Minutes of the Operating Engineers 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 26th day of April 2018.

Present: Rod Philip (Chair), Stelco; Greg Black, International Union of Operating Engineers; Eli Di Credico, St Clair College; Jamie Dreveny, Ontario Power Generation; Ralf Klopf, Institute of Power Engineers; Peter Michieli, Arlanxeo Canada; Randy Purves, J.D.Sweid Foods.

Bonnie Rose, President & CEO; David Scriven, Vice President, Safety and Strategy (Item 5); Peter Wong, Vice President Operations; Georgina Kossivas, Chief Financial Officer (Item 6); Mike Adams, Director, BPV and OE; Denis Caza, Public Safety Risk Analyst (Item 7); Humphrey Kismbe, Policy Advisor, Stakeholder Relations; Sorin Corlaci, Safety Awards Committee (Item 1); Joelle Harfouche, Finance Specialist (Item 6); Consuelo Esquivel, Council Coordinator.

Guests: Ministry of Government and Consumers Services: Erick Morales (by Skype); John Vandenbergroek, Operating Engineers Inspector.

Regrets: Kevin Hillman, TransCanada.

1. **Constitution of Meeting**

R. Philip, Chair, called the meeting to order at 9:40 a.m. He welcomed Council members and introduced Bonnie Rose, TSSA’s President & CEO, and new Council member, Peter Michieli. He welcomed guest, John Vandenbergroek, OE Inspector.

For the safety moment, in response to safety hazards identified by the Fuels program, two videos were presented on the dangers of grease fires in the kitchen.

S. Corlaci promoted the upcoming Safety Awards. He referred to information on the website and urged Council members to nominate persons deemed worthy of TSSA’s Safety Award.

2. **Approval of agenda**

Council members approved the April 26, 2018 agenda, as presented.

3. **Approval of the Minutes of November 16, 2017**

R. Klopf noted that he represents the Institute of Power Engineers. This should be reflected in the minutes. With this minor change, Council members approved the minutes of the November 16, 2017 meeting, as being a true and accurate record of the meeting.

4. **Review Action Items**

The pending action from the last meeting will be discussed under item 12.

5. **TSSA President & CEO’s Report**

Bonnie Rose, newly designated President and CEO, provided a little more information about her career as a brief background had been provided in advance. She will be meeting with Council in camera today to hear their views as part of her ‘listening tour’ with advisory council stakeholders.

D. Scriven provided an update from NPSAC.
6. **FY 19 Fee Review**

G. Kossivas, Chief Financial Officer, elaborated on the presentation slides on the Fee Review which were shared with Council in advance of the meeting. She provided the rationale for the fee review and stressed the guiding principles behind the process.

Fees of all programs will be reviewed in FY19, with a targeted implementation date of May 1, 2019. Fee reviews have already been completed in recognition of regulatory changes to the Boilers and Pressure Vessels and the Upholstered and Stuffed Articles (pending Cabinet approval). Prior to that, the review will entail consultation with various stakeholders, approval by the Board, and submission of a business case to the MGCS.

There were no questions from Council.

7. **Operating Engineers Safety Compliance Report**

D. Caza and M. Adams provided commentary on the slide presentation of the Operating Engineers Safety Compliance Report that had been shared with Council with the advance materials. There were a couple of questions which were addressed by D. Caza and M. Adams.

Referring to the reported ammonia leak occurrence at an arena, a member had commented that such an incident would have related to the boilers and pressure vessels safety program. M. Adams confirmed that often inspectors from both Operating Engineers and Boilers and Pressure Vessels are sent on site.

8. **Ministry of Government and Consumer Services' Update**

E. Morales referred to MGCS’s semi-annual report to advisory councils which was shared in advance of the meeting, and was treated as read. He provided further updates.

- Following the government’s release of the Elevator Availability Action Plan, Bill 8 was introduced in March. Bill 8 will amend the *Technical Standards and Safety Act* to give the TSSA new powers around the ability to apply Administrative Monetary Penalties (AMPs) and specific data collection requirements, subject to supporting regulations. Once Bill 8 is passed, the government plans on creating standards for repairs and prescribed timelines for resumption of service. It will appoint an authority to oversee and enforce requirements. The new regulation is expected to be introduced within the next two years.

- A final government decision on options to modernize the Upholstered and Stuffed Articles regulation, targeted to take effect July 1, 2018, is now on hold.

- The changes for Boilers and Pressure Vessels Regulation will take effect on July 1, 2018.

- The proposed changes to the Operating Engineers regulation are on hold pending policy approval. The original implementation date for regulatory changes was intended for July 1, 2019. The new implementation date for regulatory changes is likely to take effect in 2 years’ time, once the ministry is no longer in care-taker mode, a new government is formed, and direction is provided to proceed with modernization of regulation.

- A standard operating procedure (SOP) for Code Adoption Documents and Director’s Orders is now in place.

A few questions were raised by Council which E. Morales answered.

H. Kisembe spoke to the item. He highlighted the key recommendations of the OE Expert Panel and mentioned that a Task Group was established to develop a risk-based regulatory framework proposed by the expert panel. An Advisory Group was retained to provide feedback on the work of the task group. H. Kisembe added:

- Users can choose either Path 1 (category-based) or Path 2 (site-specific) regulatory approaches.
- A combination of Operating Engineer and technological systems and controls is possible for Path 2. TSSA will provide guidelines for Path 2 RSMP approach.
- Path 2 is work in progress for which H. Kisembe will keep Council posted.
- There are data challenges and TSSA needs to address its OE plant new data requirements to allow for implementation of the risk-based regulatory framework.
- There are regulatory and financial implications on industry for which TSSA and MGCS will analyse at later stages of the review process.

Council provided comments for TSSA’s consideration, including:
- The importance of incident data and the need for TSSA to define what is an OE near miss before trying to capture near misses.
- The need to address certain current exemptions such as greenhouse operations against the new risk-based framework and recommendations made on whether to revise or retain them.

10. OE Safety Compliance

M. Adams updated Council about the public listing of certified Operating Engineers. There are a few technical glitches which are being resolved at the moment. The OE Open Data file is to be refreshed in May 2018 and every 6 months afterwards. It is planned that the search functionality will go live on the webpage when TSSA’s new 20/20 system goes live.

11. Future of Power Engineers

R. Klopf provided a brief update from IPE. IPE will host colleges to brainstorm on a number of topics at the 2018 College Collaboration Day on May 24, 2018. He invited Council to the IPE education forum and power engineers’ roundtable in October 2018.

12. Labour Mobility

H. Kisembe spoke to the item. His update was provided in advance of the meeting and was treated as read.

M. Adams referred to the certification challenge from the Province of Quebec. He noted that he has not accepted a second-class OE certificate applicant from Quebec who wants to work in Ontario as a 2nd Class OE as the person has not met the knowledge/skills requirement in refrigeration, which is a requirement for 2nd class OEs in Ontario.

13. Advisory Council administration

The Chair noted Peter Michieli’s first term on Council. He was sorry to see Eli Di Credico, Mark Menheere, and Robert Brady retire from Council. He expressed appreciation for their immense contributions to the work of the Council.

14. Other Business

- Carbon Dioxide as a refrigerate
R. Purves presented his slides on Carbon Dioxide, the future of refrigeration. They were shared with Council in advance of the meeting. R. Purves said that recently, strong interest has been shown in carbon dioxide as a refrigerant by vending machine manufacturers. There are also possibilities for other light commercial refrigeration applications, as well as for residential air conditioning.

There were a couple of comments. Carbon dioxide is an A1 Group refrigerant, same as most refrigerants, excepting ammonia. How this will be addressed under Path 1 and Path 2 cannot be determined at this time. Because of carbon dioxide’s high pressure, we need welded connections and larger compressors. There is a unique significant risk to carbon dioxide systems in case of an extensive black-out period.

- **Steam Traction**

  The Chair talked about the letter from Wayne Fischer, president of the Ontario Steam Heritage Museum, dated April 18, 2017 regarding certification examination. It was shared with Council prior to the meeting. M. Adams had already forwarded the same to TSSA’s Training and Certification team. TSSA remains committed to supporting national harmonization on steam traction regulation. TSSA will work with SOPEEC to address matters of syllabus and examination for this sector. R. Klopf will request an IPE representative to contact W. Fischer regarding this issue and industry developments to date.

**15. Adjournment**

Council adjourned at 1:00 p.m. An in-camera meeting took place without TSSA staff and guests.