



Fuels Safety Program	Ref. No.: FS-149-09	Rev. No.:
DIRECTOR'S SAFETY ORDER	Date: June 12, 2009	Date:

**IN THE MATTER OF:
THE TECHNICAL STANDARDS AND SAFETY ACT, 2000,
S.O. 2000, c. 16**

- and -

**ONTARIO REGULATION 212/01 made under the
Technical Standards and Safety Act, 2000
(Gaseous Fuel)**

Subject: APR Industries.– Direct Vent Gas Fireplace Inserts
Models: DVI-MI-NG & DVI-MI-LP Series

Sent to: APR Industries
Intertek – ETL Semko
Manitoba Department of Labour and Immigration
TSSA Propane Council
TSSA Natural Gas Council
TSSA Propane Risk Reduction Group
Advanced Prefabs
Powermatic Ottawa
Posted on TSSA's Web-Site
Ontario Propane Association (OPA)
Enbridge Gas
Union Gas
Kitchener Utilities

Pursuant to section 14 of the *Technical Standards and Safety Act, 2000*, the Director requires the following:

1. The following APR Industries products are not approved for use in Ontario and shall not be sold, leased, rented, installed or used in Ontario:
 - (a) Natural Gas Fired Direct Vent Fireplace Inserts – Model DVI-MI-NG Series,

and
 - (b) Propane-Fired Direct Vent Fireplace Inserts – Model DVI-MI-LP Series
2. This Safety Order is effective immediately.

Dated at Toronto this 12th day of June, 2009.

Additional Information:

Refer to attachment #1 for important notice regarding the above fireplaces.

For more information please contact 1-877-682-8772.

ORDERED BY:

John R Marshall
Director, Fuel Oil and Gaseous Fuel Regulation
Technical Standards and Safety Act, 2000



14th Floor, Centre Tower
3300 Bloor Street West
Toronto, Ontario
Canada M8X 2X4
Tel.: 416.734.3300
Fax: 416.231.1626
Toll Free: 1.877.682.8772
www.tssa.org

June 12, 2009

IMPORTANT NOTICE

Re: Natural Gas and Propane-Fired Direct Vent Fireplace Inserts Manufactured by APR Industries: Models DVI-MI-NG and DVI-MI-LP Series.

Attention Owner/User:

The Technical Standards and Safety Authority (“TSSA”) is an Administrative Authority empowered under the *Safety and Consumer Statutes Administration Act, 1996* to administer and enforce the *Technical Standards and Safety Act, 2000* (the “Act”) and its regulations. The Fuels Safety Program of the TSSA regulates the storage, transmission and utilization of fuels (e.g. propane, natural gas and fuel oil) and includes the installation and maintenance of associated equipment. The Act and Appropriate Regulations can be found on our web site at www.tssa.org.

Models DVI-MI-NG and DVI-MI-LP Series bear a certification mark by Intertek Testing Services (Warnock Hersey). On January 8, 2009 one of the above fireplaces was involved in a delayed ignition where glass expelled into the living space causing personal injury. On April 7, 2009 the certification for these models was withdrawn.

The concern is with the flame monitoring. The currently fireplace standards for Direct Vents requires a maximum 30 second Flame Failure Response Time (FFRT). In the event of flame outage the fuel supply will be terminated in not more than 30 seconds. This is normally accomplished with the use of a Thermocouple. The above models are equipped with a Thermopile only with a Flame Failure Response Time (FFRT) up to 2 – ½ minutes.

In the event of a flame outage scenario this longer FFRT will result in a larger accumulation of unburnt gas inside the fireplace resulting in a delayed ignition which could result in glass breaking causing personal injury.

Effective June 12, 2009:

1. Director's Safety Order, Reference No. FS-149-09, dated May 12, 2009 prohibits the sale, leasing, renting, installation or used of Natural Gas and Propane Fired Models: DVI-MI-NG and DVI-MI-LP Series manufactured by APR Industries.
2. Any affected fireplaces currently in use shall have the fuel supply terminated.

If you require further clarification or have questions, please contact your fuel supplier, or TSSA at 1-877-682-8772.