



Fuels Safety Communicates

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Message from Mike Philip Vice President

We recently conducted a Company wide client survey, the second since TSSA came into existence. Erin Research interviewed a representative sample of licencees, registered contractors and certificate holders across all fuels sectors. We were pleased to see that the results were more than favourable and that there is a general satisfaction with the services we provide. As part of the survey, we also asked how we could improve and the following areas were highlighted in order of priority:

1. **Control unlicensed operators**
2. **Public education, with industry**
3. **Harmonize regulations**
4. **Offer technical upgrade courses**
5. **Improve design approval process**
6. **Enforce regulations consistently**
7. **Communicate technical information**
8. **Expert advice, fee for service**
9. **Faster response to voice mail**
10. **Faster licence renewals**

We take this input very seriously and will take action in all areas. Here is what is happening in the top two areas highlighted.

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NEW SAFETY ACT

The new *Technical Standards and Safety Act*, under Bill 42, received Third Reading in the Ontario Legislature on October 12, 2000.

Bill 42 modernizes and consolidates seven of Ontario's public safety laws into one clear, more flexible and efficient public safety law. The seven consolidated laws are: the *Amusement Devices Act*, the *Boilers and Pressure Vessels Act*, the *Energy Act*, the *Elevating Devices Act*, the *Gasoline Handling Act*, the *Operating Engineers Act*, and the *Upholstered & Stuffed Articles Act*.

The new legislation will provide TSSA with the ability to make more timely responses to emerging safety hazards, including the quick adoption of new safety codes and standards as soon as they are available.

The Government is currently reviewing proposed regulations under the new Act and final stakeholder consultations are expected to commence early in 2001. Once the regulations are finalized, TSSA does not anticipate any significant delays in the passage of the Act, which requires Proclamation before becoming law. The regulations are expected to adopt an updated version of the Gasoline Handling Code. Until the new legislation is proclaimed, the regulations under the current public safety acts remain in effect.

PLEASE REGISTER ON OUR WEB-SITE

WANT TO BE UPDATED BY E-MAIL, WANT TO GET THE LATEST INFORMATION FIRST, THEN WE SUGGEST YOU REGISTER ON OUR WEB-SITE AND YOU WILL HAVE THE INFORMATION AS FAST AS IT CAN BE COMMUNICATED!!!!

Control Unlicensed Operators

We are in the process of hiring 6 additional inspectors. These inspectors will allow us to specifically address this issue and, in general, help ensure a level playing field. However, we have to be able to find the unlicensed. We are looking at effective ways of doing this, such as, tracking of advertisements for services. But it is easier said than done, so we need your help! As stated elsewhere in Fuels Safety Communicates, any information that you can give us will help us to meet this shared safety and competitive goal.

Public Education

I hope that you had the opportunity to see our Safety Tour team as they have travelled the province this year promoting gas barbecue and amusement ride safety. The tour was very successful. We were able to reach 350,000 members of the public directly and potentially over 14 million more via the extensive media coverage our tour team received. I would like to thank the propane and related companies that distributed the propane safety **StartSmart®** program materials. We look forward to even more support from the industry next year. Please visit our new public safety web site at www.public-safety-first.com. The site highlights our new winter program, **HeatSmart®**. Even the kids will enjoy it.

In forthcoming issues, I will update you on our continuing progress in these and the other areas. Please remember that Fuels Safety Communicates is for you. Yes, it will contain information that we think is important but we also want your input on what you want to see. Please let us know, you can reach me at mphilip@tssa.org.

Regulatory Issues

Pump Mechanic Certification

All Petroleum Equipment Mechanics working in Ontario are required by Regulation to be certified. To date Petroleum Equipment Mechanics have been supplied with 'transitional' certificates based on their documented work experience to meet this requirement.

After February 1, 2001, all candidates for certification as a Petroleum Equipment Mechanic must satisfy two conditions: 1) successful completion of the appropriate training course or successful challenge of the appropriate examination and 2) demonstration of the required practical experience.

If you applied and received certification under the transitional arrangements and wish to retain your certification, you are **now** required to meet both of these conditions. If you have successfully completed the appropriate course, please submit your course results if you have not already done so.

If you have not yet successfully completed the required course or successfully passed the challenge exam, it will **not be legal** for you to work as petroleum Equipment Mechanic after February 1, unless your employer has submitted a compliance plan to TSSA for approval. 'Transitional' certificates, not covered by a compliance plan, will no longer be valid, regardless of the expiry date shown on the certificate.

The holder of a 'transitional' certificate, which has an expiry date after August 1, 2001, who submits the necessary proof of successful course completion by August 1, 2001 will not be required to pay any additional certificate fees until the expiry date shown on the 'transitional' certificate.

Pay-at-the-pump

Fuels Safety Division recently became aware of an unapproved authorization practice in wide use at self serve locations that use "pay at the pump" dispensers. The dispensing transaction is being authorized by the credit check process and not by the attendant, as required by the current Gasoline Handling Code.

In order to maintain safe operating standards and to recognize a new customer service advance, we worked with industry representatives to develop a new monitoring requirement for all self serve locations that will be both safe and customer friendly. The new Gasoline Handling Code will not require attendant authorization of dispensers; it will require continuous monitoring of dispensing operations instead.

Fuels Safety Division considers this new provision to be an improvement to the Gasoline Handling code in that it more clearly states the supervisory requirements that were intended by the current requirements. This new requirement will apply to all self-serve locations. The foregoing Code change will be included in the New Gasoline Code when it is adopted under the TSSA Act. Locations that want to use the new requirement prior to the new code coming into effect, can obtain approval to do so by applying for a Variance. Application forms are available by contacting the Engineering Department.

Fuelling of Catering Trucks

Every year instances of fires during fuelling operations are reported wherein the cause of the fire is a hidden source of ignition such as a pilot light for coffee urns. In each instance the personnel responsible for the fuelling operation fail to recognize the potential source of ignition. Under the Gasoline Handling Act, the employers of the gas stations are required to take all reasonable precautions to train and ensure that employees are aware of potential hidden sources of ignition such as pilot lights on vehicles and to provide an effective response procedure.

Recent Cases

Case 1 – A fire broke out when a propane-powered catering truck was refuelled at a station. While the attendant began refuelling, there was a flash fire, injuring the attendant. It was suspected that propane vapour was ignited by the pilot lights of appliances in the catering truck.

Case 2 – An explosion and fire occurred at a gas station while a catering truck was being refuelled. The propane dispensing nozzle or filling valve on the propane tank of the catering truck mechanically failed resulting in the uncontrolled release of liquid propane. It was ignited by a pilot light on the catering truck that was left on during the fuelling process. Three people were injured.

Case 3 – A fire occurred while a catering truck attempted to refuel with gasoline at a self serve gas station. The fire destroyed the service station kiosk and damaged the gasoline dispenser. There were no injuries. It was suspected that

propane vapour was ignited by the pilot lights of appliances in the catering truck.

Non-Metallic Tanks for Fuel Oil

With effect from December 1, 2000, FSD adopted for use in Ontario aboveground non-metallic tanks that are in compliance with the Standard ULC-ORD-C80.1-2000, "Aboveground Non-Metallic Tanks for Fuel Oil" under the Fuel Oil Code of Energy Act. The tanks must bear the label of a recognized certification organization confirming compliance with the ULC Standard and must be installed in accordance with the manufacturer's certified installation instructions and the Fuel Oil Code, CSA-B139-M91.

Dikes for Aboveground Storage Tanks

Diking impermeability requirements for aboveground storage tanks, as set out in Sections 6-22 through 6-28 of the Gasoline Handling Code, came into effect on January 1, 2001. TSSA Inspectors will be checking bulk plant locations for proof of compliance. Operation of noncompliant dikes in 2001, without approval by Variance, will not be legal. Operators requiring more information regarding diking requirements or regarding the Variance process for dikes, can contact Mr. Lee Howell at lhowell@tssa.org or call (416) 325-0364.

FSD Service Fees

The most frequently asked question of FSD staff is, "Why do you people charge \$120.00 per hour for your services?". FSD does charge \$120.00 per hour for Engineering reviews and Inspection activities. The \$120/per hour is an aggregate rate composed of all of the service costs provided by FSD averaged over the time staff spend at facilities or reviewing applications. The service rate includes the following charges that might normally appear separately on other firms invoices:

- *Travel Time* - although Inspectors spend up to half of their working day travelling to sites, typically no travel time or mileage charges appear on FSD invoices.

- *Administrative Support* - administrative costs to record applications and instructions, maintain client files and accounts, and answer inquiries are not shown separately on FSD invoices.
- *Public Good* - a small portion of FSD service charges supports programs designed to enhance safe fuels usage in a way that our clients have told us that they support: incident investigations, safety presentations, and some industry training.

FSD is accountable to our clients for our efficiency. Future editions of this communication will include information concerning our ongoing efforts to improve our cost structure and our efficiency.

New Fee Schedule Effective July 1, 2001

There will be some minor adjustments in fees, effective July 01, 2001.

At the time of its inception in 1997, we made a commitment to our clients that fees for the regulatory services that we provide would not change without a comprehensive review of our sector revenue and cost structure. The goal of the review was to re-balance TSSA's fee structure so that the fees reflect the cost of delivery and remove or reduce the burden on certain industries sectors who were subsidizing others. This review has now been completed and a new fee policy has been developed in consultation with TSSA's regulated industry sectors. Consistent with this policy, certain fuels safety service fees will change effective July 1, 2001. Contractor registration fees and some licence fees will increase by 15% and certificate fees by \$10/year. The last fee changes were 7-10 years ago.

The hours used to calculate the fee for a follow up inspection as a result of non-compliance will include travel time as well as inspection time.

"The new fee structure translates into a closer alignment "between fees and cost, incentives for good performance, uniform application of fees and premium fees for premium service." Said John Walter, TSSA's President and CEO, in announcing fee changes.

"It also means we will have the funds to sustain the most effective and efficient safety service regime possible for Ontario industry and consumers."

Consistent with our mandate, TSSA operates on a not-for-profit basis. Surplus revenue earned over expenses is either dedicated to new public safety initiatives or reinvested in safety programs including improved client communications and greater enforcement of the regulations (dealing with the unlicensed). More information has been posted on our Web site: www.tssa.org.

Training

TSSA's survey of its clients has revealed that the provision of training or seminars in areas of specific interest or concern is a high priority for you. FSD will respond to this request by developing and delivering this training at our earliest opportunity. We have identified a number of topics where you have expressed a training requirement: areas of Code interpretation, TSSA procedures, equipment approval requirements, etc. Please contact FSD at the Engineering Department to suggest further topics for training courses that you believe that TSSA should deliver.

Finding the Unlicensed

To protect the public and to ensure a level playing field, it is necessary to ensure that facilities are licensed and that installation and maintenance are performed by qualified personnel and registered contractors. If you spot any unlicensed companies or uncertified personnel performing these jobs please protect the industry and the public by contacting our Inspection Department and speak to one of our Regional Managers.

Training and Certification Services (TCS) – Overview

The Safety Authority's Training and Certification Services (TCS), in co-operation with the operating divisions, administers the policies, procedures and the processes related to the training and certification programs for the occupations regulated under the public safety statutes administered by TSSA. Effective training and certification processes are an integral part of TSSA's public safety mandate.

CONTACTS

TCS services a broad client base reflective of the diverse nature of the industries, which work in partnership with the Safety Authority.

Stakeholders include gas technicians, oil burner technicians, petroleum equipment mechanics, fuel outlet site operators, elevating device mechanics, stationary engineers, heating and gasoline handling contractors, trade and labour organizations, industry associations, training organizations and government agencies.

TCS, in partnership with TSSA's operational divisions, has established Training and Certification Advisory Boards within each of the regulated program areas. The boards have been instrumental in the development of training standards, the review of regulations, the dissemination of information, and for providing input which has helped shape policies and procedures by which TCS and consequently the Safety Authority operates. The continued success and evolution of responsive training and certification services at TSSA will very much depend on the support and active involvement of the respective industries. By applying the principles of continuous improvement, TCS in partnership with the respective industries represented on the Training and Certifications Boards will be able to provide current, up-to-date products and services that not only enhance safety but also meet the needs of industry.



The Main Switchboard can be contacted at (416) 325-2000

The Toll Free Number is 1-877-682-TSSA (8772)

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