



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council

Meeting on October 27th, 2023

Minutes of the Propane Advisory Council Meeting of the Technical Standards and Safety Authority (TSSA) held virtually at 1:00 p.m. on the 27th day of October 2023.

Present: James Callow, Budget Propane Corp; Jay Jackson, TSSA Consumer Advisory Council; Kevin Johnson, Superior Propane; Dave Karn (Chair), McDougall Energy Inc.; Robert Loenhardt, Canadian Propane Association; Ryan McLachlan, Slegers; Jeremy Mitchell, Parkland Fuel Corporation

Alexandra Campbell, VP, Communications & Stakeholder Relations; Kelly Hart, Director of Fuels Safety Operations; Gary Highfield, Manager, Fuels Engineering; Ammara Khan, Stakeholder Relations Manager; Ajay Raval, VP Operations; Olga Sousa-Dias and Kathy Pearsall, TSSA Advisory Council Support

1. Welcome and Constitution of Meeting

The Chair, D. Karn, called the meeting to order at 1:00 p.m.

a) Safety Moment

For the safety moment, R. Loenhardt described an incident of a propane heater that exploded after gas was resupplied to a cottage, and an explosion that occurred in a bakery when a propane stove was replaced with an electric one. These accidents happened recently in Canada, not in Ontario, and speak to the need for good communication, qualified technicians, and authorized contractors.

2. Adoption of the October 27, 2023 Agenda

The agenda was adopted as presented.

3. Adoption of the March 22, 2023 Minutes

The minutes were approved as presented.

4. Review Action Items from Last Meeting

K. Hart spoke to these items.

The Fuel Fact Sheet has been shared with council members.

I. D'Cruz has shared contact details for Wilson Recruiters.

The Terms of Reference document has not yet been circulated. A. Khan said this will be done soon. [Action]

The membership list has been updated to reflect the renewals of I. D'Cruz and D. Karn.

5. Chair's Update

D. Karn said he had no update.

6. Council Administration

A. Khan spoke to these items.

R. Loenhardt has joined as a new council member, representing Associations.

J. Jackson will be replaced by R. Dulmage, representing Consumers. J. Jackson will move to Elevating Devices.

There will be a vacancy on the Liquid Fuels advisory council after R. Dulmage transitions.

K. Johnson will replace I. D'Cruz, however this has not yet been formally introduced to TSSA.

7. PAC Issue Prioritization Discussion

A. Campbell said TSSA is committed to the priorities within the New Strategic Plan. Council members are invited to continue to table issues via the Agenda Item Request Form.

D. Karn spoke to these items.

Regarding the approval of propane underground storage tanks with Authority Having Jurisdiction (AHJ), council members have voted to revoke Clause 7.8.1. To fill the gap, TSSA has issued an advisory. A person can send in the request and there will be no charge, no inspection. A gas technician will sign off on the application. It is important to ensure that the technician's certificate is valid. A TSSA support team will issue the approval letter until the new Code is adopted.

Regarding tank and cylinder drainage requirements, the next step is for the ministry to draft the exemption for the minister to sign. In the meantime, the TSSA training team will review the curriculum required for tank evacuation training.

R. Loenhardt noted that, with an approved training package, a bulk truck operator would be able to do the evacuation with his truck. Bulk plant operators, PPO 1 and 2, will also be able to do it, but need a separate tank since they are not authorized to operate the truck. If there is a problem getting a gas technician, a technician would be able to get the bulk plant PPO 1 or 2 training in lieu of the LP endorsement. G. Highfield said the technician would get the PPO 1 or 2 and do the training in order to do an evacuation.

J. Jackson asked if there is a requirement for an exemption to be reviewed by the public. D. Karn said it appears the ministry will formulate an allowance and sign it off as a new certification.

J. Jackson said he has seen only one or two ministerial exemptions, so how it will be communicated is unclear. He noted that exemptions are often used in response to lobbying. A. Campbell said she will come back with an answer.
[Action]

G. Highfield said TSSA will provide an appropriate communication to the industry.

D. Karn said he appreciates the TSSA support.

8. Licensing Modernization Initiative

G. Highfield said TSSA is proposing annual licensing of specific entities, facilities, and activities enabling regular and predictable touchpoints to enhance public safety. These are proposed for operating engineer plants, propane distributors, digester, landfill and biogas plants, liquid fuel distributors, and private fuel outlets.

TSSA has already engaged stakeholders and this will continue. With their feedback TSSA will submit a proposal to the Ontario government for consideration.

In 2018 the Auditor General recommended that licensed businesses be captured by the regulatory framework. She also recommended that renewal processes be reviewed to determine if any devices or sites need to meet specific conditions. Specifically around private fuel outlets (PFOs), it was recommended that a risk-based period inspection program be established with source water protection to identify the location of the PFOs.

Licensing gives TSSA options for oversight and to ensure safety. It will also level the playing field and reduce the burden for license holders. The data collected will be used to assess safety and educate the industry where gaps exist.

The plan is to amend regulations to include annual licensing requirements for propane distributors. Through regulatory touchpoints with TSSA, propane distributors must report unsafe conditions discovered by distributors and conduct initial and 10-year inspections of end-users' propane systems and appliances.

TSSA will work with Liquid Fuels distributors on certain areas. One would be to license Liquid Fuels distributors in order to get at the PFO data. A member said he was curious if there is a volume threshold that a site must meet before being considered a PFO. G. Highfield said the threshold is 5,000 litres.

K. Johnson noted there is currently licensing for propane distributors. G. Highfield said there is licensing for bulk facilities, contractors, and trucks, but not for distributors. TSSA is proposing licensing for propane distributors. G. Highfield said the challenge is how to combine the licensing and periodic checks to reduce the number of checks.

R. McLachlan asked if propane distributor can deliver to end users and not have a bulk plant. D. Karn said this is correct. A distributor can contract out the truck and the propane contractor activities. R. McLachlan asked if the bulk plant operator will need to apply for a distributor license. G. Highfield said they will. R. McLachlan asked if, when a bulk plant owner contracts a company to deliver to the bulk plant, the contracted company is obligated to do inspections on the plant under the regulations. G. Highfield said it is not.

G. Highfield said broad consultation is underway and implementation will be in 2025. Twenty-eight invitations were sent for stakeholder consultation as of September 18. Eighteen meetings were held or scheduled by October 10. There has been engagement with 23 stakeholder associations/organizations and an 82% meeting acceptance rate.

D. Karn asked that council be updated on these initiatives at the spring meeting. G. Highfield said it will. [Action]

R. McLachlan said he agrees with the initiatives. In terms of receiving feedback from licensees, it will be about more than just paying fees. There will also be key data collection prior to granting a license. D. Karn said this is a good point. TSSA welcomes safety insights that will be beneficial to industry.

9. Agenda Item Requests

D. Karn said TSSA has done a great job of narrowing down the priority items.

a) 10-year Propane Installation Inspection

R. Loenhart noted that these inspections apply to an entire facility.

O. Reg. 211/01 s. 18(1) indicates propane systems require inspection once every 10 years, or that the distributor has inspected the appliance or work in accordance with a quality assurance program. Currently this requires distributors to conduct comprehensive inspections at a significant cost to the industry in excess of comparable energy providers.

The industry wants to be on equal footing with other gas operators and remove the inspection requirement by proving it already has a quality assurance program in effect. The new contractor auditing program will require distributors to audit their contractors to ensure they are licensed and doing quality work.

Natural gas installations have been afforded an acceptance of a quality assurance program by indicating their equipment is regularly inspected, however propane installations have not. No other province requires a 10-year full propane system inspection. PERC indicates periodic inspections are voluntary on their web page. NFPA 58 does not require periodic residential inspection. B149.2 does not have a requirement of this nature.

D. Karn said Dowler-Karn has to do inspections on every building it delivers propane to. It is a struggle to keep up with the required inspections. During Covid access became difficult, and currently it is hard to find technicians.

J. Callow agreed it is hard to get access to properties. The problem compounds over time, and the older the company, the more inspections. Budget Propane has been around 32 years and is feeling the pinch of a shortage of technicians as well.

D. Karn said an Ontario survey showed that approximately 33,000 inspections need to be done every year, however, less than 5% indicate significant problems with the installations. Each installation gets five visits a year for a fill, which equates to 50 visits in 10 years. In addition, an average of two visits every 10 years are done for maintenance or required changes.

G. Highfield said the discussion will be reviewed at the next meeting. [Action]

b) Changes to Bulk Truck Permitting

R. Loenhart described the changes to bulk truck permitting as outlined in the provided PIRP for each item.

TSSA requires the licensing permit of a bulk propane vehicle. The permit process is required of the bulk fuel platform annually. The TSSA requirement for permitting of fuel trucks and cargo liners from the provincial permitting process is duplicative to federal transport requirements and provides no added safety benefit.

Transport Canada has B620 and B622 code requirements for a VK inspection annually and PI every five years which requires specific inspection and documented provisions by a licensed qualified inspection centre.

The ask from TSSA is to remove the duplicative permitting requirements for bulk transport trucks and liners and to rely on Transport Canada and CSA requirements for safe coverage and documentation of these bulk transportation systems as well as on Ontario requirements for commercial licensing of the vehicle.

Transport Canada and CSA B620 code requirements cover the inspection process in a more proficient and documented manner, such as the inspection facility having to undergo very specific training as to what can be done to the tank and pumping system.

Transport Canada maintains a database of approved B620 facilities capable of the inspection processes and repairs. Initial builds are built to CRN requirements in authorized facilities. Specific markings must be indicated on the nameplate and those inspections must be visibly indicated on the tank along with inspection dates.

CSA B620 or CFR-49, Part 180 indicate requirements for requalification of transportation tanks. The entire code identifies the requirements for these tanks, as follows:

B620 7.2.10.4 – Hose assemblies shall be inspected annually.

B620 7.2.10.5 – Each hose assembly shall be pressure tested annually.

B620 7.2.11 – Structural inspection tank trailers shall be subjected to an inspection of all components, welds, components in spaces between or adjacent to compartments in compartmentalized tanks, and areas of high stress or stress concentration in the tank and frame for cracks and other defects.

B620 7.3.1 – Following a test or inspection, a written report shall be delivered by the registered testing or inspection facility to the tank owner or the owner's agent.

B620 7.4.1 – When a tank has successfully passed a test or inspection, it must be durably and legibly marked and the hose assembly be pressure tested annually.

B620 7.6.2.1 – No person shall modify or remount a tank unless they are registered with Transport Canada.

The Transportation Canada Registration Number (TCRN) is required. There is an application for design review and application that must be submitted to Transport Canada regarding the creation of the system that is governed by the B620 and Transport Canada initiatives.

There are one-, five- and 10-year inspection requirements depending on tank type.

A person cannot offer, handle, or transport dangerous goods in Class 2 in a means of containment unless the means of containment is manufactured, selected, and used in accordance with CGSB-43.123, CSA B340, CSA B342, CSA B622, CSA B625, or TP 14877.

A person who uses a standardized means of containment in accordance with CSA B622 must use a means of containment that is manufactured in accordance with CSA B620 and was manufactured in Canada, and is tested and inspected in accordance with CSA B620.

R. McLachlan said it looks like other fuels do not have these truck registration and licensing requirements. D. Karn said Liquid Fuels has them and they are done under TSSA. G. Highfield said CNG and hydrogen will have them. R. McLachlan noted that if a distributor license comes to fruition a truck license may no longer be needed.

D. Karn said he has a sister company registered with Transport Canada to do these inspections. All technicians have a two-day training course. Most propane distributors do not have a sister company and go to third-party contractors. It is a tough standard to follow.

J. Callow said he sees duplication between TSSA inspections and Transport Canada annual auditing and spot audits and does not understand what the TSSA propane licensing is for. D. Karn agreed that there is duplication with no value added.

J. Callow said Transport Canada will be applying higher fees this year to anyone transporting products.

10. Adjournment

The meeting was adjourned at 2:10 p.m.