



Fuels Safety Program	Ref. No.: FS – 188-11	Rev. No.: 2
ADVISORY	Date: Nov. 8, 2011	Date: October 30, 2014

Subject: Propane Facility Licence Process

Sent to: Posted on TSSA web-site and distributed to the TSSA Propane Advisory Council, TSSA Propane Risk Reduction Group (RRG), Ontario Ministry of Government and Consumer Service, Office of the Fire Marshal, Canadian Propane Association, Independent Propane Retailers Association of Ontario

This advisory summarizes the requirements in the Propane Storage and Handling Regulation (O. Reg. 211/01) as they relate to applications for licences to operate propane facilities and is organized as follows:

- Part 1: Renewal of an Existing Licence;
- Part 2: Licence for a New Facility;
- Part 3: Change of Licence Holder (the facility has not been modified);
- Part 4: Facilities that Changed Propane Suppliers or Replaced their Tank(s) (the facility has not been modified);
- Part 5: Facilities that are Modified;
- Part 6: Risk and Safety Management Plan (RSMP) Changes; and
- Part 7: TSSA Licensing/Renewal Process.

Applications are available on the TSSA website www.tssa.org, by using the following link: <http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>. Questions regarding TSSA licensing requirements, status of submitted applications and RSMPs should be directed to 416.734.3587, toll free at 1.855.734.3587 or email to propanelicensing@tssa.org.

All fees and documentation are due by the licence expiry date. TSSA's average turnaround time for processing renewals is 10 business days. Please ensure that you allow sufficient time for processing before your licence expires.

Licence fees are based on the facility size and are detailed in the Fuels Fee Schedule which is published on the TSSA website www.tssa.org. Fees will be charged for processing, review and site inspection associated with the renewal.

Facility operators must have a valid licence to operate and must take the necessary steps to complete the RSMP within the required timelines. Regulations prescribe significant fines or closure where a facility is operating without a valid licence.

Part 1 – Renewal of an Existing Licence

By the expiry date a licence holder must submit the following:

- **Starting January 1, 2016**, propane transfer facilities will be required to carry at least a minimum amount of commercial general liability insurance. The minimum amounts are set at \$1 million for transfer facilities requiring a level 1 RSMP and \$5 million for a transfer facility requiring a Level 2 RSMP. To confirm compliance with this requirement, license holders must include a copy of "Certificate of Insurance" in their licence renewal package sent to TSSA.
- Full payment of renewal fees. Effective January 1, 2015, pro-rated inspection fees will no longer appear on the renewal invoice.

- Proof documentation that the licence holder (business) has an active registration in Ontario. Please contact the Companies Branch information line at 1-800-361-3223 to obtain an up to date Corporate Profile or Business Name Report and forward to TSSA.
- Record of Training (ROT) documentation including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor or designated senior manager, who has fulfilled the ROT requirements;
 - in the case of the named designate being a senior manager who is responsible for overseeing the propane operation, a Record of Training Attestation form must be submitted;
 - in the case of the named individual being an officer appointed by resolution and not identified on the corporate profile, verification by means of minute, resolution or other documentation that the individual is an officer of the company;
 - a photocopy of their valid ROT wallet card.

Please note:

Where the licence holder (business) operates multiple facilities and the ROT holder is the same, TSSA will accept one letter listing all facilities, licence numbers and facility locations to be utilized for all renewals occurring during the calendar year.

- One of the following forms as appropriate:
 - Application for Renewal of Level 1 Propane Licence and any applicable updated pages of the Level 1 RSMP;
 - Application for Renewal of Level 2 Propane Licence and any applicable updated pages of the Level 2 RSMP;
 - a full Level 1 RSMP; or
 - a full Level 2 RSMP along with an Application for a Review of a RSMP for an Existing Propane Facility.

Please note:

Application forms are available on our website at:

<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>

All changes to the RSMP should be submitted to the local fire service.

Fees will be charged for processing, review and site inspection associated with the new licence.

Part 2 – Licence for a New Facility

The following are required for new facilities:

- Application for an Ontario licence to operate a new or modified propane container refill center or a filling plant. To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- **Starting January 1, 2016**, propane transfer facilities will be required to carry at least a minimum amount of commercial general liability insurance. The minimum amounts are set at \$1 million for transfer facilities requiring a level 1 RSMP and \$5 million for a transfer facility requiring a Level 2 RSMP. To confirm compliance with this requirement, license holders must include a copy of “Certificate of Insurance” in their licence renewal package sent to TSSA.
- Licence fee. Please note that fees will be charged for processing, review and site inspection associated with the new licence.
- Level 1 RSMP or Level 2 RSMP as appropriate. To download the applications please use the following link: <http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- Submit proof documentation that the licence holder (business) has an active registration in Ontario. Please contact the Companies Branch information line at 1-800-361-3223 to obtain an up to date Corporate Profile or Business Name Report and forward to TSSA.
- Submit Record of Training (ROT) documentation including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor or designated senior manager, who has fulfilled the ROT requirements;

- in the case of the named designate being a senior manager who is responsible for overseeing the propane operation, a Record of Training Attestation form must be submitted;
- in the case of the named individual being an officer appointed by resolution and not identified on the corporate profile, verification by means of minute, resolution or other documentation that the individual is an officer of the company; and
- a photocopy of their valid ROT wallet card.

Please note:

Where the licence holder (business) is responsible for multiple facility locations and the ROT holder is the same, TSSA will accept one letter listing all facilities, licence numbers and facility locations to be utilized for all renewals.

- Three copies of site plan;
- Municipal approval letter confirming compliance with clause 27.1(5) of O. Reg. 211/01;
- Branch Standard No. 9 is required for level 1 RSMP sites only. To download the Branch Standard no. 9 please use the following link:
<http://www.tssa.org/corplibrary/ArticleFile.asp?Instance=136&ID=8FCE57B71E564B3ABC1EEAB47E3D0645>
- Pre-Installation Site Check Sheet;
- Letter to the local fire service offering them an opportunity to attend the site; and
- Evidence that the RSMP that has been reviewed (Level 1 RSMP) or approved (Level 2 RSMP) by the local fire service.
 - Level 1 RSMP: Fire service must be provided with the opportunity to review and comment on the emergency preparedness and procedures plan (Section B). The fire service will provide feedback regarding any significant issues within 30 days of receiving the completed Level 1 RSMP. Comments, if any, expressed by the local fire service shall be responded to by the applicant, before the RSMP is submitted to the TSSA for approval.
 - Level 2 RSMP: Fire service approval is required for the fire safety, fire protection and emergency preparedness components of a Level 2 RSMP. As fire services require 60 days to review the RSMP, operators are strongly encouraged to contact their local fire service as early as possible to establish key contact(s) and a date for a follow-up meeting. Facility operators are required to complete Section 1 of the Office of the Fire Marshal's Phase 1 Guidance Document - Data Collection which is available at:
<http://www.mcscs.jus.gov.on.ca/stellent/groups/public/@mcscs/@www/@ofm/documents/webasse/t/ec160493.pdf>

Please note:

Where there is no local fire service responsible for the area in which a facility is located, the facility is not required to seek fire service approval/review and comment.

Part 3 - Change of Licence Holder (the facility has not been modified)

The following are required when the licence holder changes:

- Application for an Ontario licence to operate a new or a modified propane container refill center or a filling plant. To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- **Starting January 1, 2016**, propane transfer facilities will be required to carry at least a minimum amount of commercial general liability insurance. The minimum amounts are set at \$1 million for transfer facilities requiring a level 1 RSMP and \$5 million for a transfer facility requiring a Level 2 RSMP. To confirm compliance with this requirement, license holders must include a copy of "Certificate of Insurance" in their licence renewal package sent to TSSA.
- Licence fee. Please note that fees will be charged for processing, review and site inspection associated with the change of licence holder.
- Proof documentation that the licence holder (business) has an active registration in Ontario. Please contact the Companies Branch information line at 1-800-361-3223 to obtain an up to date Corporate Profile or Business Name Report and forward to TSSA:

- Record of Training (ROT) documentation including:
 - an original letter from the licence holder (business) naming the officer, director, partner or proprietor or designated senior manager who has fulfilled the ROT requirements;
 - in the case of the named designate being a senior manager who is responsible for overseeing the propane operation, a Record of Training Attestation form must be submitted;
 - in the case of the named individual being an officer appointed by resolution and not identified on the corporate profile, verification by means of minute, resolution or other documentation that the individual is an officer of the company; and,
 - a photocopy of their valid ROT wallet card.

Please note: Where the licence holder (business) is responsible for multiple facility locations and the ROT holder is the same, TSSA will accept one letter listing all facilities, licence numbers and facility locations to be utilized for all renewals occurring during the calendar year.
- Municipal approval letter confirming compliance with clause 27.1(5) of O. Reg. 211/01.
- The licence holder shall submit the updated RSMP no later than 120 days after the director issues a licence.

Part 4 – Facilities that Changed Propane Suppliers or Replaced their Tank(s) (the facility has not been modified)

Replacement of a tank, commonly referred to as a “change of steel,” or a change of a propane supplier is not considered to be a modification as defined in the Propane Storage and Handling Regulation O. Reg. 211/01, provided that:

- The replacement tank is identical in its nominal capacity and orientation; and
 - Other than contact details, the identified hazards, assessed risks, risk mitigation or emergency preparedness plan are not affected by the change of supplier.
- The following are required when there is a change of steel or supplier:
- Application for an Ontario licence to operate a new or modified propane container refill center or a filling plant. To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
 - Those parts of Level 1 or Level 2 RSMP which refer to the supplier, contact details and tank information must be updated by including revised pages with the application noted above.

Please note:

Tank information (serial number, manufacturer, CRN, OIN etc.) are often noted on site plans and in facility descriptions and will require updating; and
 Fees will be charged for processing, review and site inspection associated with a change of tank or a change of propane supplier.

Part 5 – Facilities that are Modified

Modification is defined as a reduction, expansion or other layout change, or a change in the operation of a facility, but does not include maintenance. The licensee must apply to and receive a written permission from the Director/TSSA before modifying a facility.

The following are required when a facility is modified:

- Application for an Ontario licence to operate a new or a modified propane container refill center or a filling plant. To download the application please use the following link:
<http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- **Starting January 1, 2016**, propane transfer facilities will be required to carry at least a minimum amount of commercial general liability insurance. The minimum amounts are set at \$1 million for transfer facilities requiring a level 1 RSMP and \$5 million for a transfer facility requiring a Level 2 RSMP. To confirm compliance with this requirement, license holders must include a copy of “Certificate of Insurance” in their licence renewal package sent to TSSA.
- If a facility is modified in such a way that there are changes affecting the identified hazards, assessed

risks, risk mitigation or emergency preparedness plan the following is required:

- New Level 1 RSMP complete with a proof of changes being filed with local fire service (e.g. letter or confirmation of receipt).
 - Fire service must be provided with the opportunity to review and comment on the emergency preparedness and procedures plan (Section B). The fire service will provide feedback regarding any significant issues within 30 days of receiving the completed Level 1 RSMP. Comments, if any, expressed by the local fire service shall be responded to by the applicant, before the RSMP is submitted to the TSSA for approvals.
- New Level 2 RSMP sealed by a professional engineer complete with a proof of changes being approved by the local fire service.
 - Fire service approval is required for the fire safety, fire protection and emergency preparedness components of a Level 2 RSMP. As fire services require 60 days to review the RSMP, operators are strongly encouraged to contact their local fire service as early as possible to establish key contact(s) and a date for a follow-up meeting. Facility operators are required to complete Section 1 of the Office of the Fire Marshal's Phase 1 Guidance Document - Data Collection which is available at:
<http://www.mcscs.jus.gov.on.ca/stellent/groups/public/@mcscs/@www/@ofm/documents/webaset/ec160493.pdf>

Please note:

Where there is no local fire service responsible for the area in which a facility is located, the facility is not required to seek fire service approval/review and comment.

- If a facility is modified to reduce its capacity from a Level 2 to a Level 1, the revised RSMP must be submitted within 120 days of the director approving the modification.
- A letter from the municipality if the modifications affect compliance with municipal zoning bylaws;
- A new site plan in triplicate if the modifications entail any changes to the plan submitted previously.
- Branch Standard No. 9 is required for level 1 RSMP sites if the modification involves relocation of a tank(s). To download the Branch Standard No. 9 please use the following link:
<http://www.tssa.org/corplibrary/ArticleFile.asp?Instance=136&ID=8FCE57B71E564B3ABC1EEAB47E3D0645>
- Pre-Installation Site Check Sheet;
- Letter to the local fire service offering them an opportunity to attend the site;

Please note:

Fees will be charged for processing, review and site inspection associated with the facility modification.

Part 6 – RSMP Changes

Changes that occur every year such as contact information, documentation and training schedules in Level 1 RSMPs are covered under Part 1 of this advisory. Otherwise, changes to a RSMP outside of the annual licence renewal must be reported to TSSA as follows:

- An application for a review of the RSMP for an existing facility must be sent to the Director/TSSA within 15 days of a change to any of the information contained in the RSMP. To download the application please use the following link: <http://www.tssa.org/regulated/fuels/fuelsApplications.aspx>
- The above application must be accompanied by a letter detailing the change(s) and:
 - For Level 1 RSMP: a replacement page(s) for the original RSMP;
 - For Level 2 RSMP:
 - If changes are telephone numbers, contact names or addresses (not including facility location), a replacement page(s) for original RSMP is sufficient; and
 - If changes affect the identified hazards, assessed risks, risk mitigation or emergency preparedness plan, affected sections of the Level 2 RSMP signed by a professional engineer approving the proposed changes.
- **Starting January 1, 2016** a statement from the insurance company confirming that the changes do not affect insurance coverage

Please note:

Fees will be charged for processing, review and site inspection(s) associated with the RSMP modification.

Part 7 – TSSA Licensing/Renewal Process

- TSSA will send a licence renewal package to the licence holder approximately 60 days prior to the licence expiry date.
- **As of January 1, 2016**, propane transfer facilities will be required to carry at least a minimum amount of commercial general liability insurance. The minimum amounts are set at \$1 million for transfer facilities requiring a level 1 RSMP and \$5 million for a transfer facility requiring a Level 2 RSMP. To confirm compliance with this requirement, license holders must include a copy of “Certificate of Insurance” in their licence renewal package sent to TSSA.
- Once the completed renewal package including Level 1 or 2 RSMP is received and verified, a new licence will be issued and mailed to the licence holder.
- If the completed licence renewal package is not received by TSSA before the licence expiry date the facility will be subject to shut down and will not be allowed to open until the completed licence renewal package is received, processed and the site inspection completed.
- Fees will be charged and invoiced to the licence holder for the review of all RSMPs and renewal packages and subsequent inspections.
- Questions regarding TSSA licensing requirements, status of submitted applications and RSMPs should be directed to 416.734.3587 or toll free at 1.855.734.3587 or by email to propanelicensing@tssa.org. When enquiring about a facility please reference your licence number. If you do not have a licence number, provide the municipal address of the facility you are enquiring about.
- All fees and documentation are due by the licence expiry date. TSSA’s average turnaround time for processing renewals is 10 business days. Please ensure that you allow sufficient time for processing before your licence expires.

Further information, please contact:

Fuels Safety Division
Technical Standards and Safety Authority
14th Floor – Centre Tower
3300 Bloor St. West
Etobicoke ON M8X 2X4
Tel: 416.734.3587
Toll-Free: 1.855.734.3587
Fax: 416.231.7525
Email: propanelicensing@tssa.org