



Technical Standards and Safety Authority

Minutes of the Boilers & Pressure Vessels / Operating Engineers Advisory Council

Friday, October 4, 2024

Minutes of the Boilers & Pressure Vessels / Operating Engineers Advisory Council meeting for the Technical Standards and Safety Authority (TSSA) at **11:00 am** on Friday, October 4, 2024

Present – Advisory Council	
Mark Lambert, Council Chair	John Milton (until 1:00PM)
Gregory Black	Mario Gogic
Jamie Webb	Peter Michieli
Justin Awoyomi	Randy Purves
Mohammed Farooqi	Dave Little (until 2:30PM)
Ralf Klopff	Jason Brimble
Ronald Morrison	Ryan McLachlan
Yan Huang	
TSSA	
Bonnie Rose, TSSA CEO & President	Alexandra Campbell
Caslav Dinic	Ajay Raval
Phil Simeon	Priya Ferris
Scott Saint	Chris Thompson
Shakir Majeedi	Frank Pallotta
Kim Semper	Liliana Constantinescu
Glen Lang	Kristian Kennedy
Sandra Cooke	Viola Dessanti
Olga Sousa-Dias	Iuliana Afanase
Chalin Fernando	Trent Angiers
Guests	
Laura Miel	Sarah Jeffrey-Hampton
Carmela Casella	
Regrets	
Brian Taylor	Hillar Prits
Justin Clappison	Fred Oliver
	Ryan Jones

Action Items

Action: TSSA to take the issue back of technical touchpoints in relation to the Call Centre.

Action: A. Campbell will follow up with J. Webb on the website's keyword function.



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A. Campbell noted that the new centre is more appropriate for TSSA's business and TSSA is more involved in continuous improvement with the call centre service provider. TSSA calibrates calls, records call for training purposes and does ongoing monitoring of contact centre services. The centre is operated by a third party and part of its responsibility is to reroute certain technical inquiries, such as engineering reviews, to the responsible parties at TSSA. The chair cautioned that having the call centre share TSSA staff contact information adds the risk that customers will circumvent the call centre and the portal and reach out to staff directly. J. Webb and R. Klopff asked if TSSA has done a "sandbox" or customer journey-mapping of the new call centre. A. Campbell replied that TSSA is undertaking a comprehensive customer journey mapping process for engineering submissions, certifications, and examinations – three identified customer pain-points.

1. Constitution of Meeting

1.1. Safety Moment

K. Kennedy delivered a safety moment on patio heater safety.

2. Adoption of the October 28, 2024, Agenda

2.1. The agenda was adopted as presented.

3. Approval of March 4, 2024, Minutes

The council approved the minutes as presented pending the following edits:

- Update the attendance roster.
- Note the action items.
- Clarify that "Mother Nature" was cited as a reason for inspection cancellation under item 6.
- Update the template footer, which reflects the incorrect date.

4. TSSA President & CEO's Report

B. Rose presented the CEO's Report, which included the results of TSSA's recent customer value survey, Strategic Plan Year 1 results, Year 2 initiatives, and planning for Year 3 of the Strategic Plan.



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The Chair raised questions about TSSA's collaboration with the Standardization of Power Engineer Examinations Committee (SOPEEC), and other organizations, to develop syllabi relevant to nuclear power operations, operating engineers for the operational side for nuclear power, in addition to the regulator's pressure equipment inspections. B. Rose explained that TSSA is leveraging the existing curricula as well as the National Board of Boiler and Pressure Vessel Inspections training and examinations for nuclear stations. G. Lang added that SOPEEC is discussing the inclusion of hydrogen and nuclear training in the syllabus. K. Semper explained that the standards for nuclear plant pressure equipment inspections cite the National Board and ASME'S Boiler & Pressure Vessel Code to obtain the necessary qualifications. G. Black commented that regulators should provide SOPEEC with the necessary information to develop operator training. R. Klopf added that the focus of TSSA is regulatory inspections, not operations training in its Strategic Plan.

On the 17k unverified devices, G. Black asked if unvalidated devices are chiefly in agriculture. B. Rose stated that there are many in other institutional and operational settings. G. Black asked if proposed licensing for power plants will help identify unverified devices. B. Rose commented that it would.

R. Klopf noted that educational institutions and other organizations are probably reluctant to reach out to TSSA as they have not budgeted for regulatory compliance. Therefore, TSSA as the regulator needs to proactively engage them.

Y. Huang commented that the Canadian Boiler and Machinery Underwriters' Association (CBMUA) conference had a speaker discuss small modulator reactors. He commented that there will be a need to prepare for this technology. B. Rose commented that the Canadian Nuclear Safety Commission can license devices. TSSA must stay on top of trends in the industry.

5. Safety and Compliance Report

V. Dessanti presented the Fiscal Year 24 Public Safety Report for boilers and pressure vessels as well as for operating engineers.

The Chair inquired about the incident reporting data for operating engineers. V. Dessanti explained that insufficient incident reporting partially explains the lack of data. R. Klopf commented that the Institute of Power Engineers (IPE) is ready to assist in raising awareness about incident reporting obligations.



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Council members posed questions about the number of operating engineers at attended plants. V. Dessanti explained that the TSSA Public Safety Report is focused on TSSA safety services and not larger public policy issues, such as labour shortages.

G. Lang spoke to R. Morrison's concern about the operating engineer's compliance rate of 48 per cent, which led to a discussion about the number of operating engineers being educated and trained.

6. Ombudsman/Whistleblower Report

S. Cooke provided an annual overview of TSSA's ombudsman and whistleblower services. These services offer employees, the public, and regulated industries a confidential and independent resource to address issues about TSSA conduct, including misconduct, without fear of retaliation. The Ombuds office does not handle formal investigations or set TSSA policy but provides informal assistance in resolving concerns. Strict confidentiality is maintained, and stakeholders can contact the Ombuds anonymously. The services aim to ensure transparency and fairness in addressing concerns.

R. Klopf requested a link be provided to TSSA's ombudsman and whistleblower services for the IPE website. G. Black added that his organization will do the same.

Ombudsman Website link

[Ombuds \(tssa.org\)](https://tssa.org/ombuds)

Whistleblower Website Link

[Whistleblowing Service \(tssa.org\)](https://tssa.org/whistleblowing)

J. Awoyomi inquired about a breakdown of the data between operating engineers and Certificate Holders (COCs) was completed as part of the report. S. Cooke explained that she does not track that level of detail, but that data in the report applies to fuels and operating engineers. J. Awoyomi advised that such data may help with certificate journey mapping.

7. Ministry of Public and Business Service Delivery and Procurement Report



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L. Miel provided an update of Government of Ontario activities, including Ministry of Public and Business Service Delivery and Procurement projects affecting TSSA, such as the Office of the Auditor-General (OAGO) value-for-money audit of TSSA and the propane purging regulatory exemption.

G. Black asked if there would be future OAGO audits of TSSA. C. Casella replied that the completion of the 2018 audit follow-up does not mean there will not be future audits of TSSA. A. Campbell added that the OAGO concluded that TSSA has achieved a 90 per cent completion rate.

8. Fee Update: Inflationary Fee Increase / Late and Cancellation Fees

P. Ferris provided an update on the inflationary fee increase, effective November 4, 2024. Clarifying that TSSA set the fees for late payments at the lower level of the range initially proposed. The Ministry was notified of the fees in accordance with the Memorandum of Understanding and TSSA shared information with all customers at the end of August and detailed the results of the consultation.

R. Purves remarked that he agrees with TSSA imposing late fees but asked if there is a procedure to handle situations beyond a customer's control. P. Ferris explained that waiving fees is an option for circumstances beyond a customer's control. The purpose of the fees is to drive behavioural change and reduce the number of late fees and last-minute inspection cancellations. Case-by-case issues with fee payments will be addressed between the customer and TSSA.

Y. Huang raised concerns that certain stakeholders may pay late fees that are higher than the certificate itself. P. Ferris explained that the fee does not apply to Certificates of Inspection (COIs) for boilers and pressure equipment.

Break for Lunch

8.1. Meeting adjourned at 11:50 a.m.

8.2. Meeting reconvened at 12:10 p.m.

9. Code Adoption Documents

P. Simeon updated that TSSA has adopted B52 and will adopt B51 in Spring 2025.

Council members did not raise any questions.



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10. Licensing Modernization Initiative Update

P. Simeon and S. Saint presented an update on the initiative and anticipated fees associated with it.

G. Black inquired whether the fees would include inspections. S. Saint responded that the fees include an initial inspection and one follow-up, but not subsequent inspections.

11. Draft TSSA Incident Reporting Advisory

P. Simeon and S. Majeedi detailed the TSSA proposal for an easy-to-understand approach to incident reporting that is harmonized across regulations under the Technical Standards and Safety Act.

The Chair asked whether incident reporting includes work refusals with respect to the Ministry of Labour, Immigration and Skills Development (MLITSD). P. Simeon emphasized that the incident reporting proposal relates to the regulations under the TSS Act. R. Morrison commented that the insurers are sources of information as well, especially for unattended plants. G. Lang clarified that the right to refuse unsafe work is enforced under MLITSD legislation. He suggested that TSSA should be notified of work refusals reported to MLITSD where necessary. K. Semper added that TSSA is notified of incidents through the Spills Action Centre, depending on the nature of the incident.

Y. Huang suggested that incident reporting should factor in definitions of devices since the definitions in the codes can be very detailed, such as switches associated with devices.

12. Operating Engineers

12.1. Qualifying Experience Time (QET)

G. Lang remarked that the definition of QET is not well understood. The purpose of the draft advisory is to clarify existing requirements.

Council members did not raise any questions.

12.2. Path 1 and Path 2 Update



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G. Lang noted a slight increase in applications. Path 1 applications are mostly for refrigeration plants. More Path 2 applications are expected in the Third Quarter of this Fiscal Year. Path 2 has seen a lower uptake than expected.

R. Purves asked why refrigeration plants make up the bulk of the applicants. G. Lang suggested that it is easier to automate a refrigeration plant than a boiler plant. The applicants tend to be high-technology plants. B. Rose stated that another reason might be that the refrigeration industry was a big proponent of the regulation change and promoted it. G. Black added that a single technology is easier to run than multiple technologies in one plant. For Path 2 an applicant would have to incorporate the whole plant and it may not be worth applying.

The Chair recommended a five-minute break.

- 12.3. Meeting adjourned at 1:35 p.m.
- 12.4. Meeting reconvened at 1:40 p.m.

The Chair introduced the two new members to the BPVOE Advisory Council: Dave Little and Jason Brimble.

13. Boilers and Pressure Vessels Inspection Data

V. Dessanti provided an overview of the key changes TSSA is implementing regarding the collection of inspection data for Boilers and Pressure Vessels (BPV). She noted that TSSA lacks access to direct data for BPVs due to the bulk of insurer-led inspections. The objective of this project is to collect data on high-risk non-compliances. TSSA reviewed a list of violations from the National Board of BPV Inspections to identify 20 key violations which are relevant for the Ontario industry.

M. Farooqi asked if there are plans to engage with industry especially for owner-user input on the BPV COI Data Collection Process. V. Dessanti commented that TSSA is planning to gather additional industry feedback and is collaborating with TSSA's Department of Stakeholder Relations.

Y. Huang applauded the initiative, pointing out that J. Myrie from TSSA had consulted insurers on this project through the insurer working group. Y. Huang enumerated the key issues raised at the TSSA insurer working group, particularly noting that the 20 identified orders are not controversial. He also mentioned that



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some of the 20 identified orders for shutdown include heating equipment, raising potential concerns.

The Chair asked Y. Huang that the absence of a Canadian Registration Number (CRN) should have been identified as an issue at the time of the initial installation report by TSSA. R. Klopff noted that some plants do not register with TSSA and so they do not have an initial inspection of their equipment, at which point the absence of a CRN would be identified. K. Semper clarified that this project is looking at periodic inspections, in-service inspections, and high-risk non-compliances. Y. Huang suggested to get insurers involved in the consultation as they have experience with in-service inspections. V. Dessanti reiterated that having the inspection data will better inform decision making on the part of the TSSA.

J. Awoyomi asked if there would still be an opportunity to submit device failures through the portal separate from the high-risk orders. V. Dessanti responded that currently the intent of the project is focused on high-risk non-compliances. TSSA wants to move away from ad hoc approaches to a systematic and standardized response. B. Rose explained that running the program and doing longitudinal testing will help determine if anything is missing.

R. Klopff asked for clarification on whether the 20 orders will apply to unattended versus attended plants. V. Dessanti said the inspection collection information would apply to all plants with BPVs. There was discussion about whether shutdowns were required or whether the plant can continue to operate if an operating engineer is present. K. Semper clarified a particular device would have to be shutdown, not the plant. G. Lang further clarified that this list would not be used indiscriminately without reason, citing examples used by Y. Huang and other council members. G. Land added that this BPV Initiative would provide TSSA with the authorization to issue shut down orders, however, each circumstance and threshold for shut down will have to be reviewed. R. Klopff further asked which party will hold the authority to issue the shutdown order, the TSSA or the insurance inspector. V. Dessanti responded that the onus will be on the insurance inspector to issue the shutdown order. R. Klopff emphasized that insurers may not want the responsibility to shut down, they will ask the regulator.

V. Dessanti explained the TSSA will issue a letter to the owner of the device as well as the insurer on file indicating that the owner is no longer authorized to operate their device and it should be shutdown. Furthermore, the responsibility to ensure that the device is safe to be turned on again will lie with the insurance



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inspector. R. Klopf questioned whether owners will be responsible for the shutdown and whether insurers will be willing to shut down if they risk losing business. B. Rose said this initiative will limit or stop insurance shopping as the shutdown order will be available on the portal for the new insurance company to see. Y. Huang remarked that most of his clients are cooperative and want to be compliant; they fix items the insurer recommends they address. Y. Huang raised a key point about liability and authority to issue a shutdown order, further saying that issuing a shutdown order is not in the interest of the insurance companies. He went on to explain that for issues which can be fixed on site, they will not inform TSSA as it is not relevant. He emphasized that in circumstances where a device or plant receives consistent notices of extremely dangerous situations, this is the only circumstances under which they will defer authority to TSSA.

R. Purves questioned whether any of these shutdown orders be addressed, or safety operated by any other alternative means? D. Little commented that it is important to empower the insurers more since they are the party that has the numbers out in the field. He added that mitigating factors are sometimes available that mitigate shutdowns. J. Awoyomi expressed concerns around device shutdowns since the regulation does not permit insurers to follow up on a shutdown notice. B. Rose said legal advice suggests insurers have that power under the regulation.

14. Harmonization of Engineering Process Review

F. Pallotta provided an overview of the project, speaking to major pain point themes associated with the TSSA application journey and next steps. TSSA will come back to councils on implementation details. A. Raval responded to J. Webb's concerns about customer service processes which are being addressed through the review. A. Raval stressed that this is a major initiative and TSSA is looking for whether the proposal is missing anything.

The Chair suggested attaching a visual map of the progress of an application. G. Black asked if examinations and certifications is included. F. Pallotta explained that a separate journey-mapping process is underway for examinations and certifications. A. Raval said there will also be a further step in looking at where these customer application journeys overlap.

15. Industry Prioritization Discussion



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K. Semper provided updates on each of the priorities:

1. COIs related to low-risk non-compliances.
2. The status of failed inspections
3. Standardization of practical experience
4. COC application requirements and examination results
5. Inspection tracking for agricultural-insured BPVs for first inspections
6. The "Dear Chief" letter
7. Issues with certification renewals and invoicing
8. Qualifying experience time streamlining

The Chair asked if the "Dear Chief" letter can be expedited because students seek for placements in the spring. A. Campbell replied that TSSA will aim to do that with a timeline pending. G. Black asked about college contact information. G. Lang added an item not on the list for information: the CSA B56 standard is open for consultation on the CSA website.

16. Adjournment

- 16.1. The meeting adjourned at approximately 3:00 p.m. after which council members held an in-camera session (council only) followed by an in-camera session with B. Rose