



# Technical Standards and Safety Authority

Minutes of the Liquid Fuels Advisory Council

Meeting on October 19, 2022

Minutes of the Liquid Fuels Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 9:00 a.m. on the 19<sup>th</sup> day of October 2022.

**Present:** G. Rae Dulmage, TSSA Consumers Advisory Council; Brent Francis (Chair), Francis Fuels; Rick Hineman, Durham Fuels; Steve Kuzmanovic, Suncor; John Lastoria, Canadian Tire Corporation; Laurie Marcil, Nature & Outdoor Tourism Ontario (NOTO); Dereck Northcotte; Heartland Farm Mutual; Michelle Rae (for Terry Ablett, Ontario Petroleum Contractors Association (OPCA)); Jennifer Stewart, Canadian Independent Petroleum Marketers Association (CIPMA); Jim Wood, Ontario Petroleum Transporters and Technicians Association (OPTTA).

Alexandra Campbell, VP, Communications & Stakeholder Relations; Danielle Fernandes, Advisory Council Coordinator; Gary Highfield, Engineering Manager, Fuels Safety Program; Nashir Jiwani, (Interim) VP, Operations; Kristian Kennedy, Manager, Government Relations; Anil Lal, Manager, Engineering and Technical Services, Fuels Safety Program; Bonnie Rose, President & CEO; Sam Sadeghi, Director, Fuels Safety Program.

**Regrets:** Brian McBain, Underwriters Laboratories of Canada Inc (ULC)

**Guests:** Elizabeth Forrest, Liaison Officer, Source Water Section, Ministry of Environment, Conservation and Parks (MECP); Erick Morales, Manager, Technical Safety Unit, Ministry of Public and Business Service Delivery (MPBSD); Allison Nicholls, Senior Policy Advisor, Technical Safety Unit, MPBSD; Miranda Reid, Policy Advisor, Technical Safety Unit, MPBSD.

## 1. Welcome & Constitution of Meeting

The Chair called the meeting to order at 9:01 a.m.

### a) Safety Moment

For the safety moment, Council was shown a short video on the safety implications of ice storms.

### b) Introduction of new member – Steve Kuzmanovic

The chair introduced Steve Kuzmanovic, who is representing the bulk plant category.

## 2. Adoption of the October 19, 2022 agenda

The agenda was adopted as presented.

## 3. Approval of April 13, 2022 minutes

The minutes were adopted as presented.

## 4. Review of Action items from last meeting

K. Kennedy provided an overview of action items. K. Kennedy will circulate “fuel features” details to complete the action item #1. On standards for tags G. Highfield indicated that the standard used is no longer in use and is obsolete. On action item #3, the status of the clause was updated in the new CAD amendments. The uploaded version on the TSSA website is correct.

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## 5. Chair's Update

The Chair treated his report as read.

There were no questions or comments from council.

## 6. Council administration

### a) Membership renewal - Rick Hineman, John Lastoria, Jennifer Stewart

All three members renewed their memberships for another three-year term.

## 7. Liquid Fuels Handling Code

The Chair spoke to the biofuel issue, burdensome remote fueling requirements and technology changes, all of which are impacting a code that was last updated in 2017. The code is now five years old and in need of review. Labour shortages need to be considered in light of some code requirements, like restrictions on automated fueling. Since cardlocks have been around for decades, it would be worthwhile to see what the safety data suggests about the need for regulation. He asked council members if there are other issues that need changing.

J. Stewart agreed about the regulatory burden associated with remote staffing and the labour shortage. The other consideration for the code is pre-pay at the pump in Ontario, which came forward recently as a private members bill. While it died during the writ period, it is reportedly back on the legislative agenda.

G. Highfield asked if desired code changes are specific amendments or if the code warrants a wholesale review. The Chair suggested a pilot of a few remote sites as a research project. G. Highfield welcomed variance applications for these kinds of sites as a prerequisite to code amendments. S. Sadeghi agrees that the variance process would be best at this stage before the possibility of code amendments.

J. Wood asked if there is a review cycle for the code. K. Kennedy noted that Compressed Natural Gas Code Adoption Document amendments have been prioritized ahead of the Liquid Fuels Handling Code.

J. Stewart asked about timelines for the submission of proposed code amendments. G. Highfield said suggestions can be submitted anytime. There would be a formal consultation period as part of any code changes.

## 8. Auditor-General recommendation on source water private fuel outlet inspections

A. Lal gave an overview of the Auditor-General recommendation on source water related to private fuel outlets (PFOs). He detailed the challenges associated with identifying PFOs for inspection, the absence of licensing for PFOs and the ability to indirectly identify PFOs through tanker truck licensing. After careful consideration, a pilot project was launched with Kawartha Lakes Conservation Authority in collaboration with OPTTA and MECP. S. Cooke added that industry has been helpful in narrowing the kinds of PFOs that need to be identified to sites that pose direct drinking water risks. Industry stakeholders were trained on how to use the online source water tool to identify sites. Already there have been responses from stakeholders on sites they have identified for TSSA consideration.

J. Wood added that fuel suppliers participated in the meeting that are not OPTTA members.

K. Kennedy asked members who represent associations to help amplify TSSA messaging on this project. J. Stewart asked to be included on any relevant mailing lists. K. Kennedy advised that he will connect with Laurie Marcil at NOTO about outreach with her membership.

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M. Rae asked about the status of PFO licensing. K. Kennedy replied that TSSA has made proposals to government for the licensing of private fuel outlets. The Chair asked what the environmental issue concern is about these sites. B. Francis said most PFOs he's aware of have safeguards like double-walled tanks. B. Forrest replied that the source water regulations under the Clean Water Act are intended to be preventative where drinking water is concerned.

A member asked if there is not already inspectors who do ad-hoc inspections at these sites. S. Cooke stated that TSSA cannot do routine inspections on these locations since the locations are unknown to TSSA. Ad-hoc inspections are usually in response to a complaint or an incident.

**Action:** J. Stewart asked to be included on the mailing list for the issue.

**Action:** K. Kennedy to reach out to Laurie Marcil on outreach to her members about the project.

### 9. LFAC Issue Prioritization Discussion

#### a) Adoption of Biofuel Standards

S. Sadeghi presented the Priority Issues Resolution Plan (PIRP) framework and detailed the background, the jurisdictional scan and the industry's request of TSSA to consider code changes related to biofuel. The next steps include industry engagement to review the list of codes to adopt, the appropriate mechanism to adopt the new standards and an action plan for implementation.

G. Highfield drew the council's attention to the UL list of codes to identify which ones are most relevant and should be treated as priority for adoption by TSSA. The Chair recommended TSSA reach out to industry stakeholders with communications on which standards need to be adopted.

G. Highfield suggested this could be covered during the consultation in the interest of efficiency and speediness. J. Stewart noted that several groups, the Canadian Fuels Association, Advanced Biofuels Canada and Greenfield Global are advocating for a biofuels-related funding envelope for grants for petroleum retailers for infrastructure upgrades. She asked if she can share TSSA's biofuels presentation with industry partners and government to show the significant costs and implementation implications associated with biofuels. G. Highfield asked for industry feedback in 3-4 weeks so that by the next council meeting in the spring the relevant codes and standards are identified.

S. Sadeghi asked how members perceived the PIRP framework. J. Wood spoke favourably about it as a means to address council priorities.

#### b) Backfill inspections

On backfill inspections S. Sadeghi noted that during the labour disruption there was a daily call to triage calls coming in for inspections. In this triaging process, backfill inspections were given high priority. He indicated that TSSA was able to keep up with backfill inspection requests. G. Highfield added that he is working with OPCA to have a common inspection checklist sent out in an advisory for backfill inspections.

#### Adjournment

The meeting was adjourned at approximately 10:20 a.m.