



Fuels Safety Program	Ref. No.: FS – 188-11	Rev. No.: 3
ADVISORY	Date: Nov. 8, 2011	Date: January 1 st , 2016

Subject: Propane Facility Licence Process

Sent to: Posted on TSSA website and distributed to the TSSA Propane Advisory Council, TSSA Propane Risk Reduction Group (RRG), Ontario Ministry of Government and Consumer Service, Office of the Fire Marshal, Canadian Propane Association, Independent Propane Retailers Association of Ontario

This advisory summarizes the requirements in the Propane Storage and Handling Regulation (O. Reg. 211/01) as they relate to applications for licences to operate propane facilities, and is organized as follows:

- Part 1: Renewal of an Existing Licence
- Part 2: Licence for a New Facility
- Part 3: Change of Licence Holder (the facility has not been modified)
- Part 4: Facilities that Changed Propane Suppliers or Replaced their Tank(s)
(the facility has not been modified)
- Part 5: Facilities that are Modified
- Part 6: Risk and Safety Management Plan (RSMP) Changes

Applications are available on the TSSA website at:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>.

Questions regarding TSSA licensing requirements, status of submitted applications and RSMPs should be directed to 416.734.3587 or toll free on 1.855.734.3587. Correspondence can also be emailed to propanelicensing@tssa.org.

All fees and documentation are due by the licence expiry date. TSSA’s average turnaround time for processing renewals is 10 business days. Please ensure that you allow sufficient time for processing before your licence expires.

Licence fees are based on the facility size and are detailed in the Fuels Fee Schedule, which is published on the TSSA website www.tssa.org. Fees are charged for processing, reviewing and site inspections associated with a licence.

Facility operators must have a valid licence to operate and must take the necessary steps to complete the RSMP within the required timelines. Regulations prescribe significant fines or closure where a facility is operating without a valid licence.

Part 1 – Renewal of an Existing Licence

TSSA will send a licence renewal package to the licence holder approximately 60 days prior to the licence expiry date. Before the expiry date, a licence holder must submit:

- One of the following forms as appropriate:
 - *Application for Renewal of Level 1 Propane Licence* and any applicable updated pages of the Level 1 RSMP.
 - *Application for Renewal of Level 2 Propane Licence* and any applicable updated pages of the Level 2 RSMP. A full level 2 RSMP is required along with an *Application for a Review of an RSMP for an Existing Propane Facility* in the case of a change to the RSMP.
- Full payment of renewal fees.
- Proof of Insurance: Effective January 1, 2016 Ontario Regulation 197/14 (Liability Insurance for Propane Operators) requires that propane facilities requiring an RSMP must maintain commercial general liability coverage as follows:

Propane Facility	Minimum amount of insurance in CAD Dollars
A facility for which the operator is required to have a Level 1 risk and safety management plan under <u>Ontario Regulation 211/01</u>	\$1,000,000 per occurrence
A facility for which the operator is required to have a Level 2 risk and safety management plan under <u>Ontario Regulation 211/01</u>	\$5,000,000 per occurrence

As evidence of insurance, applications for licences for the above types of propane facilities must submit an original Certificate of Insurance, identifying TSSA as the certificate holder, in Acord or CSIO form. This must indicate that the facility carries at least the minimum required amount of commercial general liability insurance. Certificates of Insurance issued in a form other than ACORD or CSIO will **not** be accepted.

In accordance with the regulation, any policy changes relating to your coverage must be relayed to TSSA.

- Submit Proof of Status: If your business has been incorporated in Ontario please submit a Corporate Profile Report. In the case that your business has not been incorporated in Ontario please submit a Business Names Report. Where your business is part of a Limited or General Partnership, please submit a Limited or General Partnership Report.

(Note: This document must have been issued in the same year as your renewal. i.e. 2016)

- Record of Training (ROT) documentation, including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor, or designated senior manager who has fulfilled the ROT requirements.

- where a senior manager is responsible for overseeing the propane facility, a record of training attestation form must be submitted. This is required **in addition to the original letter** referred to in the point above.
- in the case of the named individual being an officer appointed by resolution and not identified on the Corporate Profile Report, verification by means of minute, resolution or other documentation confirming the individual is an officer of the company.
- a photocopy of their valid ROT wallet card.

Please note:

Where the licence holder (business) operates multiple facilities and the ROT holder is the same, one letter listing all facilities, licence numbers and facility locations in operation, will be accepted for all renewals occurring during that calendar year. All changes to the RSMP should be submitted to the local Fire Services.

- Fees are charged for processing, reviewing and site inspections associated with the new licence.

Part 2 – Licence for a New Facility

The following are required for new facilities:

- *Application for an Ontario Licence to Operate a New or Modified Propane Container Refill Center or a Filling Plant.* To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- Proof of Insurance: *Please see insurance requirements in Part 1.
- Licence fee. (Please note that fees are charged for processing, reviewing and site inspections associated with the new licence).
- *Application for Level 1 RSMP or Application for Level 2 RSMP* as appropriate. To download the application please use the following link: <http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- Submit Proof of Status: If your business has been incorporated in Ontario please submit a Corporate Profile Report. In the case that your business has not been incorporated in Ontario please submit a Business Names Report. Where your business is part of a Limited or General Partnership, please submit a Limited or General Partnership Report.

(Note: This document must have been issued in the same year as your renewal. i.e. 2016)

- Record of Training (ROT) documentation including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor, or designated senior manager who has fulfilled the ROT requirements.
 - where a senior manager is responsible for overseeing the propane facility, a record of training attestation form must be submitted. This is required **in addition to the original letter** referred to in the point above.

- in the case of the named individual being an officer appointed by resolution and not identified on the Corporate Profile Report, verification by means of minute, resolution or other documentation confirming the individual is an officer of the company.
- a photocopy of their valid ROT wallet card.
- Three copies of site plan.
- Municipal approval letter confirming compliance with clause 27.1(5) of O. Reg. 211/01;
- *Branch Standard No. 9* is required for Level 1 RSMP sites only. To download the Branch Standard No. 9 please use the following link:
<http://www.tssa.org/corplibrary/ArticleFile.asp?Instance=136&ID=8FCE57B71E564B3ABC1EEAB47E3D0645>
- Pre-Installation Site Check Sheet.
- Letter to the local Fire Services offering them an opportunity to attend the site; and
- Evidence that the RSMP has been reviewed (Level 1 RSMP) or approved (Level 2 RSMP) by the local Fire Services.
 - *Application for a Level 1 RSMP:* Fire Services must be provided with the opportunity to review and comment on the Emergency Preparedness and Procedures Plan (Section B). The Fire Services will provide feedback regarding any significant issues within 30 days of receiving the completed Level 1 RSMP. Comments, (if any) expressed by the local Fire Services shall be responded to by the applicant before the RSMP is submitted to TSSA for approval.
 - *Application for a Level 2 RSMP:* Fire Services approval is required for the fire safety, fire protection and emergency preparedness components of a Level 2 RSMP. As Fire Services require 60 days to review the RSMP, operators are strongly encouraged to contact their local Fire Services as early as possible to establish key contact(s) and a date for a follow-up meeting. Facility Operators are required to complete Section 1 of the Office of the Fire Marshal's Phase 1 Guidance Document - Data Collection, which is available at:
<http://www.mcscs.ius.gov.on.ca/stellent/groups/public/@mcscs/@www/@ofm/documents/webasset/ec160493.pdf>

Please note:

Where there is no local Fire Services responsible for the area in which a facility is located, the facility is not required to seek Fire Services approval, review or comment.

Part 3 - Change of Licence Holder (the facility has not been modified)

The following are required when the licence holder changes:

- *Application for an Ontario Licence to Operate a New or Modified Propane Container Refill Center or a Filling Plant.* To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- Proof of Insurance: *Please see insurance requirements in Part 1.
- Licence fee. (Please note that fees are charged for processing, reviewing and site inspections associated with the new licence.)

- Submit Proof of Status: If your business has been incorporated in Ontario please submit a Corporate Profile Report. In the case that your business has not been incorporated in Ontario please submit a Business Names Report. Where your business is part of a Limited or General Partnership, please submit a Limited or General Partnership Report.
- Record of Training (ROT) documentation including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor, or designated senior manager who has fulfilled the ROT requirements.
 - where a senior manager is responsible for overseeing the propane facility, a record of training attestation form must be submitted. This is required **in addition to the original letter** referred to in the point above.
 - in the case of the named individual being an officer appointed by resolution and not identified on the Corporate Profile Report, verification by means of minute, resolution or other documentation confirming the individual is an officer of the company.
 - a photocopy of their valid ROT wallet card.

Please note:

Where the licence holder (business) operates multiple facilities, and the ROT holder is the same, one letter listing all facilities, licence numbers and facility locations in operation will be accepted for all renewals occurring during that calendar year.

- Municipal approval letter confirming compliance with clause 27.1(5) of O. Reg. 211/01.
- The licence holder shall submit the updated RSMP no later than 120 days after TSSA issues a conditional licence.

Part 4 – Facilities that Changed Propane Suppliers or Replaced their Tank(s) (the facility has not been modified)

Replacement of a tank, commonly referred to as a “change of steel”, or a change of a propane supplier, is not considered to be a modification as defined in the Propane Storage and Handling Regulation O. Reg. 211/01, provided that:

- the replacement tank is identical in its nominal capacity and orientation; and
- other than contact details, the identified hazards, assessed risks, risk mitigation or emergency preparedness plan are not affected by the change of supplier.

The following documents are required when there is a replacement of a tank or a change of supplier:

- *Application for an Ontario Licence to Operate a New or Modified Propane Container Refill Center or a Filling Plant.* To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>

- Those parts of Level 1 or Level 2 RSMP, which refer to the supplier, contact details and tank information must be updated by including revised pages with the application noted above.
- Those parts of Level 1 or Level 2 RSMP, which refer to the supplier, contact details and tank information must be updated by including revised pages with the application noted above.
- Tank information (serial number, manufacturer, CRN, OIN etc.) are often noted on site plans and in facility descriptions and will require updating.
- Fees are charged for processing, reviewing and site inspections associated with a change of tank or a change of propane supplier.

Part 5 – Facilities that are Modified

Modifications refer to a reduction, expansion or other layout change; or a change in the operation of a facility that does not include maintenance. The licence holder must apply to, and receive a written permission from the Director/TSSA before modifying a facility.

The following are required when a facility is modified:

- *Application for an Ontario Licence to Operate a New or Modified Propane Container Refill Center or a Filling Plant.* To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- Proof of Insurance: *Please see insurance requirements in Part 1.
- If a facility is modified in such a way that there are changes affecting the identified hazards, assessed risks, risk mitigation or emergency preparedness plan the following is required:
 - *New Application for a Level 1 RSMP*, complete with proof of changes being filed with local Fire Services (e.g. letter or confirmation of receipt). Fire Services must be provided with the opportunity to review and comment on the emergency preparedness and procedures plan (Section B). The Fire Services will provide feedback regarding any significant issues within 30 days of receiving the completed Level 1 RSMP. Comments, (if any) expressed by the local Fire Services shall be responded to by the applicant, before the RSMP is submitted to the TSSA for approval.
 - *New Application Level 2 RSMP*, sealed by a professional engineer, completed with proof of changes, approved by the local Fire Services. Fire Services approval is required for the fire safety, fire protection and emergency preparedness components of a Level 2 RSMP. As Fire Services require 60 days to review the RSMP, operators are strongly encouraged to contact their local Fire Services as early as possible to establish key contact(s) and a date for a follow-up meeting. Facility Operators are required to complete Section 1 of the Office of the Fire Marshal's Phase 1 Guidance Document - Data Collection, which is available at:
<http://www.mcscs.jus.gov.on.ca/stellent/groups/public/@mcscs/@www/@ofm/documents/webasset/ec160493.pdf>

Please note:

Where there is no local Fire Services responsible for the area in which a facility is located, the facility is not required to seek Fire Services approval, review and comment.

- If a facility is modified to reduce its capacity from a Level 2 to a Level 1, the revised RSMP must be submitted within 120 days of the director approving the modification.
- A letter from the municipality, if the modifications affect compliance with municipal zoning bylaws.

- A new site plan in triplicate, if the modification entails any changes to the plan submitted previously.
- *Branch Standard No. 9* is required for Level 1 RSMP sites, if the modification involves relocation of a tank(s). To download the Branch Standard No. 9 please use the following link:
http://www.tssa.org/corplibrary/ArticleFile.asp?Instance=136&ID=8FCE57B71E564B3ABC1EEAB47_E3D0645
- Pre-Installation Site Check Sheet.
- Letter to the local Fire Services offering them an opportunity to attend the site.
- Fees are charged for processing, reviewing and site inspections associated with the facility modification.

Part 6 – RSMP Changes

Changes that occur every year such as contact information, documentation and training schedules in Level 1 RSMPs are covered under Part 1 of this advisory. Otherwise, changes to a RSMP outside of the annual licence renewal must be reported to TSSA as follows:

- An *Application for a Review of the RSMP for an Existing Facility* must be sent to the Director/TSSA within 15 days of a change to any of the information contained in the RSMP. To download the application please use the following link: <http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- The above application must be accompanied by a letter detailing the change(s) and:
 - For a Level 1 RSMP: a replacement page(s) for the original RSMP
 - For a Level 2 RSMP: If changes are made to telephone numbers, contact names or addresses (not including facility location), a replacement page(s) for original RSMP is sufficient. If changes affect the identified hazards, assessed risks, risk mitigation or emergency preparedness plan, affected sections of the Level 2 RSMP, signed by a professional engineer are required, to approve the proposed changes.
- A statement from the insurance company confirming that the changes do not affect insurance coverage is mandatory.
- Fees are charged for processing, reviewing and site inspections associated with the RSMP modification.

For further information please contact:

Technical Standards and Safety Authority
14th Floor – Centre Tower
3300 Bloor St. West
Etobicoke ON M8X 2X4

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