



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on April 6, 2017

Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in the Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario at 9:30 a.m. on the 6th day of April 2017

Present: David Karn (Chair), Dowler-Karn Limited, Joe Adams, EDPRO, Peter Maddox, Canadian Propane Association, Sue Hardy, National Energy Equipment, John Lastoria, Canadian Tire Petroleum Network Development, David Marvin, Superior Propane.

In attendance: Michael Beard, President and CEO (all items except 9-17), Zenon Fraczkowski, Engineering Manager (all items except item 17), Kristian Kennedy, Policy Advisor (all items except item 17), Tarannum Khatra, Council Coordinator (all items except item 17), John Marshall, Director, Fuels Safety Program (all items except item 17), David Scriven, VP, Safety Strategy and Corporate Secretary (all items except item 17), Mark Westen, Training and Certification Advisor (item 14), Peter Wong, VP Operations, and Susy Ceolin, Communications Advisor, Research and Education (Item 1 only).

Regrets: Bruce Coomber, Sparling Propane and Doug Fines, HURONIA/MED-E-OX Ltd,

Guests: Shranna Jaggernath, Senior Policy Advisor, Ministry of Government and Consumer Services (all items except 17).

1. Constitution of Meeting

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

Natalie Conway of the Ontario Recreational Vehicle Association (ORVA) could not attend the meeting. The meeting invitation was sent at the last minute as there was a staff change in the Council Coordinator position.

As part of the safety moment, Council viewed a safety video highlighting Carbon Monoxide (CO) safety. The campaign theme is 'Silent Killer' and is based on a movie trailer concept. It is currently playing in movie theatres. Poster warnings about the dangers of CO are on display in public transit (TTC) stations.

There was positive feedback from Council regarding the safety video.

2. Approval of Agenda

Council members approved the agenda for the April 6, 2017 meeting.

3. Approval of the Minutes

The November 2, 2016 Propane Advisory Council meeting minutes, as revised, were approved and considered to be a true and correct record of said meeting.

The revisions will be as follows: under item 13 – S. Jeffrey- Hampton noted that the Liquefied Natural Gas (LNG) findings report was developed by Lough Barnes, and was based on analysis and research conducted by consultants and fuels stakeholder interviews.



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The findings report was completed as foundational work to provide background and current knowledge of the LNG sector in Ontario and other jurisdictions. No decision has been made by MGCS or TSSA regarding any future action to consider a stand-alone regulation for LNG.

4. Review Action Items From Last Meeting

J. Marshall reviewed the outstanding action items from previous meetings, noting that those highlighted were completed. Some of the other outstanding items were discussed under appropriate agenda items.

The other outstanding action items were updated as follows:

- P. Maddox emailed to the Council Coordinator the CPA's presentation and letter to the Standing Committee on Transport, relating to Rail Transloading. These were distributed to Council members on April 11, 2017.
- Dave Karn requested TSSA to advise, in writing, of their decision regarding open data
- TSSA supports the concept of an OEM fueling label, J. Marshall presented to NPSAC November 2016.

5. Council Chair's Report

There was no report from the Chair at this meeting. D. Karn informed the Council that the Chair's report to the CEO will be submitted by April 13.

6. TSSA President and CEO'S Report

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

M. Beard highlighted the progress of the TSSA 20/20 Program. A Request for Proposal (RFP) had been released. At this stage, the RFPs are being evaluated. TSSA is reviewing the scope.

7. TSSA Strategic Plan

As part of the advanced materials for this meeting, Council received the TSSA Strategic Plan, which was treated as read.

D. Scriven highlighted some of the broad themes of the Strategic Plan. TSSA aims to become a Modern Regulator by reducing barriers, responding faster and becoming more transparent. He explained that it is TSSA's objective to make Ontario a safe province to live, work and play in. The plan would come into effect in May 2017, the beginning of the fiscal year. He informed Council that once TSSA adopts the principles of a Modern Regulator, that we can have a solid operational foundation in the form of our 20/20 project. The Strategic Plan will be posted on the website.

8. Ministry of Government & Consumer Services (MGCS)



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

S. Jaggernath informed Council about TSSA's Appeals of Bill 27. This was passed on March 22, 2017. The amendment specifies a 90-day time limit for appeals to a statutory director regarding inspection orders or inspection-related seals or fees. Currently, there is no time limit for appeals.

Council members expressed their desire to be consulted during the CAD process. K. Kennedy offered to facilitate the consultation process. However, he believes that the Risk Reduction Group (RRG) is a better fit given the involvement of RRGs in the process. S. Jaggernath added that the Ministry recognizes the need for regulatory modernization and will be including the propane regulation in its analysis of priorities for the next phase of regulatory renewal.

J. Marshall advised Council that the Propane CAD will be posted on Monday, April 10.

S. Jaggernath informed Council that there are seven items under the first Red Tape challenge in regards to TSSA, the Act and its regulations. They are as follows:

- Modernize communications with TSSA
- Review the liquid fuels handling code variance requirements
- Harmonize propane handling requirements with the Ontario Fire Code
- Improve access to pressure vessel inspections
- Harmonize CRNs for BPVs
- Implement RSMPs for other fuels
- Update fuel industry requirements and certificates

The action plan to address these issues can be found in the automotive parts manufacturing report. <https://www.ontario.ca/page/red-tape-challenge-automotive-parts-manufacturing-report>

The issue of OCAT relationship with the TSSA regarding gas fitters and others is still under review.

9. Compliance Safety Report for Propane

With the aid of a presentation, D. Reid presented the Safety and Compliance report. He pointed out that all orders that have been issued are similar. Some facilities do not have RSMP. In the case of an outdated RSMP, it should be renewed.

D. Karn would like to show this presentation at the CPA Ontario Conference on May 31, and asked that a TSSA representative attend the conference. J. Marshall said that he would be happy to present the material at the conference. D. Karn also asked the TSSA when they are going to introduce similar requirements for other fuels that presently exist for Propane. This is still under review by the TSSA and MGCS. MGCS has policy primacy. Phase II of regulatory review is underway by the MGCS.

P. Wong informed Council that part of TSSA 's 20/20 solution is to improve the inspection process. Inspection checklists are being considered to improve inspection consistency.

J. Marshall informed Council that overall the Propane Industry's compliance is good. There are no burning issues to be identified at this time.

10. Issues and Incidents Update



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J. Marshall reported that there were four incidents regarding utilization. There was one explosion, one fire, two Carbon Monoxide-related incidents and 18 injuries. In regards to the CO related incident, J. Marshall informed Council that we are waiting for the inspector on-site to give us a report. He also informed Council that there was a CO release incident in a marina where multiple people self-checked themselves into hospital. However, no CO was determined. In addition, he believes that using unapproved equipment and bad user behaviour were the main causes of these incidents.

11. Priority Issues:

Liquefied Natural Gas: With the aid of a presentation, D. Karn highlighted Council's concern regarding lack of regulatory requirements for Liquefied Natural Gas storage and handling. Council brought forth the suggestions to put LNG under [O Reg 211/01 – Regulation on Propane Storage and Handling](#). However, Z. Fraczowski advised that it is not a good fit. There was some discussion about merging LNG with propane. Council debated that there is very minimum regulation in the LNG industry. Council pointed out that Ontario is now working on clean fuel standards. There is economical advantage to switch from diesel to LNG; hence, the time for LNG regulation is here. S. Jaggernath said that the government's approach to regulation is changing. It has adopted a more outcomes-based approach. The Ministry is competing with different areas of regulatory renewals which is causing a delay in the process.

Inspection of Propane Tanks and its criteria until implementation: As part of the advanced materials for this meeting, Council received the Propane Tank inspection criteria document from P. Maddox. Council expressed their desire to introduce this document to the RRG. There was debate about whether this document should be put forward to the next RRG. The Chair decided that it should be submitted as an *information item* in the next RRG in July.

Card Lock/key: As part of the advanced materials for this meeting, Council received from P. Maddox material about removing the Regulatory Barrier of a Record of Training (ROT) for propane refuelling in Fleet Applications. P. Maddox expressed concerns about the ROT needed for propane handling. It is an extensive training course that puts the propane industry at a disadvantage. He noted that this type of training is not required in the United States.

Council expressed their concerns about filling up vehicles, an uncomplicated task which has become over-complicated. P. Maddox shared the proposed amendment to the regulation concerning *Vehicle Operation* under *section 25 of Reg. 211*.

Council would like to acquire the support of the Ministry and TSSA on this issue to work on these proposed regulation amendments. Council hopes to have their proposed amendments included under the Code rather than the regulation.

Review of other priority issues: As part of the advanced materials for this meeting, Council received a document consisting of an amalgamated list of all the Priority Issues. Council identified two top priorities. They are as follows: the regulatory review process and establishment of a level playing field in the industry.

ACTION: Council to prioritize issues from the amalgamated list for the next meeting.

12. Risk Based Scheduling:

With the aid of a presentation, R. Wiersma, presented the Risk Based Inspection Scheduling material.



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R. Wiersma asked Council to provide feedback on the possibility of changing the Acceptability Threshold from 1.0 FE/yr. to 0.5 FE/yr. The aim is to prevent risks and become more transparent in risk-based inspection scheduling.

There was a brief discussion about changing the acceptability threshold. Council did not seem too keen on the idea of reducing the acceptability threshold from 1.0 FE/yr. to 0.5FE/yr. It was pointed out that Propane is the only fuel that uses risk based scheduling and the only fuel that has 1.0 as an acceptable threshold.

Council decided to form a Task Group in conjunction with the CAD and the new Code.

ACTION: T. Khatra to e-mail Council members regarding formation of a Task Group formation. Volunteers will be sought.

13. Risk Reduction Group Update

Z. Fraczkowski provided an update. The current risk reduction group update document will be sent to Council along with the minutes. There is an initiative to form a separate RRG for autos that will cover propane plus other fuels. Council endorsed this new initiative to the RRG.

14. The proposed Contractor Audit Process

As part of the advanced materials for this meeting, Council received the presentation on the proposed contractor audit process.

M. Westen provided details about the new Contractor Audit process. It will be implemented in May 2017. He provided details about the Proportional Auditing Process where the number of jobs to be inspected per audit is to be based on the number of technicians involved in fuels-related work and those employed by the contractor. In addition, he highlighted key points about the Regulatory Attestation process in which the contractors will sign & date the Attestation, following an explanation of the regulations to the inspector.

Council wanted to get more information about this new contractor audit process and how TSSA would inspect larger contractors in multiple regions. Council felt that this was an interim solution and would like to use the Permit System for auditing. Further, Council questioned spending the time and effort on an interim solution as compared to working diligently towards a permit system.

ACTION: M. Westen to send the Attestation and revised presentation to T. Khatra who will distribute the same to Council.

(Sent to Council on April 7 by T. Khatra)

15. Canadian Propane Association (CPA) Update

P. Maddox provided high-level information around recent CPA activities. The Ontario seminar is going to take place on May 31 at the Markham Convention Centre.

A discussion ensued around supporting energy requirements for rural areas, such as, addressing seasonal issues for trucks which are unable to deliver fuel to their customer (due to seasonal road conditions). D. Karn informed Council about an incident where a truck was fined \$500 for delivering propane to its customers in rural areas.



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16. Questions on Information Items and Other Business

New Item: Beginning May 1st, furnace manufacturers will not allow their furnaces to be used for construction heat.

New Item on the Agenda under the heading of 'Future Item' was added as a placeholder.

Membership: Andre Alie has resigned from Council.

ACTION: J. Marshall will reach out to HRAI for a new representative.

17. In Camera

Council met *in-camera* without TSSA staff and guests.

18. Adjournment

The meeting was terminated at approximately 2:20 p.m. The next meeting is scheduled for November 9, 2017 at 9:30 a.m. at 345 Carlingview Drive, Toronto, ON.