



# Technical Standards and Safety Authority

Minutes of the Boilers, Pressure Vessels,  
& Operating Engineers Plenary  
Meeting on October 12<sup>th</sup>, 2023

## **Minutes of the Boilers, Pressure Vessels & Operating Engineers Advisory Council Plenary Meeting Council of the Technical Standards and Safety Authority (TSSA) held as a hybrid at 9 a.m. on the 12<sup>th</sup> day of October 2023.**

Present: Justin Awoyomi, Mohammed Farooqi, Greg Black (Chair), Yan Huang, Ralf Klopf, Peter Michieli, John Milton, Randy Purves, Brian Taylor, Jamie Webb

Dan Brazier, CFO, Alexandra Campbell, VP Communications and Stakeholder Relations, Viola Dessanti, Director Strategic Analytics, Priya Ferris, Director of Finance, Lisa Hall, Director, Communications, Ammara Khan, Manager, Stakeholder Relations, Glen Lang, OE Chief Officer, Shaun Montano, Manager, Engineering, BVP Safety Program, Jessica Myrie, Licensing and Registration Supervisor, Roger Neate, Director, Customer Service, Ajay Raval, Director of BPV/OE, Bonnie Rose, President & CEO, Kim Semper, Regional Supervisor, Phil Simeon, Policy Director, Olga Sousa-Dias and Kathy Pearsall, TSSA Advisory Council Support

Diana Bosnjak, Technical Safety Unit, MPBSD Carmela Casella, Senior Policy Analyst, Ministry of Public and Business Service Delivery, Sarah Jeffrey-Hampton, Senior Policy & Program Analyst, Ministry of Government and Consumer Services

### **1. Welcome and Constitution of Meeting**

G. Black called the meeting to order at 9:00 a.m.

#### **a) Safety Moment**

For the safety moment, council members received tips on managing stress and anxiety in the workplace.

### **2. Adoption of October 12, 2023 Agenda**

Council adopted the agenda as presented.

A member noted that the original agenda stated that the meeting would end at 4 p.m.

A. Campbell said it was a placeholder and was later updated to 12:20 p.m.

### **3. Adoption of Minutes of March 7, 2023 Meeting**

Council approved the minutes as presented.



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### 4. TSSA President and CEO's Report

B. Rose began by introducing staff changes at the TSSA. Ajay Raval is Vice President, Operations. Roger Neate is Director, Customer Service. Kim Semper is Director, BPV and OE. Kelly Hart is Director, Fuels. AJ Kadirgamar is Director, EDADSKI. Lisa Dymond is Vice President, People and Culture.

The TSSA's five-year Strategic Plan is to deliver consistent responses across all sectors. The plan has four key themes:

1. Rewarding Purpose-Driven Work. B. Rose noted that people are feeling burned out in the post-Covid era. There is a need to engage employees and to re-employ people, and TSSA is a great place to spend one's career.
2. Outcome-Based Regulator. The goal is to finish what has been started. There is a significant shift under way to become data driven. The shift will lead to improved safety outcomes, risk-informed inspections, better decision making, and more educated and informed customers.
3. Ease of Doing Business. The TSSA is seen as being difficult to work with and it is prioritizing actions to make things easier.
4. Future Ready. Fifteen new technologies need to be regulated and a growing disparity between old and new equipment needs to be managed. Employees need training. TSSA will develop a new policy and technical frameworks for emerging regulatory areas, including hydrogen, biofuels, CNG, LNG, and refrigeration.

The Strategic Plan will be deemed a success when customers and employees see the TSSA as a unified organization operating with efficiency and consistency. TSSA will collaborate across the enterprise using reliable data to make decisions and support one another into the future.

#### Questions and Comments

A member asked what new technologies are, and if TSSA will send information about them to the colleges to create training programs. B. Rose said a manufacturing facility moved their fork lifts to hydrogen and asked the colleges for a hydrogen certificate program. It came to TSSA through the back door. TSSA is happy to share information about new technologies when it arrives.

M. Farooqi asked with respect to hydrogen it is important not to overlap and to be cautious about specific areas for regulation. P. Simeon said TSSA looks at what can be regulated and identifies gaps.



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A member said green hydrogen is a hot topic. P. Simeon said work is triggered when the government encourages it. Hydrogen is impacting the fuels program and there is crossover to BPVOE.

A member asked if there are annual, third-party surveys for engagement. B. Rose said there are none. TSSA has been running a culture survey every two years and will be switching to third-party engagement survey every other year. The next will be done in one year, and it will cover culture and engagement. The member noted that actions follow surveys. B. Rose said unlike culture surveys, engagement surveys are actionable.

### **5. Ministry of Public and Business Service Delivery Report**

S. Jeffrey-Hampton said this item is being treated as read. She invited questions.

#### Questions and Comments

A member asked if, with respect to the making the Red Seal Initiative interprovincial, RFPs will go out to see if colleges and communities can manage standardization of training. S. Jeffrey-Hampton said the initiative is being led by the Ministry of Labour and Skilled Trades Ontario. TSSA has received no indication.

A member asked how the certification process will be aligned between all players. P. Simeon said TSSA is awaiting word from the Ministry of Labour on when the Red Seal Initiative will move forward.

A member asked who gets the final word on gaps that are identified within the Red Seal Initiative. P. Simeon said it is the Minister of Labour. The member suggested it is important to keep pressure on the government.

### **6. Safety and Compliance Report**

V. Dessanti summarized the Public Safety Report for FY23. A full copy is on the website.

There has been an overall reduction in incidents and injuries in Ontario compared with a 10-year average. TSSA is cautiously optimistic that it could signify a positive trend, but it will take a year or two to find out.



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The majority of periodic inspections of boilers and pressure vessels are done by insurance companies. Unless there is a critical issue, TSSA is not informed of the outcomes of these inspections. Three years ago there was a significant change in incident reporting guidelines which increased the number reported. The top high-risk issues are listed in the report.

Operating engineers refer to the plants inspected and regulated by TSSA. Of the approximately 2,700 in Ontario, 52% had no issues, and 34% had high-risk issues.

When businesses went back to normal after Covid, a decrease in incidents and injuries was seen with 90% of periodic inspections finding no high-risk issues.

TSSA is focused on prioritizing compliance with high-risk issues in each sector. Case studies have been developed to highlight typical and unusual incidents.

### Questions and Comments

Y. Huang said equipment is often not prepared for TSSA inspection and small businesses are particularly challenging. V. Dessanti said it is a common issue. G. Lang said the expectation is that log books, certificates, and previous inspection reports are ready when an inspector arrives. If they are not, an order will be written for the inspector to return. G. Lang asked if the problematic plants are registered. H. Huang replied that they are not necessarily registered. G. Lang suggested that insurance inspectors issue orders similar to those being ordered by TSSA inspectors.

R. Klopf said the registered plants could be registered on a tenant. Equipment problems may not show up right away. The education piece is missing. Someone has to operate the pressure vessel, whether it is the user or a qualified operator. G. Lang asked if a user-owner endorsement would be required as the education piece. R. Klopf said it would be. Education needs to come through the colleges.

B. Taylor asked if TSSA plans to include data from insurance inspectors. V. Dessanti said it will, via the OBR data initiative.

J. Webb noted from the slide deck that between FY19 and FY23 TSSA performed 160 BPV periodic inspections on uninsured devices and issued 49 high-risk orders and that this is a very high number. He asked if 160 uninsured devices is all that TSSA was aware of. He suggested that insurance data would show where problems lie. V. Dessanti agreed that more and better information is needed in collaboration with the insurance industry. The total number of uninsured devices needs to be reported. [ACTION]



## 7. OBR Data Initiative

V. Dessanti outlined the approach to increase data collection for decision making. This will help to prioritize risk and improve safety. Within the strategic plan there is a goal to increase available data from 40% of authorizations in FY23 to 80% in FY25.

Next year TSSA will focus on BPV data, especially compliance and incident data. In consultation with chief engineers and regulators across North America, the national board has developed a framework for high-risk violations and the framework will be leveraged. TSSA is also reviewing its current definition of an incident in order to flag where enforcement is needed.

### Questions and Comments

A member said a significantly different relationship between TSSA and insurance companies will be needed to ensure that new installations line up with required information. V. Dessanti asked how this information might be collected. The member said it come through the insurance industry.

Y. Huang said insurance companies have provided information to TSSA that has not been utilized. Insurance companies have concerns about liability and how much they can report. Disclaimers are needed. B. Rose said TSSA will work with the insurance industry and come back with recommendations. [ACTION]

J. Awoyomi echoed Y. Huang's comment. He asked if TSSA is looking to identify gaps by correlating incidents and reports coming from insurance companies. V. Dessanti said it is. The goal is to develop the collection process and modelling will follow.

A member stressed the need for clean data. For example, decommissioned equipment has not been removed from the registry. B. Rose said the risk model to show incidents and orders within the framework will be brought to a future meeting. [ACTION]

B. Taylor asked if TSSA will look at historical insurance data. V. Dessanti said when insurance companies submit ROI information there needs to be structure around how the information is received. It is too labour intensive to revisit historical data.



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Y. Huang said the insurance companies will work with TSSA. V. Dessanti said TSSA published guidelines which is why a significant number of incidents in BPV were reported. More will be done.

### **8. OBR Education and Awareness**

P. Simeon said sharing data at an aggregate level sparks conversation and shapes the regulations. TSSA will find ways to support the industry wherever gaps are identified within the data.

There were no questions.

### **9. Rule-Making Framework**

P. Simeon said the rule-making framework is a standardized process for how rules are made with respect to an inspection order, a director's order, or CAD amendments. Data will inform the rules in concert with expert opinion and industry input.

There were no questions.

### **10. Fee Changes, Inspection Cancellation and Late Fee Payment Penalties**

P. Simeon said TSSA views licenses, certificates, registrations as the safety anchors, and they must be renewed on time. Fees will apply to those who do not renew on time and also to last-minute inspection cancellations. The implementation dates for the fees have not yet been set.

P. Ferris said inflationary fee increases are planned, effective May 1, 2024. Fee increases have not kept up with inflation and wage increases in recent years. During the last three years the cumulative average was 6.45% while CPI was 13.7%. The coming fee increases have not been calculated yet.

#### Questions and Comments

A member asked if late payment fees will apply to certification for operating. B. Rose said fees will apply only to devices and business registrations at this time.

Y. Huang said with respect to the cancellation policy, there may be exceptions where cancellations do not take place, such as when the insurance company cannot attend.



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J. Webb noted that inspectors are sometimes late.

A member asked if the 2024 fees increases will be passed to end users. P. Ferris said TSSA is in the process of creating a three-year plan and is looking for efficiencies.

A member asked if the fee increases will be gradual. P. Ferris said they would be.

A member asked if the fee increases will be substantial. P. Ferris said they likely would not be.

A member asked if TSSA has engaged the inspectors' union. P. Ferris said it has. D. Brazier said bargaining will begin May 1, 2024. J. Webb said that shortly after the negotiations begin, high-level meetings will be needed to keep people informed.

### 11. Website Update

L. Hall said the website strategy and design was completed in FY23. The website will be launched on November 17.

The website will improve the user experience while enabling access to core information required by TSSA audiences. It will provide more relevant and timely information to stakeholders. Extensive user input was integrated during its development.

Council was given a tour of the new website. From the landing page there are links to regulated industries, consumer safety, engagement and consultations, licensing and registration, training and professional certification, legislation and enforcement. There are links to latest updates and to top tasks. There are links to regulated industry dashboards by sector and each dashboard is linked to the TSSA portal. There is also a library document search feature.

### Questions and Comments

R. Purves asked how often updates will be made. L. Hall said they will be made in-house as needed.

A member asked if news items will be on the website. L. Hall said they will.

J. Awoyomi suggested capitalizing on opportunities to consolidate key tasks. L. Hall said this is being considered in the overall design.





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A member said it would be useful to see outcomes of investigations and enforcement actions, rather than just numbers. L. Hall acknowledged the comment.

A member said if one is applying for a CRN, the website could provide other links, similar to how a decision-making tree would work. A member said the portal has those kinds of features.

J. Webb said since the call centre started it has been difficult to reach people with high technical knowledge at TSSA. Callers may give up and look for the information elsewhere. L. Hall acknowledged the comment and said TSSA is working to improve things.

R. Klopf suggested the website provide links to colleges and associations for help. L. Hall acknowledged the comment.

A member suggested that a website section related to technical-level FAQs would be helpful. L. Hall acknowledged the suggestions.

### 12. OASIS R4 – Customer Portal

R. Neate said the new customer portal will be released in April 2024. Customers and organizations will create accounts and manage them online. The account dashboard will provide inspection reports and issued orders for download, as well as high-risk orders that are outstanding. Payments and prepayments can be made through a secure Moneris environment. Exam requests can be submitted by location, and results obtained.

Customers will be supported with clear instructions, how-to videos, FAQs, and error alerts. Their feedback will be incorporated.

#### Questions and Comments

J. Webb asked if payments by cheque will still be allowed. R. Neate said they will.

A member asked if users will see BPV inventories and be given access to various certification and revision numbers. R. Neate said they will. Piping inventories will not be accessible. B. Rose said the digitization of microfiche files is scheduled for Year 5.





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J. Webb asked if the plan is to eliminate the expense of hard copies and storage. B. Rose said it is.

M. Farooqi asked if users will be able to access multiple accounts within large companies. R. Neate said there will be access for several people that need to access various accounts.

Y. Huang asked if first inspections for agricultural sites will be available. R. Neate said he will take this back to the inspection team to see how best to convey the information. The first inspection would be available in the owner's view, but not accessible to the insurance sector. [ACTION]

A member asked if the portal will allow for certificate renewals and how this would be accessed. R. Neate said they will be able to do this after they create an account.

B. Rose noted that 17,000 BPV records will be shown. Data cleansing is ongoing.

### 13. Customer Service

A. Campbell said the strategic plan is a five-year vision for customer service that began May 1, 2023 to improve interactions with customers and internally. The TSSA goal is to reduce burden and harmonize interactions with customers and to balance between service and oversight/enforcement. The following initiatives are underway:

- The website will launch in November and volunteers will be invited to do walk-throughs before the launch.
- The portal will launch in April 2024 with a continued support model in place.
- In 2025 customer journey mapping will be introduced to streamline processes. Exam and engineering processes are under consideration as the first processes to review.

Using menti.com, council members were asked to name their top three priorities for customer service improvements at TSSA. The following responses were received.

- Response time
- Advance warning and notice
- Better contact information for technical questions regarding BPV
- Contact info/Speak to an inspector Pay fees
- Publish inspectors directory on web
- Improving communication with customers when needed



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- Education - all critical aspects of owner responsibilities on BPV side
- Directory when calling, to prevent going through the que
- Education
- Have a call back option
- To be accessible
- Better use portal for data collected
- Updates in a timely manner
- Customer service actually directs you to your point of concern, not trying contacting this department
- Updates on significant delays for authorizations/licensing
- Better contact information for OE plant registration and certificate holders
- Registration status information
- Possibly use reference number for customer inquiries that might require call back or additional information at a later date
- Feedback process/path forward for assistance with BPV failed inspections
- Trying to figure out who to talk to
- Better account payable tracking for OE certificate holders
- Quite support to react to the inspectors violation recommendations

### Questions and Comments

J. Webb suggested creating a reference number for call-backs which is commonly done in customer service areas. A. Campbell said it is on the radar.

### **14. Licensing Modernization Initiative**

G. Lang 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 OE plants, propane distributors, digester, landfill and biogas plants, liquid fuel distributors, and private fuel outlets.

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

New licensing will give TSSA options for oversight. 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 periodic inspection program be established with source water protection authorities and the MECP to identify the locations of the PFOs.



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

Twenty-eight invitations have been sent out for stakeholder consultation since September 18. Eighteen meetings have been held or scheduled since October 10. There has been engagement with 23 stakeholder associations/organizations with an 82% meeting acceptance rate.

Targeted implementation date is 2025.

### Questions and Comments

R. Purves asked if CurlON was consulted. G. Lang said it will be included in a broader scope of consultation.

R. Purves asked how many of the OE plants are unattended. G. Lang said this will be addressed with agenda Item 15.

P. Michieli said the OE industry is quite safe. He asked if the proposed annual licensing for regulated OE plants will create more burden and cost, and questioned if it will improve on safety. He said it appears to be a cash grab for TSSA. G. Lang said it is not a cash grab. TSSA wants to accommodate the inspection process with follow-ups as part of the licensing process. There is no intent to increase cost other than to recognize that the OE program has run a deficit in the past.

A member asked if licensing will be annual. G. Lang said it will. Some might be every two years according to performance.

A member asked on an update to standardizing plant ratings across Canada. G. Lang said the RFP is not yet complete to gather data across the country. Cost negotiations are being considered and the impact in Ontario is expected to be small.

Y. Huang said that within the proposal for OE, propane, digesters, biomass plant, liquid fuels distributors, some of these sectors are within purvue of the fuel safety committee. G. Lang said they were discussed by the Fuels advisory council this week.

### **15. Industry Prioritization Update**



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A. Khan noted that no materials were supplied for this agenda item.

### Insurer Name Change on BPV Portal

J. Myrie said users can check the portal before uploading their ROIs to ensure a name match. This will protect data quality and ensure certificates are issued to the right parties. Records that have failed in the past have been corrected ensure the data align with insurers.

### Questions and Comments

Y. Huang asked if monthly or bimonthly meetings with insurers will continue. J. Myrie said she will reach out every quarter to see if there are items to be raised, and if so a meeting will be scheduled. Her next reach-out will be in November.

Y. Huang suggested that J. Myrie, K. Semper and G. Lang attend the next meeting.

### UID Form

K. Semper provided an update on the UID form. He said having a legible copy of the name plate included with the form is helpful. When in doubt, people can reach out to J. Myrie or her colleague, Dolores.

J. Awoyomi asked if TSSA will continue to take deep dives into industry meeting issues. BPV failed inspections need streamlining. J. Myrie said the target is a 15-day turnaround for UID requests.

M. Farooqi said ROI/COI has been a significant item for all industry members. He questioned whether a BPV meeting is the right forum or if standalone meetings would be better. K. Semper said a separate meeting will be initiated with Opia (sp?). [ACTION]

### OE Update – Plants and Operators

K. Semper provided the numbers of OE engineers and plants in the system:

- There are 9,000 active OE certificates.
- There are 215 compressor operators with an average age of 52 years.
- There are 514 first-class operators with an average age of 60 years.
- The average age of an OE is 54 years across all classifications.
- There are more than 2,600 unattended plants, representing 81% of the total.



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- First, second, and third-class plants each represent approximately 4% of the total.

He said there is a need to work with colleges and other partners to increase awareness.

### Questions and Comments

A member said a program accredited for second-class power engineers will be delivered this year, but has been suspended next year because many will be hired before they write their final exams. Thus, the funding model does not make it sustainable to continue with the second year. In the past five years every student who has left the program has been employed. A push from the regulator would be helpful to let colleges know of the need for power engineers.

P. Michieli said the average age of 9,000 OEs appears too high. The data do not reflect whether or not they are currently working. The data need to be refined by including work status at the time of renewal. K. Semper acknowledged the suggestion.

R. Klopf said the data do not reflect that many young people are getting jobs. K. Semper suggested the data be broken out into age ranges for the next meeting. R. Klopf said this would be helpful. [ACTION]

A member questioned if the numbers for Paths 1 and 2 might be skewing the numbers. A TSSA member are not because there are only three Path 2 plants and 24 Path 1 plants.

R. Klopf said an action group is needed to fulfill industry needs.

J. Webb said the industry is in crisis. The government is looking for immigrants to fill the gap which could create new problems. He challenged the government representatives at this meeting to advise industry on what is being done. In five years or less, the problem will become severe.

R. Purves said at the college where he works people still require licenses regardless of their age, ranging from first- to third-class.

B. Taylor said there is no doubt of the shortage of operating engineers. It is surprising that 81% require no certification to operate in the unattended plants. Structure is required with regard to the skills required to run an unattended plant and this would create an opportunity for young people to enter. G. Lang



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acknowledged the suggestion, noting that uncertified plants have significant numbers of competent and certified people.

A member said colleges have reached out to unattended plants. They have sent the plant registrations to G. Lang who would authorize the work experience and mentorship required in those plants. This system has worked well because many power engineers remained after the plants become unattended. However, there will be challenges when they are gone. G. Lang acknowledged the comment.

R. Klopf said industries value the power engineering skill set, and even if they do not require them under regulation they will poach them. A special group needs to be struck to address this. In the past two decades government agencies have shirked their responsibility to help fill the void.

R. Purves asked if students can secure time in unattended plants. K. Semper said every case is a one-off depending on the type of equipment and whether or not there is a mentor on site. TSSA does not certify plants; it certifies incidents. A plant may be certified to take a student, but only as long as a mentor is present.

R. Purves said he is hearing from colleges that students cannot find their stepping stones and there is an urgent need to assist them. K. Semper said some colleges have been better than others at finding opportunities. He said he is open-minded to finding solutions.

R. Purves asked if he could mentor someone to run a small, 40-horse compressor. K. Semper said the question will be taken to the advisory council. [ACTION]

R. Klopf said industry needs to be part of the solution and discourage poaching.

A member asked K. Semper to share the powerpoint material presented. K. Semper said he would share it with everyone. [ACTION]

### 16. Adjournment

The meeting adjourned at 12:45 p.m. after which council members held a council-only, in-camera session followed by an in-camera session with B. Rose.