



# Technical Standards and Safety Authority

Minutes of the Propane Advisory Council

Meeting on October 28<sup>th</sup>, 2021

Minutes of the Propane Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 9:00 a.m. on the 28<sup>th</sup> day of October 2021.

**Present:** Ian D'Cruz, Superior Propane; Doug Fines, Huronia/ MED-E-OX Ltd.; Sue Hardy, National Energy Equipment; Jay Jackson, TSSA's Consumer Advisory Council; Dave Karn (Chair), Dowler-Karn Ltd.; John Lastoria, Canadian Tire Petroleum Network Development; Ryan McLachlan, Slegers Engineered Products Inc.; Marcelline Riddell, Canadian Propane Association (CPA)

Dan Brazier, Chief Financial Officer; Danielle Fernandes, Advisory Council Coordinator; Zenon Fraczkowski, Manager, Fuels Engineering; Kristian Kennedy, Manager, Government Relations; Sam Sadeghi, Director, Fuels Safety Program; Bonnie Rose, President & CEO

**Regrets:** James Callow, Budget Propane; Jeremy Mitchell, Parkland Fuel Corporation

## 1. Welcome & Constitution of Meeting

The Chair called the meeting to order at 9:00 a.m. K. Kennedy provided an overview of the meeting format and stressed the importance of using the agenda item request forms for issue submission in advance of meetings. He advised that the objective of the meeting was to hear from council on priority issues and for TSSA to take issues back for further assessment and analysis and to report back to council accordingly.

### a) Safety Moment

For the safety moment, Council was shown a short video on workplace safety as a shared responsibility.

## 2. Adoption of the October 28<sup>th</sup>, 2021, Agenda

D. Fernandes advised that J. Callow was unable to attend the meeting and requested that council defer item 8c to the next meeting so J. Callow would have the opportunity to raise the issue. The agenda was adopted with this amendment.

**Action:** D. Fernandes to include item 8c (Fuels Tech Desk) on next meeting agenda under prioritization discussion.

## 3. Approval of March 11, 2021, minutes

It was noted that the material was not circulated with the package but were circulated in advance of the meeting. Council approved the minutes without change.

## 4. Review of Action items from last meeting

S. Sadeghi advised that the action item related to renewal forms remain open as there were comments previously shared by the council that should be reviewed given the background of this issue. K. Kennedy reminded council that this issue would have to be considered in relation to other priorities raised by council by way of the forms submitted. D. Fernandes confirmed that the other action items from the March 11, 2021, meeting were completed and are considered closed.

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## 5. Chair's Update

The chair advised that there would be new ownership for his company but would be staying on with the organization for the transition. He advised that he unfortunately missed the plenary meeting but understood the format to be productive.

There were no questions or comments.

## 6. Council Administration

### a. Matrix review

D. Fernandes detailed the purpose of the membership matrix review, namely, to ensure it is representative with industry. She detailed a proposal for changes to the matrix, which included the removal of maximum caps on positions, the introduction of a minimum of one member per category, the merger of some categories, and the introduction of new a category for associations and bulk plant subcategory among others.

A council member cautioned that the elimination of caps/maximums within a category could result in councils becoming too large. K. Kennedy advised that changes to the advisory council Terms of Reference (TORs) would see the introduction of universal maximum caps on council size to minimize the risk of that happening. Additionally, he noted that the removal of maximums allows the council to be more flexible to changes within the industry/ sector. Responding to a question from council about the desire to have associations represented, K. Kennedy advised that the preference for associations is set out in the TORs. It was noted that the new matrix proposal would help address the evolving nature of the industry. The Chair advised that he will not be renewing his term on council once his term is up and inquired whether the council should begin the process for nominating a new chair. D. Fernandes advised of the process. Council approved the matrix proposal with no changes.

**Action:** D. Fernandes to begin the process of chair recruitment and provide an update at the next council meeting.

**Action:** D. Fernandes to present the proposed matrix to the CEO for approval.

## 7. New TSSA Fee Structure

D. Brazier spoke to this item referencing the presentation shared with council in advance of the meeting. He provided an overview of the changes thus far, which included enumerating the communication and stakeholder engagement strategy for the new business model, providing an overview of the concerns shared with TSSA by the propane industry along with TSSA's responses, and presenting a new proposal for consideration by the council. He advised that a formal response would be required by council by the end of November 2021 in order for the change to be reviewed by the Ministry of Government and Consumer Services and ultimately effective May 2022 if approval is granted.

There was some discussion on this issue. There were questions about if and how the fee would be prorated. A council member shared concern about how proration negatively impacted his organization advised that the communication on prorating should be more robust for the industry. D. Brazier advised that council could calculate the rate of proration based on the numbers provided in the material package and encouraged council to share with him any scenarios that don't fit the model. Several council members wanted it recorded that this change was significant for the industry. D. Brazier acknowledged the comment and advised that the change was fundamentally revenue neutral for TSSA. He explained that the initial implementation aimed to give a break to small business/operators, because this caused a significant increase for some larger operators, TSSA has had to readjust and spread the cost out evenly to maintain

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revenue neutrality. He noted that much of the analysis submitted to TSSA did not present an average of fees paid over 2-3-year period, which underpin this change. Responding to a question from council about the transferability of licenses from one owner to another, D. Brazier advised that license transferability is prohibited by the regulations. A new owner will have to pay for a new license, and there are no refund issues on partially used licenses. He advised that renewals are sent out 60-days in advance of expiry and at this point the customer can tell TSSA that they are no longer operating or changing ownership. If this is the case, and they have made the appropriate submission, they will not be responsible for the renewal invoice.

**Action:** M. Riddell, on behalf of CPA and in consultation with PAC, to provide D. Brazier with a formal response to the business model proposal presented by the end of November 2021.

### 8. PAC Issue Prioritization Discussion

#### a. Propane tank & cylinder drainage training requirements (LP ROT)

D. Karn provided council with an overview of the issue and noted that this is both a safety and burden reduction issue. He advised that the issue for council to prioritize is the proposal that Records of Training (ROT) be allowed so that facility staff are trained to drain propane tanks and cylinders. There was some discussion about this issue. Z. Fraczkowski advised that a change of this nature would require an amendment to the regulations. B. Rose noted that this needs to be taken back by TSSA to review and analyze whether this proposal would be supported. It was noted by a council member that this issue has work already been done by the RRG on the matter and TSSA should be able to use this information as source material for the analysis.

**Action:** TSSA to review this issue and weigh against other priorities and report back to PAC at next meeting

#### b. CSA-B149.2-20 Clause 7.8 (Underground tanks)

R. MacLachlan provided council with an overview in relation to this issue. It was noted that it is overly burdensome and costly for the industry to go through the variance process for this approval. S. Sadeghi advised council that this is a national code requirement and noted that the draft advisory has been shared with council in advance of this meeting. He advised that initially the forms were not in place to implement this requirement and so some members of the industry were consulted on draft forms. He advised that the fuels program has implemented an internal fit/ready assessment prior to the adoption of a new code. He advised that an approval would be required, and fees would remain the same as analysis shows this would require the same administrative support, engineering review and inspection requirements as other applications. There was a suggestion from council to make this advisory as widely accessible as possible, Z. Fraczkowski acknowledged the comment and confirmed that it would be shared as widely as possible. It was noted that council considered this issue to be closed with no follow up required.

Council undertook a comprehensive review of priorities shared with TSSA noting that fees are a number one priority for council followed by Propane tank & cylinder drainage training requirements (LP-ROT). It was noted that item 8b on the agenda is considered closed and item 8c would be added to the next meeting agenda for discussion. Responding to a question about whether the council should share other priorities or tackle these first, K. Kennedy advised that this really depend on the TSSA's response to these priorities. He noted that we would work closely with the chair to keep him abreast of developments and next steps. The Chair commented that this format is preferred over that of the Risk Reduction Group (RRG), noting it is important to tackle one issue before moving on to the next.

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### c. TSSA Fuels Technical Desk

This item was deferred to the next PAC meeting for discussion and prioritization.

**Action:** D. Fernandes to include this item on the next PAC meeting agenda

### 9. Questions and other business

There was some discussion about the ability to recycle auto propane tanks. Council shared information about ways these could be de-pressurized and recycled. It was noted that information related to the decommissioning of tanks for mobile vehicles is contained in the 2020 version of the code. S. Sadeghi encouraged council members to inform industry of councils' collaborative prioritization exercise with TSSA, noting the issues put forward.

### 10. Adjournment

The meeting was adjourned at approximately 11:05 a.m.