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Petroleum Equipment Mechanics

deadline has passed! Anyone working without the proper certificate is doing so illegally. Targeted inspections have begun!

PLEASE Register on our Web-site

www.tssa.org

- ❖ You will get the information first
- ❖ You will reduce the future cost and allow more frequent issues

WATCH FOR THE RE-
DESIGNED WEB SITE -
EXPECTED TO BE LAUNCHED
IN OCTOBER.

MESSAGE FROM VICE-PRESIDENT - MICHAEL PHILIP

You will notice a change in the format of this issue of Fuels Safety Communicates. This is in response to our clients who receive communicates via email. We hope that it is now easier to read. Once again I urge you to register on our web site.

Progress continues to be made on areas identified by you, our clients, as priority areas for improvement. Our targeted inspection program has resulted in 40 non-registered contractors being issued stop work orders. The program continues and will both intensify and broaden over the months to come.

Last issue, I mentioned that update courses would be developed for certificate holders. Delivery of the first workshops for gas technicians will begin in November with others to follow. These workshops will not only explain your responsibilities as laid out in the new *Technical Standards and Safety Act* and regulations but also explain code changes and review common errors found in the field.

Another of your priorities from the client survey was "communicate technical information". I hope that these update workshops together with regular issues of FSD Communicates will start to meet your needs. If not, please let us know.

TSSA believes that well trained, well informed, competent technicians play a major role in providing safety and exceptional service to the public whom both you and we serve. We also believe that we, TSSA, have a responsibility to help you obtain this competency in every way we can. This was confirmed by a survey in which you, our clients said we should take a more direct role in training. We have started but there is much more that needs to be done. It is for this reason that this is the last issue of Fuels Safety Communicates for which I will be writing this message. I have been asked to spearhead a new TSSA initiative that will accelerate our direct participation in training.

In my stead, John Wastle, Manager of Engineering & Client Services has been appointed Director under the Act.

Sincerely,
Mike Philip

Client Service Improved

To improve client service, Andre Lebel has been appointed to the new position of Co-ordinator, Fuels Safety Services.

In this new position, Andre will :

- Answer general enquiries
- Respond to code questions
- Receive requests for inspections and complaints

Note: Inspectors are in the field and often away from their offices for extended periods. For speedier service, direct your calls to Andre.

Andre can be contacted at alabel@tssa.org or 416-325-2081 (1-877-682-TSSA).

LEVELING THE PLAYING FIELD!

As previously announced, Fuels Safety is taking a number of steps aimed at ensuring a level playing field. These include:

- Additional inspectors
- Targeting the unlicensed and unregistered
- Administrative penalties

New inspectors that have joined us recently are:

Vince Golby, Inspector
Gary La Chance, Senior Inspector
Charles Landriault, Senior Inspector
Kevin Madill, Senior Inspector
Mark Mason, Senior Inspector
Kimberly McKane, Senior Inspector
Patrick O' Connor, Senior Inspector
Wayne Pilon, Senior Inspector

These inspectors will help us target the unlicensed and implement structured inspection and Compliance Audit Contractors Programs. These programs will enforce the level playing field, and help assure the public of the continuing maintenance of high standards throughout the industry.

Administrative penalties will be introduced. They will hit people in their pocketbook and act as a disincentive for non-compliance. (More in the next issue of FSD Communicates).

ENVIRONMENTAL CO-ORDINATOR APPOINTED

We also welcome our new Environmental Co-ordinator, Glen Palmer, who has recently joined us. You can contact him at gpalmer@tssa.org or (416) 325-0364 for more information on fuel related environmental issues.

EXPLAINING THE REGULATORY REGIME IN ONTARIO

It is your responsibility to be fully knowledgeable of and work consistent with the *Act* and applicable regulations and codes.

ACT

The new *Technical Standards and Safety Act* (the *Act*) sets out the general requirements, duties and powers.

REGULATIONS

Each of the fuels areas has its' own regulations under the *Act*. These regulations set out the specific administrative requirements for that area.

CODES

These regulations adopt the appropriate technical code for the specific fuel area.

CODE ADOPTION DOCUMENTS

Ontario is very supportive of the use of National Codes. However, when necessary, exceptions to the National Codes are set out in a code adoption document (CAD).

REGULATION AND CODE CHANGE SUMMARY

As advised in the last issue of Fuels Safety Communicates, the new ***Technical Standards and Safety Act and its supporting regulations became law on June 27, 2001***. The new regulations under each industry sector adopt new technical Codes with exceptions as set out in the Code Adoption Document (CAD). **Unless otherwise specified in the CAD, the new Codes are effective from October 1, 2001**. Highlights of the changes in the new regulations, CAD's and Codes are provided below. Check our web site www.tssa.org for further details.

LIQUID FUELS (O. REG. 217/01)

This new regulation replaces the former Gasoline Handling Regulation, O. Reg. 521/93. The following are the significant changes in the new regulation:

- Explicit exemptions for processing plants, refineries, mines and packaged goods (s.2(2)): This exemption formalizes FSD's policy regarding the application of the Regulation.
- Associated products now include any liquid product used as a fuel in an engine (s.2(1)).
- Duties of license holders to report immediate hazards and unacceptable conditions (s.15): This requirement enhances public safety and harmonizes the Liquid Fuel Regulation with the Propane Storage and Handling and Gaseous Fuels Regulations.
- Contractors must display their registration numbers on their service vehicles (s.7). This will allow facility owners to easily identify contractors that are registered with TSSA and promote a level playing field.
- Authorization for contractors to inspect and accept 'modified' facilities for operation prior to FS inspection (s.22(5)) This provision will allow modified facilities to resume operation more quickly. The contractor takes responsibility that his work complies with the requirements of the Regulation and Code.

The new Liquid Fuels Handling Code replaces the former Gasoline Handling Code. The following are the significant changes in the Liquid Fuels Handling Code:

- Removal of prescriptive wording by conversion to performance requirements.

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- A reorganization to place all like topics together: UST's, AST's, Piping, Facilities, Operating Requirements, Environmental Restoration, and Tank Vehicles.
 - Addition of an Index.
 - A focus on leak detection in lieu of inventory control.
 - Allow use of overfill protection procedure as an alternative to having an overfull protection device
 - Corrosion protection not required for double-wall, interstitially monitored UST's.
 - Overfill protection and spill containment mandated for AST's installed without a dike
 - Clarifies duties of owners and operators

FUEL OIL (O. REG. 213/01)

This new regulation replaces the former Fuel Oil Code, O. Reg. 329/90. The following are the significant changes in the new regulation:

- *Fuel Oil Distributor Licenses – w.e.f. October 1, 2001. (s.6)*
Fuel oil distributors must obtain a license in order to continue distributing fuel oil. This license will assist TSSA in enforcing the regulatory requirements fairly to all fuel oil distributors and allow TSSA to communicate to Fuel Oil Distributors directly.
- *Notification of Underground Fuel Oil Tanks – December 2001 (s.14)*
Starting on December 1, 2001, distributors must provide to TSSA the address of every fuel oil underground tank that the distributor is aware of and to which the distributor is supplying fuel. This list will assist TSSA in notifying owners of underground tanks of the registration and equipment upgrade requirements for underground tank systems.
- *Registration of Underground Tanks – w.e.f. May 1, 2002 (s. 7(4))*
After May 1, 2002, no distributor is to supply fuel oil to an underground tank unless the tank is registered with TSSA. The registration of the tanks will assist in ensuring that the tanks are appropriately upgraded in accordance with the CSA-B139-00 timetable.
- *Installation Inspections – w.e.f. May 1, 2002 (s.7(1))*
After May 1, 2002, distributors will not be allowed to deliver/supply fuel oil to tanks and appliances that have not been inspected by the distributor at least once within the previous 10 years. The inspections must be conducted by appropriate certificate holders. Safety in the fuel oil industry will be increased through periodic inspection of installations for compliance with the Fuel Oil regulations and codes. Harmonizes regulation with other heating fuels.
- *Distributor Obligations (s.23 and 24)*
Where a distributor discovers an unsafe installation, the distributor must take definitive action to address the installation including shutting down the appliance and not supplying fuel if the condition is an immediate hazard. Distributors can thus limit the length of time that an unsafe appliance can operate by suspending fuel oil deliveries until unsafe conditions are corrected.
- *Contractor/Certificate Holder Obligations (s. 25)*
Similar to gas technicians, oil burner technicians and contractors now have the obligation to act on hazardous installations. Contractors and OBTs must act on unsafe installations by shutting down the appliance, or giving a limited amount of time for the owner to address the safety issues.

- *Petroleum Equipment Mechanics (s.4(2))*

Petroleum equipment mechanics (certificate holders under O. Reg. 216/01) may now install/service all underground fuel oil tanks and aboveground tanks within the scope of the holder's certificate. Petroleum mechanics are trained in the safe installation of equipment handling liquid petroleum products including fuel oil and diesel.

The new CSA-B139-00, Installation Code for Oil-Burning Equipment, is the new Code adopted, replacing the old CSA-B139-M89. The following are the significant changes in the Fuel Oil Code:

- **Underground Tanks**

The requirements for underground tanks have been substantially increased and new requirements for upgrading existing tanks have been introduced. Owners of underground tanks will be required to upgrade their system as per the schedule listed in Table A1 of the code. The changes include:

- All new underground tanks must be double walled with external corrosion protection and leak detection
- Existing underground tanks must be upgraded with spill and leak prevention and detection equipment or removed
- Underground piping must be upgraded or removed

- **Aboveground Tanks**

- A significant amount of changes have been introduced for aboveground tanks with a volume capacity greater than 500 gallons
- Double wall tanks equipped with interstitial leak detection are accepted as an alternative to diking
- The minimum clearance between a tank and the building will be reduced to 5 feet from 10 feet for tanks with a capacity less than 50 000 litres
- New requirements for removing aboveground disused tanks.

OIL AND GAS PIPELINE SYSTEMS (O. REG. 210/01)

The new regulation replaces the former O. Reg. 157/97. The new regulation applies to oil transmission lines and natural gas transmission and distribution systems.

One main change is the requirement for pipeline operators to have manuals describing their pipeline integrity management programs. This is a proactive program. Operators need to document their management system, records system, and monitoring and mitigation programs, all aimed at ensuring that the operating pipeline is capable of performing safely. These manuals are required for piping systems designed to operate over 40 SMYS and need to be completed by June 27, 2003. This requirement responds to a number of recent significant pipeline failures in the U.S.A.

CSA Standard Z662-99, Oil and Gas Pipeline Systems CSA-Z276-94, Liquefied Natural Gas (LNG)- Production, Storage, and Handling are adopted as the Codes under the new regulation.

CERTIFICATES (O. REG. 215/01 AND 216/01)

The new O. Reg. 215/01, Fuel Industry Certificates, replaces the former O. Reg. 158/97 and 348/97. The new O. Reg. 216/01, Certification of Petroleum Equipment Mechanics, replaces the former O. Reg. 156/97. The following are the significant changes in O. Reg. 216/01:

- The regulation applies to both Liquid Fuels and Fuel Oil (s.2)

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- Certificate holders must have documented experience in order to work unsupervised within the scope of their certificate (s.4(5)). This is to confirm practical competency
 - PM.2 certificate scope includes the installation of aboveground tanks as well as underground tanks (s. 11(2))
 - New PM.4 certificate is created for installing aboveground tanks that are less than 5000L (s.13). Promotes level playing field and improves safety by making required training easier to obtain.

HOW TO OBTAIN THE NEW ACT, REGULATIONS, CAD'S AND CODES

Responding to your requests, we are developing a new service. The *Act*, relevant regulations, CAD's, and Director's Orders are being packaged together and sized to fit the code binders for your convenience. We are also developing a subscription service that will provide periodic updated material.

In the meantime you can download a copy of the *Act* and regulations at the Ontario Government Web Site www.e-laws.gov.on.ca or our TSSA Web Site www.tssa.org and the latest copy of the CAD's and Director's Orders at our TSSA Web Site.

For a copy of the Liquid Fuel Handling Code, developed by TSSA, contact FSD Engineering – tcoombes@tssa.org or telephone number 416-325-1615. This binder includes the *Act*, regulations, etc. The cost is \$34.95 plus taxes, shipping, and handling, for a total cost of \$46.00. Have your credit card handy! To order a copy (please contact tcoombes@tssa.org or (416) 325-1615 (1-877-682-TSSA) for delivery after November 1st.

For a copy of the latest pipeline or fuel oil codes, contact CSA at (416) 747-4044 (1-800-463-6727) or visit their Web Site www.csa.ca.

ALTERNATIVE PROCESS FOR FULL DEPTH RESTORATIONS AT FUEL FACILITIES

Municipalities have been requiring a Record of Site Condition (RSC) in the case of a full depth cleanup to alleviate concerns about the potential liabilities associated with the issuance of permits and approvals for the redevelopment of former fuel handling properties. While this approach attempts to alleviate municipal concerns, application of the RSC in the Ministry of Environment (MOE) Guideline for full depth cleanups was never intended.

Petroleum companies have continued to express concern with the signing of "Part 6, Statement of Site Owner" in the RSC because of the associated potential unknown and unlimited liability. As a result, companies have been reluctant to provide an RSC under circumstances where it is not required by the guideline. The RSC requirement for some municipal permit applications has resulted in significant delays in the redevelopment of sites or no redevelopment at all (brownfield site). Because of the uncertainty that has been created with site re-development at petroleum sites for petroleum or other use, many developers have turned to greenfield sites for new developments.

In consideration of municipal concerns and needs, TSSA, in consultation with the MOE, the petroleum industry, and municipalities has developed an "Alternative Process" that utilizes the regulatory and technical strengths of TSSA as it pertains to petroleum related facilities. The alternative process fits with the need to encourage the redevelopment of petroleum sites. On agreement between the relevant parties, it removes the requirement for an RSC.

The TSSA process can be used when a full depth restoration has been completed at a permanently closed facility or when an existing site is being upgraded. This alternative process is a detailed, third party, technical review of each site's environmental assessment/restoration report. A TSSA environmental expert will conduct the review. Each environmental report will be thoroughly examined in relation to the MOE Guideline to confirm that the consultant report is complete and that all environmental objectives and laws based on the evidence presented by the Environmental consultant have been considered. A database providing a copy of the report(s) and the other applicable documents will be kept on file at the TSSA and will be available to the public.

The process is transparent, efficient and cost-effective and can be tailored to unique municipal requirements and local/regional initiatives while still providing stewardship and accountability.

COMPLIANCE AUDITS FOR CONTRACTORS

To help enforce a level playing field, and to assure the public of continuing maintenance of high standards, the Fuels Safety Division has a regular program of inspections called Compliance Audits for Contractors. Compliance Audits also provide the contractor with a level of due diligence assurance that the operation meets provincial requirements.

Compliance with the audit requirements and findings is a condition for the renewal of registration as a contractor.

TSSA currently audits every contractor in Ontario on an average frequency of once every three years. However, other factors may trigger or affect the frequency of an audit. These other factors may include: the findings of a previous audit, a consumer complaint, failure to renew a registration, changes in certificates or registration, or other safety-related matters or issues.

Audits, whenever possible, are performed at a time that suits the contractor. On average they take three to four hours to complete. The time may be extended depending on the degree of non-compliance found. TSSA will invoice the contractor for the cost of the Inspector's time to complete the audit. The standard hourly rate for the Inspector is currently set at \$120.00 per hour plus GST. Travel time is not billed.

Typically the inspector will randomly select three addresses from your invoices for work performed on installations, service and/or maintenance. The inspector will inspect and /or audit the work. The contractor may advise their customer that the purpose of the visit is part of TSSA's Compliance Program to verify that the requirements of the Act and its regulations are being complied with.

The inspector will also want to see a list of all names of employees and sub-contractors that work on equipment related to a hydrocarbon fuel together with a photocopy of their registration or certificates, and including any certificate and/or Ontario registration as a contractor.

Also required is a visual inspection of one vehicle used for either installations or service work, together with the associated tools used for that work.

Responding to a FSD Inspector requesting an appointment for an audit and having the above items ready for inspection at the time of the audit will minimize your costs for the audit.

If you have any questions or concerns regarding this process, please direct your inquiries to the local TSSA Regional Manager. (see contact list)

CONTRACTOR QUALITY ASSESSMENT PROGRAM

TSSA's Fuels Safety division is also pleased to offer fuels contractors the opportunity to become a member of TSSA's *Contractor Quality Assessment Program*.

This program is designed to assess and assist contractors in achieving enhanced compliance and safety. Membership demonstrates to your customers, associates and staff that fuels safety is a company priority and your standards exceed existing requirements.

To date, TSSA has assessed over 80 Contractors, and their positive reaction has been overwhelming. This is what they are saying:

"It was great training"
"Company Morale improved"
"Partnering with TSSA is the way to go"

A brochure describing the Program is enclosed for our Contractor recipients.

TSSA CONTACTS

Main Switchboard: (416) 325-2000

Toll Free: 1-877-682-TSSA (8772)

Fax: 416-326-1662

Engineering & Client Services

Engineering Administrative Assistant
tcoombes@tssa.org
(416) 325-1615

Coordinator, Fuels Safety Services
Alebel@tssa.org
(416) 325-2081

Manager, Engineering & Client Services
John Wastle jwastle@tssa.org (416) 325-9608

Inspection

Inspection Administrative Assistant
mdafonseca@tssa.org
(416) 325- 0289

Regional Manager, South/West Region
Ken Langer
klanger@tssa.org
(416) 325-9623

Regional Manager North/East Region
Mike Scarland
mscarland@tssa.org
(416) 325-5476

FOR INQUIRIES ABOUT HOW TO APPLY FOR A LICENCE, REGISTRATION OR
CERTIFICATE OR THEIR STATUS, CONTACT:

Certification

kmcilveen@tssa.org
(416) 325-2803
Fax: (416) 326-1663

Licensing and Registration

mjohnson@tssa.org
(416) 325-2924
Fax: (416) 326-1663

Manager of Licensing, Registration, Certification and Accounts Receivable
Ann Brown abrown@tssa.org (416) 325-2571

FOR INQUIRIES ABOUT QUALIFICATIONS TO OBTAIN CERTIFICATION, CONTACT:

Certification Services

training@tssa.org
(416) 325-9230
Fax: (416) 325-2774

Consultant

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(416) 325-0221
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