



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on October 28, 2015

Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Boardrooms 1433 and 1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 9:30 a.m. on the 28th day of October 2015.

Present: David Karn (Chair), Dowler-Karn Limited, J. L. Adams, EDPRO, Andre Alie, PNE Corporation, Bruce Coomber, Sparling Propane, Doug Fines, HURONIA/MED-E-OX Ltd., John Lastoria, Canadian Tire Petroleum Network Development, Peter Maddox, Canadian Propane Association, and Sue Hardy, National Energy Equipment.

In attendance: Michael Beard, President and CEO (all items except items 10 to 14), Kristian Kennedy, Policy Advisor (all items except item 14), Maram Khalif, Council Coordinator (all items except item 14), Solomon Ko, Engineer (all items except item 14), John Marshall, Director, Fuels Safety Program (all items except item 14), David Scriven, VP, Research and Corporate Secretary (all items except item 14), Supraja Sridharan, Public Safety Risk Analyst, (item 8), and Peter Wong, VP of Operations (items 11 - 13).

Regrets: Brian Horsman, Consumers Advisory Council and Kevin Johnson, Superior Propane

Guests: Elizabeth Kay-zorowski, Acting Director, Ministry of Government and Consumer Services (items 1 to 10), and Shranna Jaggernath, Senior Policy Advisor, Ministry of Government and Consumer Services (all items except 14).

1. Constitution of Meeting

D. Karn, Chair, welcomed council members and called the meeting to order.

As part of the safety moment, council viewed a safety video highlighting two areas: extending safety outside to the workplace and how incidents adversely affect the lives of others.

A roundtable introduction followed and E. Kay-zorowski was introduced as the Acting Director of Public Safety Branch Unit of the Ministry of Government and Consumer Services (MGCS).

2. Approval of Agenda

B. Coomber requested a new agenda item to be added under item 10 – “Seals used for compliance by TSSA”.

Council members approved the agenda as revised for the October 28, 2015 meeting.

3. Approval of the Minutes

Council members approved the revised minutes by adding a requirement for a bucket list of changes to the regulations to be maintained by council for when the MGCS is ready to make changes. The March 12, 2015 Propane Advisory Council meeting minutes were approved as revised, as being a true and correct record of the said meeting.

4. Review Action Items From Last Meeting

J. Marshall reviewed the outstanding action items from previous meetings, noting that those highlighted were completed.



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The outstanding actions items were updated as follows:

- J. Marshall noted that meetings were taking place to provide the industry with an opportunity to offer input into the risk assessment of standardized orders. P. Maddox is the lead for these meetings and an update will be provided as information becomes available. Moving forward, this item will be kept on the agenda until completed.
- Compliance rate levels 1 and 2 are part of today's update under item 8.
- Council 2013 survey was posted to the Council Portal for council to review for setting priority safety issues under item 10.
- S. Ko informed council that changes to the Risk Reduction Group (RRG) meetings were underway. Additional information will be provided under item 11.

ACTION: Risk assessment for standardized orders, led by P. Maddox, will be a standing agenda item until completed.

5. Council Chair's Report

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

The Chair highlighted TSSA's Annual General Meeting (AGM) held on September 29, 2015.

6. TSSA President and CEO'S Report

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

M. Beard informed council that TSSA has planned a relocation of its head office in July 2016 and advised that this will result in significant savings.

A video was shown highlighting the 2015 Safety Award recipients at TSSA's AGM.

7. Ministry of Government and Consumer Services (MGCS)

As part of the advanced materials for this meeting, members received MGCS' report regarding ongoing activities with TSSA, which was treated as read.

A notice to amend the *Technical Standards and Safety Act* was sent to all council members for review and feedback with a deadline of October 14, 2015.

Council was supportive of the change to have an appeal period; however, they noted that the length of time is a challenge for some companies, especially, in situations where the decision maker may not receive orders or invoices within the first 30 days of the order being issued.

Council recommended allowing a longer period for the appeal process in order to allow companies to sort out issues with the inspector/regional supervisor prior to reaching to the statutory director.

A brief update was provided regarding the progress of developing a regulation for Liquefied Natural Gas. If the case for developing a regulation for the Liquefied Natural Gas is determined by the MGCS to have been made, council reiterated their position of having a level playing field within the fuels industry.



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The Dean's review result of Ontario College of Trades has been delayed.

8. Annual State of Public Safety Report and Compliance Safety Report for Propane

With the aid of a PowerPoint presentation (which forms part of the record of the meeting), S. Sridharan provided an overview of TSSA's Annual State of Public Safety, followed by J. Marshall providing an update from the Propane Safety program.

Carbon Monoxide (CO) and its risks were highlighted. One of the main areas of challenge is maintenance of fuel burning appliances, especially in private dwellings. A discussion ensued on whether the insurance industry could assist in CO poisoning prevention. A further discussion highlighted where a gap may exist. For example, a customer may purchase a CO device with the manufacturer's instructions but may not follow them.

TSSA has a mandate to educate the public; however, more engagement from other involved parties is needed. A multi-stakeholder strategy will be able to raise a larger public awareness of CO risks. The limitation of TSSA to allow inspectors to access private dwellings was noted. The MGCS' representatives at the meeting acknowledged the gap existing between purchasing the device and a follow up for its maintenance from the homeowners in Ontario. They will engage with their colleagues to share the information discussed at today's meeting.

TSSA was asked what the percentage of CO issues are with natural gas and how does the natural gas quality assurance program address this issue. Risk based scheduling and how it determines risks were further discussed. Aging equipment and its risk were also further highlighted.

The top three orders issued were identified and discussed. Level 1 and level 2 data was presented separately as per the council's request at the last meeting.

Industry raised the point that the present method of Risk of Injury or Fatality calculation does not address the number of people using the equipment.

Further discussion ensued around licensees who may have questions about their inspection frequencies.

ACTION: J. Marshall will provide information on the percentage of CO issues in natural gas as compared to propane.

ACTION: J. Marshall will provide a contact list of whom the licensees can call for information related to their inspection frequency.

ACTION: Public Safety Risk Management will consider the issue of providing user context in developing in the future.

9. Issues and Incidents Update

J. Marshall reported to council that there have been five propane related incidents since the last meeting.

Four incidents involved an explosion. Two of those incidents involved maintenance of propane equipment. Another incident was a result of user behavior. The fifth incident was still outstanding and under investigation. Overall, there have been four injuries and one fatality.



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Council brought up an issue in the industry involving where there was a supplier as in natural gas industry versus where there was no supplier as in the propane industry. The propane distributors noted they would not be compared favorably to natural gas where there is always a supplier.

J. Marshall also reminded council that the mandatory insurance requirement will become law effective in January 2016 and he will be accepting a current certificate of insurance that does not expire within 30 days.

10. Setting Priority Safety Issues

Safety moment: Council was encouraged to share their videos and presentations for the safety moment at the beginning of the meeting. Material is to be submitted to M. Khalif prior to the meeting date.

Card lock/key lock annual training: Council noted that this matter has been discussed at the RRG level and the necessary changes were agreed. The training was noted as cumbersome by the industry. Ways of dealing with this issue were discussed, including looking into equivalency not requiring regulation changes.

Consistent and effective enforcement of regulation: How inspectors were reinforcing the regulations was discussed. Some inspections are not adhering to the codes, resulting in some challenges for the industry.

Inspection of propane tanks: A task force was established to deal with this issue in conjunction with the Boilers and Pressure Vessels Advisory Council. A plan has been agreed upon and signed off by both Fuels and Boilers and Pressure Vessels Safety Programs. The next step is the implementation phase, which is currently underway. P. Maddox will follow up on this issue and will provide the final resolution to council when information becomes available. TSSA will need to update its inspector training and approve new training material from the training providers.

Distributor Licence: This matter will be part of an inventory list of issues to be tackled at the next propane regulation review.

Offsite storage of cylinders: This matter has been was part of the proposal for the last regulation review and will remain on the inventory list for future consideration.

Level playing field of all fuels: Propane industry expressed that all fuels programs are to operate under the same regulations. This was previously highlighted under item 7.

Rail trains loading facilities and associated risks: A safety gap may exist when parked rail cars on rail lands that could be Federal jurisdiction and therefore outside TSSA jurisdiction. The industry expressed concern regarding the risk associated with this practice if it is not regulated. The public risk and TSSA's responsibilities were also discussed. This matter will be presented to the National Public Safety Advisory Committee (NPSAC).

TSSA's seals with numbers for compliance: The challenges of tracking the numbers on the seal was discussed. The numbers did not distinguish the device (elevator or a boiler). Council recommended developing ways to identify the number. This issue may be resolved by TSSA's 20/20 infrastructure; however, J. Marshall will provide an update on TSSA's compliance seals at the next meeting.

Council recommended that the next two issues to be considered top safety priority issues for propane over the next three years:

- Card lock/key lock annual training led by P. Maddox.
- Inspection of propane tanks and its criteria (need to focus on this issue until it reaches implementation phase) led by P. Maddox.

The rest of outstanding issues will be included in an inventory list for future regulation review.



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A member brought up the issue of Pressure Relief Valve (PRV) under the President and CEO's Report discussions. A high-level discussion ensued around ways to resolve this issue. The PRV issue relates to the implementation of the service/inspection of PRVs for propane tanks. This issue was being addressed at the RRG meeting. One of the main issue was the criteria for replacement and frequency, which have been an ongoing issue at the RRG level. The industry proposed to follow the new B51 -14 timelines. An implementation program will need to be selected. This matter will be dealt more detail at the RRG level.

ACTION: P. Maddox will be the lead for the Inspection of Propane Task Group until its completion.

ACTION: D. Scriven will share the issue of rail trans-loading facilities with the appropriate NPSAC committee.

ACTION: J. Marshall will provide additional information on how the TSSA's compliance seal numbers operate at the next meeting.

11. Risk Reduction Group (RRG) Update

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received RRG minutes from April 29, 2015 and September 10, 2015, meeting, which were treated as read.

S. Ko reported to council that the RRG members discussed ways to streamline the RRG process. The RRG members preferred more structured and effective meetings, as well as the establishment of a core membership matrix. Some members of council informed they have provided feedback and have not received any responses to date. They will send their feedback to S. Ko for follow up.

A Code Adopting Document will not make the November 1, 2015 release; therefore it will not be implemented by January 1, 2016.

12. Canadian Propane Association (CPA) Update

P. Maddox provided high-level information around recent CPA activities, including key staffing changes.

13. Questions on Information Items and Other Business

Membership: The challenges of filling the vacancies were discussed. Some associations who have been invited did not see value in attending the meeting on a consistent basis. Some associations or sectors also preferred RRG meetings to the advisory council due to the technical focus. Revisiting the matrix was recommended. The Chair noted that council has enough members and may consider minimizing the vacancies on the matrix.

ACTION: D. Scriven and J. Marshall to discuss the propane matrix prior to the next planning meeting.

14. In Camera

Council met *in camera* without TSSA and guests.



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15. Adjournment

The meeting was terminated at approximately 1:28 p.m. The next meeting is scheduled for March 10, 2016 at 9:30 a.m.