Companies; Dave McPherson, Rheem Canada Ltd.; and Martin Rego, Reliance Limited Partnership.

1. Constitution of Meeting

B. Vale, Chair, called the meeting to order at 9:30 A.M. Due to the weather condition, some members joined the meeting via teleconference.

The Chair introduced alternate attendees: D. Rawson for J. Milner, J. Angus for L. Ryan, J. Dalton for G. Arcari, and B. Cummings for M. Shannon.

2. Council Chair's Report

The Chair reminded council that there will be three meetings per year as was agreed upon at the last in-camera meeting. The council recommended having one of the NGAC meeting aligned with the AGM in order to minimize travel time in September, when possible.

The Chair also informed council that he will be preparing the Chair's report to the CEO. He requested the council's assistance in providing any accomplishment the council reached in the past year or any opportunities the council would like in the future to be sent to him so he can include in the report.

The Chair also provided update from the last Committee of Council Chairs held on January 15, 2013. He noted the introduction of Robert Pope, Chief Information Officer at TSSA and Daniel Hoorenweg, Chief Safety Risk Officer (CSRO).

He noted that the Committee discussed the MCS' oversight fee and the value of MCS representatives at the meetings. He also reported to council that the fee review and framework process were discussed and lessons learned will be taken into consideration in the next cycle.



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As for the council membership vacancy, filling the first responders sector was still in progress.

3. Approval of Agenda

Council members approved the agenda of the February 27, 2013 as presented.

4. Review of Action Items from Last Meeting

J. Marshall informed council all outstanding action items were completed as presented.

5. Approval of the Minutes

The council approved the minutes of the September 19, 2012 meeting, as being a true and correct record of that meeting.

6. TSSA CEO's Report

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

A high level discussion ensued around seasonal safety campaigns including Fall Carbon Monoxide safety community campaign and CoSafety.ca Micro-site enhancement conducted by Research and Education Department. Council was interested in finding that information provided to the public was retained by the public and that these campaigns were part of TSSA's strategic plans. The council was affirmed both of the preceding concerns.

D. Scriven informed council that council engagement and evaluation survey will be conducted during May and June 2013. He noted the survey is scheduled in every two years. Council recommended the possibility of conducting the survey every three years and if it was possible to align it with the setting of the safety priority issues cycle.

7. Fee Schedule Update

R. Smart shared with council that overall fee review and process was successful. He noted this included extensive consultation with industry and the fee review subcommittees. He also noted that lessons learned will be shared with council before the next fee review cycle.

R. Smart also reported to council that keeping with TSSA's commitment to openness and transparency, communication of the upcoming effective date was sent to the industry on November 1, 2012. That communication and summary of fee review were also posted on TSSA's website and was included in the latest TSSA's Fuels newsletter edition.

A question arose regarding the certification renewal process for companies with multiple certificate holders and ways to streamline the mailing of the certificates. It was noted that licensing fee were not affected in this fee review; however, any changes to the process will be followed up and council will be updated at the next meeting.



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ACTION: J. Marshall will follow up on the mailing of certificate for Kitchener Utilities renewal process and will update council at the next meeting.

8. Establishing Safety Priority Issues for 2013 to 2015

J. Marshall provided introduction of safety priority issues established in January 2010 by council.

Council discussed the items presented at the meeting which will also be sent with the minutes. Council agreed to focus on the current outstanding safety priority issues for council and keep the issues presented today for future references.

It was noted that some of issues presented today were already part of ongoing projects and those related in nature or arising from same source were consolidated since 2010.

Moving forward on setting priorities, the items presented here will be part of the input industry trends and issues and will be monitored on regular basis where council will provide direction on when to act on them.

9. Input on Industry Trends and Issues

With the aid matrix presentation, M. Beard provided background information on this evolving document and its next steps.

J. Harrison added that there will be one document containing all the issues and trends, progress updates and next steps. The revised document will be shared with council at the next meeting. Council discussed ways these issues were used or linked in preparing TSSA's strategic and business plan.

Council recommended separating safety priority issues and historical issues and trends. Council also would like progress updates of all issues being dealt as business as usual or as part of risk reduction group to be provided at the council meeting. It was noted that this document could be used in the planning meeting and some of the items indicated here may be tabled as agenda items.

C. Sonnenberg also noted that this document was also assisting the MCS in their operational planning and resource planning in relation to council meetings.

Council was encouraged to send any new issues and trends that may impact in the industry to J. Marshall in between meetings. J. Marshall will share those issues with the Chair at the next planning meeting.

10. Conflict Resolution Process: Ombudsmen for Contractors

J. Marshall reported to council that there were some concerns around conflict resolution process in the Fuels Program. J. Marshall, M. Luymes and J. Milner met to discuss ways to address council's concerns on this issue. It was agreed to have more discussions around some of the key issues, expectations as well as protocol, and having a process in place. Further discussions highlighted that having ombudsmen person/committee would be beneficial; however, such a position would not have any overruling power of the Statutory Director.

Council further shared ways to address this issue by having a triage. Having an ombudsman panel regarding policies of inspection's zero tolerance with the utilities proved to improve behaviors dramatically in the past.



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M. Beard's support for behaviour changes in the field staff and having consistent message in this regard was acknowledged.

ACTION: Recommendations around developing a conflict resolution process or body will be put forth to council at the next meeting.

11. Incident/Issues

J. Marshall reported that there have been ten significant incidents/issues involving natural gas explosions, fires, and equipment failures since the last meeting, the root causes were user behaviour and lack of maintenance. He reported there was no fatality and there was not a particular trend; however, there were few injuries. Brief discussion ensued around some of the details involving the injuries.

All these cases are open and under investigation and further information will be provided when appropriate.

12. Priority Safety Issues Update - Partnership/Prevention to Enhance Prevention Efforts regarding Gas Leaks

J. Marshall reported this is one of three issues that the NGAC Task group is working on. The majority of the work is centered on pipeline damage prevention and specifically the new Underground Infrastructure Systems Notification Act. This Act has been proclaimed and comes into effect in 2013.

MCS is getting ready for consultation on an associated regulation and has a consultation paper out for review and comment.

The Director of Fuels Safety will meeting with the Executive Director of Ontario One Call to discuss mutual issues. TSSA continues to support Ontario Regional Common Ground Alliance (ORCGA) initiatives such as seminars and DIG Safe Campaigns. TSSA has increased fees with respect to pipeline damage inspections and is introducing a new fee for digging without a locate.

C. Sonnenberg noted that the MCS issued a consultation paper and expects feedback from any major groups in the industry. The deadline for any feedback is March 25, 2013. She also noted that MCS was designating Ontario One Call Ltd. to monitor Ontario Underground Infrastructure Notification System Act 2012.

This safety priority issue will be completed by next council meeting.

13. Priority Safety Issues Update - Partnership with Contractors

This is the second of three issues identified by Council and being worked on by the ad-hoc working group. The focus of this item was to look for ways to get safety information into the hands of the home owner. TSSA Research and Education team has conducted considerable research into determining the best ways to communicate information to the home owners. He noted that a direct mail is the best method to accomplish this followed by trade shows, bill inserts and door hangers. While Big Box stores and schools were considered, these were seen as more difficult as people have already made a decision once they are in stores and the schools are hard to get into the curriculums. They are not a priority safety issues for now and may be looked into in the future.



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It was noted that TSSA does have intellectual information available for safety partners to use and details can be shared by contacting TSSA. Any new information on this safety priority will be posted on the website.

Discussion ensued around customer value survey and council was informed the scores for contractors were found to be lower than other groups. J. Marshall informed council that D. Lisle was diligently working on analyzing the feedback from contractor focus groups and internal stakeholders, findings will be shared at the next meeting action item

Brief discussion ensued around industry workshop on regulatory updates (adopted new codes) that has been taking place in the past few months. Uptake and other feedback were discussed. Industry requested to have these workshops in fuels as well. Z. Fraczkowski, informed council that he was looking into the feedback and if the sessions were determined successful, consideration will be given to providing future workshop.

TSSA will evaluate the effectiveness of these workshops and ways to make them accessible to all. Recommendations will be shared with council at a later date.

ACTION: Sharing the result of customer value survey for the natural gas program.

14. Priority Safety Issues Update - Regulation Efficiency

J. Marshall reported this priority safety includes Code Adoption Documents which was completed in December 2012. It is now in the process of being posted on TSSA's website.

15. Safety Compliance Information for Natural Gas

With the aid of a PowerPoint presentation, S. Mangalam, L. Mulamootil and Supraja Sridharan presented the safety compliance report as it applies to the natural gas industry.

They outlined compliance analysis and occurrences analysis overview of 2004/2005 to 2011/2012. They also provided information around Carbon Monoxide risk assessment and risk reduction strategy.

The top five cited orders for FY13 Q1/Q2 were thoroughly discussed. The council acknowledged the industry will benefit from the presentation of the top five order citations at each meeting. It was noted that the trends highlighted in the top five order citation were also part of annual safety report available each year in September.

Discussion ensued around contractors' performance and how this may impact on the top five order citation as well as monitoring their performance. It was noted that some of the other programs at TSSA (i.e. Elevating Devices Program) developed contractors' rating report in which each contractors are provided with their particular rating in comparison to others and the top three contractor ratings.

ACTION: The compliance safety presentation will be sent to council.

16. Reliance on Gas Technicians for Fuel Safety Enforcement

M. Luymes reported to council that there was a general concern with the role of gas technicians during an inspection and their responsibility of reporting non-compliance. Discussion ensued around alternatives ways of conducting inspections without relying on gas technicians and the existence of any other model to follow within Canada where the gas technicians did not have to report on non-compliance issues.



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It was noted this matter was a regulation requirement and any changes will imply a regulation review.

C. Sonnenberg informed council that any part of regulation review means having a full fuels regulation review. The MCS requires concrete research around public safety, impact on other regulations, consumers and evidence to back up any regulation review. The inherent challenges of having only one area of the regulation reviewed were discussed. The MCS will be obligated to be aware of all the overarching impact of any changes may have in other regulations and the public safety.

ACTION: J. Marshall will follow up on finding what other models or alternatives (if any) used by other jurisdictions in regards to reliance on gas technicians for fuel safety enforcement and will share his findings with council at the next meeting.

17. Skills Shortage Update

Heating, Refrigerator and Air Conditioning Institute of Canada (HRAI):

M. Luymes and J. Marshall provided an update on the activities of the HRAI Career Committee which is updating the website information, developing promotional material and developing a guide for employers and employees on the benefits and responsibilities of co-op and apprenticeship program.

Gas Apprenticeships and Ontario College of Trades:

J. Marshall informed council that apprenticeship program for gas technician at the Ministry of Training, Colleges and Universities (MTCU) was supposed to be completed in 2012; however, the matter is stalled due to the new development of Ontario College of Trades (OCOT) having oversight of all Ontario trades.

The regulatory overlap of the TSSA and OCOT has created some challenges. TSSA, OCOT, MCS and (MTCU) are all working with other stakeholders and industry to resolve this issue. These four groups meet on regular basis and will make recommendations of their final findings to MCS and MTCU.

High level discussion ensued on the implications of this issue for the industry specifically for the apprenticeship program. It was noted at this junction; TSSA is focusing on regulation implications. Discussion followed around TSSA's support for apprenticeship program.

18. Questions on Information Items and Other Business

Risk Reduction Groups (RRG) Update:

A written report of the RRG was provided at the meeting, which was treated as read.

Depressurization report:

J. Marshall informed the council that the group met on February 26, 2013. The group has come to agreement on recommendations. This information will be processed at Canadian Standard Association and will be posted for public comment.

19. Ministry of Consumer Services Update

Home Inspection Initiative:

C. Sonnenberg reported to council that this matter is under Consumers Protection Program and that their focus was to consult on minimum qualification for home inspections. Questions were sent to key home inspections associations and the MCS was reviewing the responses. She acknowledged that TSSA and its councils have interest in this initiative and that their perspective was needed as a feedback.



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C. Sonnenberg also provided a brief update around MCS. She informed council that MCS has a new minister, Hon. Tracy MacCharles.

She also provided information around the consultation paper being prepared for Ontario One Call on implementation and reminded council that comments and feedback were due by March 25, 2013.

20. In Camera

Council members forfeited *in camera* meeting due to the lack full members' attendance.

21. Termination

The meeting was terminated at approximately 1:48 p.m. The next meeting date is June 27, 2013.