Minutes of the Operating Engineers Advisory Council (Council) meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 09:30 a.m. on the 10th day of November, 2011.

Present: Colin Andrews (Chair), Ontario Power Generation, Robert Brady, Consumers Advisory Council (Items 1, 2, 3, 4, 5, 6, 7, 8, 9 only), Ralf Klopf, Toronto Board of Education (Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 only), Mark Menheere, Suncor Energy Products Inc., & Rod Philip, US Steel, Lake Erie Works.

In attendance: Mike Adams, Director BPV/OE (all except item 17), Tom Ayres, Vice President & General Council (item 14 only), Michael Beard, Vice President of Operations (all except item 17), John Coulter, Manager and Chief Officer (all except item 17), Judy Harrison, Project Manager, (item 12 only), Maram Khalif, Council Coordinator (all except item 17), David Scriven, Corporate Secretary (item 9 only), & Richard Smart, Chief Financial & Information Officer (item 8 only).

Guests: Judith Borts, Senior Policy & Program Analyst, Ministry of Consumer Services, (MCS) (all except item 17).

Regrets: Bengt Sormon, The Trane Company.

1. Constitution of Meeting

C. Andrews, Chair, welcomed council members and called the meeting to order.

2. Approval of Agenda

The order of the agenda was modified to include an additional item (MCS update), however, the minutes are presented in the order of the agenda as distributed for ease of reference and MCS update is added to the end of the minutes under item 16 – other businesses.

Council members approved the agenda of the November 10, 2011 meeting as amended.

3. Approval of the Minutes

Council members approved the minutes of the February 24, 2011 Operating Engineers Advisory Council meeting as drafted, as being a true and correct record of that meeting.

4. Review Action Items from Last Meeting

C. Andrews reviewed the action items document with council members noting that the February 2011 items would be addressed at the meeting under agenda item 11.

In response to two related and pending action items, data from manufacturers and users and a survey result report of Steam Turbine Trip, R. Phillip provided briefing notes at the meeting which forms part of the record of the meeting. He presented manufacturers’ specific questions and answers on Steam Turbine governor controlled valve safety. He also presented the manufacturers and users survey results on Steam Turbine Trip. The council members recommended including power rating of turbines and definitions in the survey report and have it updated at the next meeting.

ACTION: R. Phillip will revise the Steam Turbine Trip survey as recommended including ratings and definitions and will continue to update its progress at the next council meeting.
5. Council Chair’s Report

The Chair advised that he attended the September 21, 2011 Committee of Council Chairs’ meeting and there were a few topics relevant to the OEAC which is included in the CEO’s update.

The Chair also provided an update on his report to the President and CEO. He presented the major achievements of the council as being the establishment and the continued efforts of Future of Power Engineers in Ontario and Thermal Oil Plants Risk Reduction Groups (RRGs).

The Chair noted the delays in passing of the new Power Engineers Regulations by the Provincial Government preventing council from continuing to look for additional opportunities for regulation improvements in support of TSSA, industry, and the Power Engineering profession.

The scope of the council meetings continues to evolve with the inclusion of additional technical discussions relevant to the industry. TSSA model continues to work well and RRGs’ process provides a thorough vetting of issues with sound recommendations to TSSA.

6. TSSA President & CEO’s Report

As part of the advanced materials for this meeting, members received a written report from the President and CEO regarding TSSA’s key activities over the last quarter. This report was treated as read.

With the aid of a PowerPoint presentation that forms part of the record of the meeting, M. Beard, on behalf of the President and CEO, provided an overview of the company’s continued strong performance from safety and financial results perspectives.

7. Business Plan Presentation

As part of the advanced materials for this meeting, members received TSSA’s business plan for fiscal year 2011/2012, which was treated as read.

With the aid of a PowerPoint presentation, M. Beard presented an overview of TSSA’s business plan including the implementation of the four strategies and eleven objectives, and TSSA’s approach to planning to ensure that operational plans, budgets and performance targets.

During a discussion around the enhancement of the risk based scheduler (RBS2), it was noted that although revised safety parameters would determine the frequency at which inspections will occur, the actual work performed during an inspection will not change.

8. Fee Review Framework and Process

As part of the advanced materials for this meeting, members received a briefing note on the fee review framework and process, which was treated as read.

R. Smart informed council that this fee review will include the same level of council engagement as in the past; however, the focus will be on incentives and deterrence for compliance and non-compliance respectively. The consultative process will ensure transparency and TSSA will seek to simplify the fee structure where possible.

He noted that the process will be governed by TSSA’s Memorandum of Understanding (MOU) with the MCS – Schedule “I” Fee Setting Process and Criteria. In this process, TSSA will seek to provide further incentives for compliance and deterrence for non-compliance.
Discussion ensued on simplifying the certification, licensing and registration processes by consolidating them into one stop. The factors affecting the above processes such as technology and invoicing system were discussed and TSSA is working on adopting a new technology that will simplify the above processes.

R. Smart concluded that there will be a subcommittee from each of the councils to provide input and recommendations. He also reviewed the timeline for the communication strategy and the final implementation of the recommendations.

9. Advisory Council Survey Result

As part of the advanced materials for this meeting, members received the results of a survey of the OEAC members, which was treated as read.

D. Scriven provided background on how the survey was conducted.

The general themes of the survey were the accomplishment of RRGs, OEAC meetings and ageing work force. The council noted the importance of RRGs but also pointed out that it takes a long time to achieve results through them. The OEAC meetings were considered meaningful but challenges were noted for gathering contents relative to OEAC presented at the meetings. Aging work force and ways the council could engage academic institutions were also noted. A number of opportunities for improvement were also noted.

Several concerns were raised regarding the wording and statements in the survey.

D. Scriven expressed TSSA’s appreciation for the OEAC and the value they add to the safety mandate of the organization.

ACTION: Council will further discuss the OEAC survey result in camera and will share any results suggestions or points with TSSA.

10. Report on Operating Engineers Safety Compliance

S. Mangalam could not join the meeting today and this item was deferred to the next meeting.

11. Follow Up on Action Items

Steam Turbine Governance: R. Phillip updated this matter under action item #4 – pending action items.

Thermal Oil Heaters RRG:
C. Andrews provided an update on the Thermal Oil Heaters RRG and acknowledged he shared the information presented at the meeting with B. Sormon who is not present today.

He reported that after he and M. Menheere reviewed the scope of deliverables outlined in the Terms of References, they concluded that all deliverables have been met with respect to gathering information except for making the recommendations to TSSA. They acknowledged there may not have been enough of a representative sample of sites and incidents for the risk and decision analysis.

They also agreed that they will use Kepner Tregoe Problem Solving Decision (KT Program) to evaluate the known facts and make a recommendation. It was noted that the Program KT is well known tool and used by both Suncor and Ontario Power Generation (OPG) – Nanticoke.
High level discussion ensued on the specificity of the thermal oil heaters, which other jurisdictions are currently regulating this equipment and the ultimate goal of submitting the findings to the MCS with recommendations for regulation of the potential of this equipment in Ontario.

A further discussion around the ultimate recommendations to the MCS, it was noted that the consequences of not regulating this equipment should be noted, as well as extending the review of other jurisdictions beyond Alberta and British Columbia and maybe Nova Scotia. It was noted that gathering information on consequences of non-regulation was neither the RRG's Term of Reference nor the Operating Engineers Advisory Council's. It was reiterated to have a spectrum of information of the cost of regulation and the cost of an incident.

C. Andrews concluded his presentation with a possible deadline for this project to be January 2012 with a back up date dependent on the KT analysis of March 2012.

ACTION: C. Andrews, M. Menheere and B. Sormon will perform a risk analysis. They will also perform decision analysis using KT Program with a facilitator provided by OPG.

ACTION: M. Menheere will review three jurisdictions (Alberta, British Columbian and Nova Scotia) to determine if this type of equipment is regulated and the reasons behind the decision to regulate.

ACTION: M. Adams will provide contact information of his counterparts in these jurisdictions to M. Menheere.

ACTION: C. Andrews, M. Menheere and B. Sormon will prepare the findings and present it to the OEAC and to TSSA.

Future of Power Engineers and Prioritizing Power Engineers RRGs' Deliverables:

As part of the materials provided at the meeting, members reviewed the future of Power Engineers in Ontario proposed project charter, which was recorded as part of the meeting.

R. Klopf provided a background on future of Power Engineers in Ontario and concerns raised about the Power Engineers profession.

Some of the concerns were around demographics, recruitment, qualifying time and exams etc. A recommendation was made to form an RRG to study this issue and demonstrate there was a definite trend in the numbers of Certified Power Engineers. The findings show there will be a shortage of Certified Engineers for facilities in Ontario. The RRG is focusing on three areas to combat this shortage: education, certification and requirements.

R. Klopf reported the RRG members met with potential qualifying colleges and universities and the reception was successful and some were willing to partner. Discussion ensued on how other jurisdictions are dealing with this shortfall and also other ministries involved in this project such as the Ministry of Training, Colleges and Universities (MTCU). It was noted MTCU plays a crucial part in teaching of Power Engineering relative to general academic programs.

J. Coulter reported that all approved Power Engineering training colleges were at maximum student intake with an extensive waiting list and all graduates received full employment.

The challenges with the project time line and the scope were discussed. J. Coulter recommended that the task should be divided into manageable segments for reporting.

ACTION: Future of Power Engineers RRG will revise the document to include minor edits and make changes to its schedules and deadline and will update the council at the next meeting.
ACTION: J. Borts will look into whether provincial ministries are considering future shortfalls in other professions and trades and will share information with council.

12. Inputs on Industry Trends

M. Beard introduced J. Harrison for this item who will be taking more detailed notes. He requested the council to share any trends in technology, safety, work environment, and economic drives taking place in the Operating Engineers industry. He advised this is part of preliminary information gathering for TSSA’s strategic planning.

It was reiterated the discussion under the shortage of Power Engineers due to the aging workforce should be noted. Some of the other areas for input were:

- Advocacy public safety
- Coal fired thermal generators experiencing downward trend
- The general economic downturn impact
- Being cognizant of the relationships between safety and production

13. Academic Council Member

J. Coulter noted there are two vacancies in the OEAC, a training provider representative and labour representative.

He presented the challenges facing choosing a college that provides training for Certified Engineers and being cognizant of the distance as well as the importance of having a labour sector to bring a different perspective. The council agreed the merits of both positions and filling both vacancies in a timely manner.

ACTION: J. Coulter and C. Andrews will follow up on the logistics of recruiting two new members from certified engineering training provider colleges and from the labour sector.

14. European Biomass Boilers Approval Issue

As part of the advanced materials for this meeting, members received documents from the Boilers and Pressure Vessels Advisory Council on European biomass boiler issue, which was treated as read.

T. Ayers introduced the European biomass boilers issue which has been dealt with by the Boilers and Pressure Vessels Advisory Council in the past but has come to the OEAC now because there is also an exemption request for operating engineering.

The central issues are: biomass is primarily wood as a fuel; and boiler designs that do not meet with Ontario standard; and requesting exemption in operating engineering in boiler plants using European designs.

M. Adams also provided an update on communication he had with his counterpart in British Columbia that they revised their boiler regulations in October 2010 to permit the operations of thermal fluid boilers/plants with special staffing status, the particulars of these European biomass boilers have not been approved and any other regulations on this change have not been manifested.

A high level discussion ensued in which the council agreed on using wood as an alternative fuel should not be viewed any different than any other fuels. The issue of the design of boilers not made in North America; the council discussed that Ontario manufactured or North America made boilers and European designs were designed for different life cycles.

There were also concerns raised over welding standards.
It was unanimously agreed that no changes requesting exemption in operating engineering in boiler plants using European designs should occur in Ontario.

Anyone who had more questions on this issue was directed to call M. Adams for further clarifications.

15. Review Membership Matrix and Memberships

This item was covered under item #13. The only other addition was a brief discussion around having a private sector presentation in the council as noted in the matrix. It was noted due to the delays in passing of the new regulations this sector will be on hold and will be discussed at a future date.

16. Questions and Other Business

MCS update:

J. Borts gave an overview of the new minister, Margarett Best. J. Borts reported that the Minister has been briefed on the Administrative Authority model. The briefing on TSSA was very high level and did not include the TSSA foundation paper being prepared by MCS. She also noted the operating engineer’s regulation as being a prominent source in the foundation paper; however, the Minister has not yet been briefed on this. The Minister is still in transitional phase and more updates will follow.

A brief discussion ensued regarding the concerns such as demographic changes and how the regulations should accommodate such changes. J. Borts reiterated that her department is not a position to make direct recommendations to the Minister as of yet; however, her department will engage industry when the time comes for recommendations.

17. In Camera

Council members met in camera without management and guests.

18. Termination

The meeting was terminated at 1:39 p.m. The next meeting is scheduled for March 1, 2012.