



Technical Standards and Safety Authority

Minutes of the Natural Gas Advisory Council Meeting on June 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 June 2013.

Present: M. Shannon, Union Gas Ltd (Chair); Scott Andrews, State Farm Insurance; Jim Angus (for Larry Ryan), Utility Brokers and Rental; Gianluca Arcari, Canadian Standard Association; Rick Delaney, Link-Line Group of Companies; Martin Luymes, HRAI; Jaime Milner, Enbridge Gas Distribution; Elizabeth Nielsen, Consumer Advisory Council; and Wally Malcolm, Kitchener Utilities; Dave McPherson, Rheem Canada Ltd.; and Martin Rego, Reliance Limited Partnership.

In attendance: Zenon Fraczkowski, Manager, Engineering (all items except 17); Maram Khalif, Recorder (all items except 17); Marek Kulik, Engineer, (all items except 17); Srikanth Mangalam, Director and Chief Advisor (item 14); John Marshall, Director, Fuels (all items except 17); David Scriven, VP Research and Corporate Secretary (all items except 17); Jonathan Tsao, Policy Advisor, (all items except 17); and Peter Wong, Vice President of Operations (all items except 17).

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

Regrets: Alan Reitzel, Reitzel Heating & Sheet Metal Ltd

1. Constitution of Meeting

M. Shannon, Chair, called the meeting to order at 9:05 A.M. M. Shannon accepted the chairmanship of the council.

P. Wong was introduced as the new VP of Operations for TSSA.

2. Council Chair's Report

As part of the advanced materials for this meeting, council received the Chair's annual report written by the former Chair, W. B. Vale to the President and CEO, which was treated as read.

The report highlighted the council's major achievements in the past 12 months as well as emphasized the key opportunities for the future.

3. Approval of Agenda

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

4. Review of Action Items from Last Meeting

J. Marshall informed council of the outstanding action items that were completed as highlighted. The remaining outstanding action items were reported as follows:

Regarding the customer value survey item, J. Marshall informed council that this item will be deferred to the next meeting and D. Lisle will be invited to present the information pertaining to this item.

Follow up on finding, if any, other models used in other jurisdictions in regards to reliance on gas technicians for fuel safety enforcement, J. Marshall reported to council that, currently, there are no



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alternatives for dealing with this issue. He noted that he met with his counterparts in other provinces and only Alberta had a slightly different way of dealing with this issue, however, the rest had similar processes in place.

5. Approval of the Minutes

The council approved the minutes of the February 27, 2013 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 President and CEO concerning TSSA's key activities over the last quarter which was treated as read.

D. Scriven on behalf of M. Beard informed council that the Governance Safety and Human Resources Committee of the Board of Directors received all Chairs' annual reports to the CEO and were pleased with the council's progress. The Board Chair plans to acknowledge the Board's appreciation for the reports.

He also provided information around TSSA's position and a high level update around the International Union of Elevator Constructors (IUEC) strike that commenced in May 2013. He noted TSSA had processes in place to assist the public directly during the strike.

D. Scriven also reported to council that TSSA was identifying gaps and improving TSSA's public safety activities and performance reports including the annual safety reports. Members of council expressed ways to enhance the risk reporting and improve reporting tools for emerging risks or infrequent risks that may have the potential to cause catastrophic outcomes.

ACTION: D. Scriven and J. Marshall will follow up on suggestions to improve the public safety reports provided to the natural gas advisory council.

7. Fee Schedule Update

R. Smart shared with council that overall the fee review and process was successful. He noted this included extensive consultation with industry and the fee review subcommittees.

R. Smart highlighted the milestone dates that were put in place, such as, the formal communication issued on November 1, 2012 and the effective fee changes date on May 1, 2013.

He also highlighted that the fee review and framework process focused on ways to embody incentive and deterrence. He further noted that in keeping up with TSSA's commitment to transparency and full disclosure that all fee review and framework documents were shared with council and were posted on TSSA's website.

He emphasized areas that were not impacted by the fee changes such as certification/examination and licenses fee and noted areas that were simplified such as travel cost and establishing minimum fees.

TSSA business plan includes an initiative to look at opportunities to develop more incentives within the fee structure with the first step being the development of a white paper.



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8. Input on Industry Trends and Issues

As part of the advanced materials for this meeting, council received the list of current priority safety issues and emerging trends collected from previous meetings, which was treated as read.

J. Marshall provided introduction of safety priority issues and reiterated that council agreed at the last meeting to continue the priority safety issues already set forthwith. He also noted that council may add an additional priority safety issue, if necessary. One of the priority safety issues was completed today under item #11.

On the emerging trends presented at the meeting, it was confirmed that all codes were updated and completed. A high level discussion ensued around venting code violations and the impact of "super" homes was having on the energy grids in some communities.

Additionally, it was noted that TSSA utilizes emerging trends as part of its strategic and business planning sessions and the Ministry of Consumer Services uses it during their planning session.

Moving forward, the current emerging trends issues will be monitored.

Discussion ensued around engaging with other regulatory bodies within the fuels industry such as Ontario Energy Board (OEB) and the potential benefits for public safety. A distinction was made between safety regulator and rate regulator and it was deemed that having TSSA as an intervener member at the OEB does not align with the public safety mandate. However, council discussed ways TSSA may advocate for the purpose of public safety and it was agreed that TSSA will explore these.

Around the issue of a council portal, D. Scriven reported that TSSA was currently looking into a few possible business applications and a more concrete update will be provided at the next meeting.

D. Scriven also provided an update around the council evaluation and engagement survey (currently in progress) noting that on the contrary of the Chair's annual report, the survey cost was quite modest and as per council's request, it will be conducted every three years rather than every two years as was the current practice.

ACTION: D. Scriven will provide an update around the council portal at the next meeting.

9. Conflict Resolution Process

J. Marshall provided an update from the last meeting on the progress of developing a conflict resolution process in the Fuels Safety Program. He noted that having an ombudsman/person or a panel was agreed upon and the process of how this may function was being reviewed and developed by T. Ayres, Vice President and General Counsel; however, this position would not have any overruling power over the Statutory Director.

Council shared recommendations around minimizing any bureaucracy or complexity in the process. It was confirmed this was an issue at large for TSSA and was not specific to the Fuels Safety Program. Considerations will be given to ensure that those involved have the skills to deal with the specifics of each program. It was also further reiterated that this issue was a priority initiative issue for TSSA and a framework model will be presented at the next meeting.

ACTION: T. Ayers will be invited to present the conflict resolution process and framework at the next meeting.



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10. Incident/Issues

J. Marshall reported to council that any other incidents will be discussed under the safety compliance item #14.

In regards to significant incidents, he reported to council that there have been five significant incidents/issues involving natural gas explosions, fires, and delayed ignition since the last meeting.

He noted one explosion involved criminal activity. The fire incident involved a home owner and the other three incidents involved technician error or uncertified people. All these cases are still open and under investigation and further information will be provided when appropriate. There were no particular safety trends in these significant incidents.

11. 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 ad-hoc working group (WG) was working on. The majority of the work was centered on pipeline damage prevention and specifically the new Underground Infrastructure Systems Notification Act. This Act has come into effect. This WG is still in progress and an update will be provided at the next meeting.

Priority Safety Issues Update - Regulation Efficiency

J. Marshall reported this priority safety included Code Adoption Documents which was completed in December 2012 and final documents were shared with industry and were posted on TSSA's website. This issue has been completed.

12. Priority Safety Issues Update - Partnership with Contractors and Customer Value Survey

This is the third of three priority 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.

J. Marshall reiterated that the TSSA Research and Education (R&E) conducted considerable research into determining ways to effectively provide information to home owners.

A high level discussion ensued around developing reports for contractors' effectiveness in a quantifiable way and validating recommended criteria of the reports by the contractors.

ACTION: TSSA to provide a report to council on the 2013 customer value survey results.

ACTION: TSSA to share public awareness research information with NGAC Ad-hoc Working Group.

13. Ministry Consumer Services (MCS)

Home Inspection Initiative: C. Sonnenberg reported to council that an introduction to the stakeholder meeting was held on June 25, 2013. She noted that a recommendation will be developed as a result of all stakeholders' input and feedback. She also highlighted that this panel will analyze a lot of issues that



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arose from previous discussions and noted that although the initial focus was on minimum qualifications; this initiative was still evolving. The stakeholder panel consisted of many different representations that were affected or involved in the home inspection industry such as insurance, associations, contractors, users etc. Their deliberations will commence in July 2013. She encouraged any interested party to send an email directly to: homeinspectors@ontario.ca for further updates or information.

C. Sonnenberg also noted that there was a presentation at the June 25 meeting that may be beneficial to council and it can be shared with council, once available.

C. Sonnenberg announced this was her last meeting and noted that N. Stewart will be acting in her position.

ACTION: M. Khalif to share with council the home inspection presentation provided at the June 25th meeting with the MCS and stakeholders.

14. Safety Compliance Information for Natural Gas

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

He outlined compliance analysis and occurrences analysis overview from 2004/2005 to 2011/2012 and provided up-to-date info for 2012/2013. He also provided up to date information around carbon monoxide risk assessment and risk reduction strategy.

The top five cited orders for FY13 were thoroughly discussed. The upcoming structural changes to reporting around carbon monoxide were noted.

Discussion ensued around contractors' performance and lack of understanding on some compliance issues. Utilizing public education in this case was recommended.

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

15. Skills Shortage Update

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

M. Luymes provided an update on the activities of the HRAI Career Committee. He reported to council the progress of the development of promotional material – a guide book for employers and employees on the benefits and responsibilities of the co-op and apprenticeship program. He noted this guide book was developed in junction with the construction sector and was aimed to assist employers in understanding the apprenticeship process, work shadowing, mentoring, etc. as well as for employees to learn more about the above programs.

Gas Apprenticeships and Ontario College of Trades:

J. Marshall provided an update around the status of Ontario College of Trades and TSSA in regards to overlapping jurisdiction around certain certifications according to their respective regulations.

It was reported on June 18, 2013; that the OCOT Board of Directors voted to keep their regulation intact and made no changes in regards to this outstanding issue. As a result of their decision, the apprenticeship program for gas technicians at MTCU has been suspended until the issue with OCOT's oversight of gas technicians/fitters is resolved.



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Discussion ensued around the impact of suspending the apprenticeship program will have on the industry and on Ontarians. Council expressed concerns about the regulatory overlap and the challenges it has created as well as the solutions sought by TSSA and MCS. Some members expressed different views than those solutions recommended by TSSA and MCS.

TSSA, OCOT, MCS and MTCU are all working with other stakeholders and industry to resolve this issue. However, at this point, OCOT has reached a final decision from their perspective.

W. Lee informed council that a joint letter was being drafted to MCS and MTCU by both the Fuels Safety Program and Elevating/Amusement Safety Program to address this issue. The industry is being encouraged to support TSSA in this joint letter or, alternatively offer the opportunity to write a separate letter to the appropriate Ministry in support of TSSA's recommendations. The TSSA letter will be sent to MCS and MTCU next week.

ACTION: Provide a copy of the letter to the Ministries to council members.

16. 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 council that a final depressurization report has been developed by the Canadian Standard Associations' Depressurization Technical Committee. This standard will focus on large scale buildings and private dwellings. More details to be provided at the next meeting.

Membership: The following members renewed their membership for another term: M. Luymes and J. Milner. A. Reitzel to confirm his intention at the next meeting.

ACTION: A. Reitzel will confirm his membership for another term at the next meeting

17. In Camera

The council members met *in camera* without guests and management.

18. Termination

The meeting terminated at approximately 12:15 p.m. The next meeting date is September 18, 2013.