



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held in Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario at 9:30 a.m. on the 2nd day of November 2016.

- 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., Kevin Johnson, Superior Propane, , Peter Maddox, Canadian Propane Association, Sue Hardy, National Energy Equipment, and Thomas Daugherty (Consumers Advisory Council) (items 13 to 18).
- In attendance:** Michael Beard, President and CEO (all items except 9, 10, and 11), Ruud Berkel, Supervisor (item 8), Zenon Fraczkowski, Engineering Manager (all items except item 17), Kristian Kennedy, Policy Advisor (all items except item 17), Maram Khalif, Council Coordinator (all items except item 17), Solomon Ko, Engineer (all items except item 17), John Marshall, Director, Fuels Safety Program (all items except item 17), David Scriven, VP, Research and Corporate Secretary (all items except item 17), Supraja Sridharan, Public Safety Risk Analyst, (item 9), and Mark Westen, Training and Certification Advisor (item 8).
- Regrets:** John Lastoria, Canadian Tire Petroleum Network Development.
- Guests:** Shranna Jaggernath, Senior Policy Advisor, Ministry of Government and Consumer Services (all items except 17) and Sarah Jeffrey-Hampton, Senior Policy Advisor, MGCS (partial item 13).

1. Constitution of Meeting

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

Natalie Conway of Ontario Recreational Vehicle Association (ORVA) sent her regrets. She will be invited to the next meeting.

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

2. Approval of Agenda

Council members approved the agenda as amended for the November 2, 2017 meeting.

A new item was added under item 8 - proposed Contractor Audit. All the items that follow item 8 will be numbered appropriately to reflect the changes to the agenda.

3. Approval of the Minutes

The March 10, 2016 Propane Advisory Council meeting minutes were approved as revised, as being a true and correct record of said meeting.

The revision will be as follows: under item 10 - Only jurisdictions can join National Board Inspection Code (NBIC). Non-members can only purchase the codes.



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

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, as noted in the action items document.

The other outstanding action items were updated as follows:

- The contact list was not sent after March 10th meeting. It will be sent after today's meeting.

The Contact information is as follows:

Submission of documents can be directed to propanelicensing@tssa.org Hardcopies can be sent to the below address.

Technical Standards and Safety Authority
345 Carlingview Drive Toronto, ON
M9W 6N9

Questions regarding TSSA licensing requirements, status of submitted applications and RSMPs should be directed to 416.734.3587 or toll free at 1.855.734.3587

- D. Fines confirmed his intention to continue as a Council member for an additional term.

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 informed Council that he attended TSSA's Annual General Meeting and acknowledged the safety award videos. He encouraged members to support their sector by nominating other members or industry personnel for TSSA's safety awards.

The Chair also reported from the last Committee of Council Chairs and shared the results of the review from the standalone Liquefied Natural Gas (LNG) regulation. An overview of Council surveys results were also discussed. Both items were on today's agenda for further discussion by the Council.

6. TSSA President and CEO'S Report

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

M. Beard highlighted the progress of TSSA 20/20 Program and its focus on enhancing business processes for licensing, engineering, and the plan to enhance the customer experience, including; online access to information and status of requests.

2016 safety award videos were shown at the meeting. Council members strongly recommended to modify the criticizing comments about propane industry.



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

7. Ministry of Government and Consumer Services (MGCS)

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

S. Jaggernath provided an update on the ongoing regulations in other TSSA's programs. She also highlighted the changes being considered for Director's Order (DO) and Code Adoption Process (CAD). The proposed approach to drafting or amending DO/CAD was perceived by Council as being lengthy. The new proposed process will address some of the issues that may have caused delays in the past. TSSA is leading this initiative and has engaged MGCS and the issues has been included in the next round of regulatory renewal process.

The propane industry questioned the need for changes to the national code.

8. Proposed Contract Audit Process

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Berkel and M. Westen provided an introduction to the proposed contractor audit process.

Council members indicated their preference for permit system. Unregistered contractors will continue to be outside of the scope of the new proposed permit system and TSSA will take appropriate compliance steps, including; prosecution to those who do not proceed according to the law.

ACTION: The proposed contract audit process will be a standing item for Propane Advisory council until completion.

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

Overall state of safety with emphasis on Carbon Monoxide risks was highlighted.

Members of Council requested information about TSSA's Chief Safety and Risk Officer's (CSRO) reports and how they were shared with the public and stakeholders. D. Scriven provided detailed response about the process of preparing the reports and follow up on its recommendations. The link to the CSRO, which is available on TSSA's public website will be shared with Council after the meeting. Moving forward, TSSA will also establish a way to share the CSRO's report each year.

ACTION: CSRO link will be sent to Council. TSSA will establish a way to alert Council when the reports are posted to the CSRO's website.

10. Issues and Incidents Update

J. Marshall reported to Council that there have been ten incidents involving propane since the last meeting. There were multiple incidents arising from fires and explosions and one related to carbon monoxide poisoning. There was one fatality still under investigation. The majority of incidents were a result of training issue or user error. The data for incidents resulting from training and user error



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

should be segregated in future reports. Council members also requested to have a separation of distributor supply permanent installations at customer sites versus incidents involving customer on cylinder filled at re-fill centres/portable equipment.

Ways to share lessons learned from the incident data was discussed. TSSA will explore ways to include this information in its public safety advocacy initiative.

11. Industry Issues Update

Open Data: As part of aligning with the Government of Ontario's open data and transparency programs, J. Marshall, informed Council that TSSA is considering publishing postings of the Propane Risk and Safety Management Plans (RSMP's) for propane sites where product transfer occurs. Both L1 and L2 will be included. The posted RSMP's will include location and emergency numbers; however, all private and proprietary information will be excluded. Council requested further discussion and suggested a small group for further review.

High-level discussion ensued especially around the intentions and the potential use of the information by the industry. The federal government regulatory agencies/ministries had experienced similar issues and they minimized burden on businesses by having businesses post on their own accord.

Overall, Council expressed concerns about how the information might be used primarily for competitive purposes and recommended further discussions before the matter was finalized. Council also requested more information on the Government of Ontario's open data initiative.

ACTION: TSSA will set up a small task group to review L1 and L2 RSMP to determine what information should be posted or excluded.

ACTION: TSSA to send Government of Ontario's open data initiative to Council.

One-Pound Non-re-fillable Cylinders: TSSA brought forward concerns relating to the use of adapters to re-use One-Pound non-re-fillable cylinders. They also noted challenges inherent to restricting access due to the number of electronic markets, such as; Kijiji or Amazon classifieds where these products are available. The issue also has cross jurisdictional implications and as a result, it was agreed that it should be raised with the National Public Safety Advisory Committee (NPSAC). The need for fundamental regulation harmonization among regions was also noted.

12. Risk Reduction Group Update

As part of the advanced materials for this meeting, Council received fuels risk reduction group updates, which were treated as read.

S. Ko further highlighted that the revision to the final CAD included the removal of requirements for propane Original Equipment Manufacturers (OEM) vehicles and the inspection for RV. This matter was not under TSSA's jurisdiction; rather it is under the jurisdiction of the Ministry of Transportation. As a result, the existence of a regulatory gap was acknowledged. Acknowledgement of this Regulatory gap was not determined for quite some time, which caused some significant delays and frustration to council. MGCS will explore the public policy gap with the Ministry of Transportation offline.



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

13. Setting Priority Safety Issues

Rail to truck transfers/trans-loading facilities: P. Maddox reported to Council there was no response from Transport Canada in regards to his request to CPA's submissions. It was confirmed that loading and un-loading was under Transport Canada's jurisdiction; however, there continues to be challenges in obtaining information from Transport Canada. The outstanding action item will be closed.

Moving forward on resolution, Council advised approaching NPSAC for guidance.

ACTION: The matter of rail to truck transfers/trans-loading facilities will be raised with NPSAC for direction.

ACTION: Canadian Propane Association (P. Maddox) will also be invited a NPSAC meeting in 2017 by D. Scriven.

Liquefied Natural Gas (LNG): S. Jeffrey-Hampton joined the meeting for this item. She noted that the LNG findings report was developed by Lough Barnes, and was based on analysis and research conducted by the consultants and fuel stakeholder interviews. 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. The issue has been included in the next round of regulatory renewal. Council expressed concerns about the decision and strongly advised the need for a stand-alone regulation for LNG to allow level playing field with other fuels regulations. The Council's concerns will be shared with Ministry personnel involved in policymaking.

Inspection of propane tanks and its criteria: A task force was established with the Boilers and Pressure Vessels Safety Program and the Fuels Safety Program. One outstanding issue is industry's access to the standard for the inspection that outlines the criteria used to determine if a tank is acceptable. The standard belongs to the National Board Inspection Code (NBIC) in which TSSA is a member. Membership to NBIC is limited to jurisdictions. Private companies cannot join NBIC; they can only purchase the codes. TSSA has been engaged with NBIC to find ways to resolve this issue and there was no decision or response as of the today's meeting. This item will be standing item until resolved.

Original Equipment Manufacturers (OEM) propane labels: This item was discussed in detail under RRG update (item 12).

14. Propane Advisory Council Evaluation and Engagement Survey Result

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

D. Scriven highlighted that the results indicate that the relationship between TSSA and Council is improving. Council Portal's limitations were noted, especially, enabling Council to discuss issues between meetings. Some of the issues arising from the survey result were discussed, such as, having action items that may not be followed up or completed in a timely manner by TSSA. Council's accomplishment of developing Risk and Safety Management Plan (RSMP) was also reflected in the survey results.

Council acknowledged ERIN Research Inc. expertise and knowledge of conducting the survey.



Technical Standards and Safety Authority Minutes of the Propane Advisory Council Meeting on November 2, 2016

15. Canadian Propane Association (CPA) Update

P. Maddox provided high-level information around recent CPA activities, including; working with the Provincial Government in climate changes initiatives. He also provided a high level update on the cap and trade Ontario program starting January 2017.

A discussion ensued around Stewardship Ontario and its status with CPA's members.

16. Questions on Information Items and Other Business

Submission of documents can be directed to propanelicensing@tssa.org. Hardcopies can be sent to the below address:

Technical Standards and Safety Authority
345 Carlingview Drive Toronto, ON
M9W 6N9

Questions regarding TSSA licensing requirements, status of submitted applications and RSMPs should be directed to 416.734.3587 or toll free at 1.855.734.3587

Membership:

The following members renewed their memberships for another term:
J. Adams, D. Fines, K. Johnson, D. Karn, and P. Maddox.

A. Alie resigned due to change of jobs. J. Lastoria will confirm his membership at the next meeting.

17. In Camera

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

18. Adjournment

The meeting was terminated at approximately 1:24 p.m. The next meeting is scheduled for April 26, 2017 at 9:30 a.m. at 345 Carlingview Drive, Toronto, ON.