



Technical Standards and Safety Authority

Minutes of the Propane Advisory Council

Meeting on March 22nd, 2023

Minutes of the Propane Advisory Council Meeting of the Technical Standards and Safety Authority (TSSA) held at TSSA Head Office, 345 Carlingview Drive at 2:00 p.m. on the 22nd day of March 2023.

Present: Ian D’Cruz, Superior Propane; Jay Jackson, TSSA Consumer Advisory Council; Dave Karn (Chair), Dowler-Karn Ltd; Anil Lai, Manager, Engineering & Technical Services, Fuel Safety Program; John Lastoria, Canadian Tire Petroleum Network Development; Robert Loenhardt, Canadian Propane Association; Ryan McLachlan, SLEEGERS; Jeremy Mitchell, Parkland Fuel Corporation.

Alexandra Campbell, VP, Communications & Stakeholder Relations; Olga Sousa-Dias, Executive Assistant; Gary Highfield, Manager, Fuels Engineering; Sam Sadeghi, Director, Fuels Safety Program.

1. Welcome and Constitution of Meeting

The Chair, D. Karn, called the meeting to order at 2:00 p.m.

a) Safety moment

For the safety moment, council was shown a video about the importance of a good night’s sleep.

2. Adoption of the March 22, 2023 Agenda

The agenda was adopted as presented.

3. Approval of the October 5, 2022 Minutes

The minutes of October 5, 2022 were adopted as written.

4. Review of Action Items from the Last Meeting

No action items are outstanding.

5. Chair’s Update

The Chair treated his update as read.

There were no questions or comments from the council.



6. Council Administration

Ian D'Cruz and Dave Karn will renew their memberships for another term. This will be D. Karn's final term as Chair. He suggested naming a new Chair within the next year.

A. Campbell said the terms of reference for members will be sent out soon, including written feedback from Council members. TSSA is proposing two terms of three years each before Council positions become open to new candidates. This is effective January 1, 2022. Current vacancies will be posted in the newsletters.

7. PAC Issue Prioritization Discussion

a) Tank and Cylinder Drainage Training Requirements

S. Sadeghi spoke to the item. He provided background on the issue of tank and cylinder drainage training requirements. CPA's position is that requiring an LP endorsement to perform the task of draining the tank into the truck can be performed by the drivers of the trucks, or any other employee, as long as they are appropriately trained. However, the current number of technicians that hold LP endorsement is insufficient to allow the industry to be compliant with the May 1, 2027 due date. A draft Director's Order was prepared in 2018 to remove the LP endorsement, but was never enacted.

The request from TSSA is to allow employees who are adequately trained to gain a Record of Training (ROT) for a specialized task of draining tanks of LP in order to facilitate the change out of the PRVs.

Since the last meeting, a Director's Order was prepared by TSSA and circulated internally for review and comments. TSSA then engaged with the ministry to determine the most appropriate vehicle to address the propane purging matter, whether it be done through a Director's Order or a CAD amendment. It was determined that TSSA does not have sufficient authority to issue a Director's Order, and that consideration can be given to a regulatory change. The planned activity is that the TSSA will work with the industry to support the request for a government-led change.

A member asked if the ministry suggested how the problem would be solved. S. Sadeghi said the exact verbiage was that it could be addressed through regulatory change.



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A. Campbell said the ministry is not arguing the merits of removing the LP endorsement. The ministry has shown a willingness to ease the burden on industry.

R. McLaughlin asked if the ministry intends to look at O.Reg 211 or O.Reg 215. A. Campbell said the ministry does not appear to address the next steps.

R. McLaughlin suggested that the barrier may have to do with the word “purging.” In fact, purging is not happening on site. A bulk truck operator can fill and empty a tank, but not necessarily purge it. Purging is a different process, requiring valve changes. A. Campbell said TSSA explained it to the ministry in a practical way, but the ministry does not see it the same way.

S. Sadeghi said it was not so much about purging as it was about making the change via a Director’s Order or a regulatory change. A member said he hopes O. Reg 215 can be changed quickly.

R. McLachlin said he wonders how long it will take to get a regulatory change. There may be a need to extend the timeline, otherwise industry will become noncompliant in the way tanks are emptied.

S. Sadeghi said he expects the CPA will engage with the ministry and keep TSSA posted. A meeting will be scheduled with the CPA to discuss alignment. G. Highfield added the discussions will be about how soon the amendment can be made and if an amending document might be created. S. Sadeghi added that the discussion could take a different angle, such as explaining that emptying and purging are different things.

R. McLachlin asked if the draft Director’s Order was shared with the industry. S. Sadeghi said the old Director’s Order, drafted in 2018, was shared at the last council meeting as an attachment to the PIRP. The current Director’s Order, which is similar, has not been shared.

G. Highfield said there seemed to be alignment with ministry staff until its legal department said No.

R. McLachlin said the efforts made by the TSSA are appreciated.

J. Jackson asked what the amendment would specifically be. R. Loenhardt said it would be to change the requirement for evacuation of tanks in the regulation, so evacuating a tank with a Record of Training would be allowed. The suggestion is it would not be a requirement of a gas technician with an LP endorsement. J.



Jackson asked if a draft amendment exists. R. Loenhardt said the work has begun.

The Chair echoed R. McLachlan in saying that the efforts by the TSSA and the ministry are appreciated. R. Loenhardt said the TSSA's first outreach is for CPA senior leadership to meet with the ministry, identify specific concerns, and bring these back to the PAC where the amendment can be suggested.

A member noted that the PIRP for drainage is the priority, not the problem statement and recommendation.

b) Underground Propane Storage Tanks

G. Highfield spoke to the item, providing an overview and background on the subject. CSA B149.2-2020 Code section 7.8.1 states a tank shall only be installed underground with the approval of the authority having jurisdiction. TSSA adopted the code in February 2021 with no Ontario-specific amendments. The next Propane Code is expected to be issued in 2025 with adoption in 2026. The current requirement of obtaining approval for any Propane UST installation in Ontario is costly and administratively heavy, without having any demonstrable impact on safety outcomes. Removing Clause 7.8.1 adoption until the next adoption was agreed to be the best option. The next step will be to engage with the industry regarding the decision to revoke the AHJ approval requirement. CPA will issue a letter to the ministry to request this change. TSSA will prepare an Advisory to communicate the change and issue a CAD amendment. After reviewing with the ELT, the feedback received was to make this a time-bound CAD amendment so when the next code comes along, TSSA and industry can make representation to the code committee to either remove or adjust the clause. The code gives Ontario the flexibility to not have to enforce 7.8.1.

G. Highland said the CAD request will be pursued. The deadline for code changes is in June, there could be exceptions made for easy changes.

S. Sadeghi said TSSA is looking for a letter from the CPA to the ministry and to ensure that the ministry hears back from CPA that TSSA is requesting the amendment.

G. Highland said the steps forward for the code amendment and the PIRP drainage issue will be an agenda item for the an upcoming meetings.



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ACTIONS:

Align on the wording of the code change within the week or so. Give a thorough update at the next PAC meeting in the fall.

Schedule a meeting between the CPA and TSSA to align on the code amendment and the PIRP for drainage issue before meeting with the ministry.

S. Sadeghi said he appreciates the clarity that is coming out of the discussion. A member said phenomenal progress is being made.

S. Sadeghi invited council members to bring forward ideas for Safety Moments to share in advance of future meetings.

S. Sadeghi said there are job vacancies within TSSA. He asked where the jobs are posted. The Chair said Indeed, Facebook and Twitter are used, along with referral programs and incentives for employees. Industry as a whole is having trouble finding gas technicians.

S. Sadeghi said TSSA is recruiting engineers, inspectors, regional supervisors and people with industry experience.

The Chair said PEO and other professions organisations have sites where one can post. Industry experience will be hard to come by.

I. D'Cruz said Indeed is not helpful. Hiring a recruitment firm [like Nilson ECG - inaudible] can be helpful. It is important to get the TSSA name out. Consider hosting an open house, then target LinkedIn.

S. Sadeghi has a one-page Fuel Safety Quick Facts Sheet that describes the types of fuels regulated by TSSA, core services, and how many inspections are done every year. S. Sadeghi will share the PDF of the Fact Sheet electronically after the meeting. **[ACTION]**

8. Adjournment

The meeting was adjourned at 2:58 p.m.