



Technical Standards and Safety Authority

Minutes of the Consumers Advisory Council

Meeting on April 27, 2023

Minutes of the Consumers Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 3:00 p.m. on April 27, 2023.

Present: G. Rae Dulmage (Chair), Ahmad Hussein, Jay Jackson, , Sunaina Menezes, Ron Morrison, , Christine Simpson, Kathryn Woodcock

TSSA: Alexandra Campbell, Vice President, Communications and Stakeholder Relations; Ammara Khan, Manager, Stakeholder Relations; Scott Saint, Contractor, LMI Project

Guests: Sheila Johnston, ASL interpreter

1. Constitution of Meeting

The Chair, R. Dulmage, opened the meeting at 3:04 p.m.

a) Safety Moment

For the safety moment, Council was shown a video regarding using caution when buying yard sale items such as cribs, strollers, and toys.

2. Adoption of Agenda

Council adopted the agenda as presented.

3. Adoption of Minutes of December 1, 2022

Council approved the December 1, 2022 minutes.

4. Review Action Items from Last Meeting

A. Campbell spoke to the four pending actions: 1) K. Kennedy re-sent the e-subscriber link to Council for the e-newsletter; 2) The membership list was updated; 3) Terms of Reference for the Safety Education Fund were circulated and this is on today's agenda; 4) With respect to the Elevator Availability reporting portal, there was a question of whether there is a requirement to log outages under 48 hours in the log book. The answer is that they do not have to be logged under 48 hours.

The Chair noted that the subordinate question is: What is the requirement for logging when a system has a pattern of constantly not working? A. Campbell said eight hours on, eight hours off would not make the threshold. If there are reliability issues, the operator must work with its contractors.

A. Hussein asked if outages must be reported after 48 hours. A. Campbell noted that this pertains to residential elevators and that the outage after 48 hours must be reported using the TSSA elevator tool. Some have reported at 24 hours although they do not have to.

K. Woodcock said changing the threshold would require changes to the regulation. Of concern would be 47 hours off, a short time on, 47 hours off. She suggested working toward a requirement to report long outages within time frames of seven days. A. Campbell said the government will be reviewing the reporting system. In the meantime, if someone calls about a safety issue, TSSA will send an inspector.

K. Woodcock said it would be helpful if the public could go online and enter an elevator number to find out if a licence is current. Elevator owners only post licence numbers in the cars, so the public are not aware of the TSSA or a number to call with a complaint. A. Campbell replied that TSSA wants to make that information available.

[Actions] 1. TSSA will share the suggestion with the ministry to log cumulative outages within a seven-day period. 2. TSSA will work toward website improvements in the long term.

The Chair said there is an opportunity to make consumers aware of what TSSA does to protect the public.

K. Woodcock said any hacker can log into a restaurant to see their food safety status. A new IT system should ensure a provision for open data. A third party could then scrape the data and create an app.

5. Chair's Update

The Chair's report was taken as read.

There were no questions from Council.

6. Council Administration – Membership Renewal

J. Jackson indicated that he will remain on Council for another three-year term.

A. Campbell said TSSA will send out the Terms of Reference within the next few weeks, along with the response to feedback and the Council survey.

7. Verbal Reports from Autumn 2022 Industry Council Meetings

Amusement Devices

K. Woodcock reported on the key items from the April 17 meeting.

There was a request from industry to reduce the hours required to become an AD mechanic for people who have a specific millwright credential. A process is under way to change the requirements for AD mechanics.

A new process is being implemented for inflatable bounce devices. The protocol is focused on inspecting devices during use.

There is a new app for licence renewal whereby owners can self attest and the TSSA inspector can then go and see it in operation.

Canada uses the ASTM standard and TSSA engineer J. Javier received an award for making important changes to the ownership standards. Canadian regulators have taken to meeting monthly to compare notes and most provinces have adopted ASTM or are beginning to use the process. High-profile fatalities are being addressed. There are pilot projects proposing improvements such as minimum closed positions for restraints that stem from the Orlando drop tower fatality. Standards are now updated at least once a year to make it easier for regulators to adopt them on a rolling basis.

Ski Lifts

C. Simpson provided highlights from the April 11 meeting.

There was a concern from industry that TSSA was going beyond the CAD requirements. It was clarified that the only thing added to the CAD was Appendix L which explains that anyone who does not want to follow CAD adoption can go to the Safety Integrity Document (SIL). Meeting a SIL Level 3 means that a risk assessment is not required. This makes things easier for designers.

On the topic of contractor renewal forms, there are concerns that the process has been significantly problematic this year relative to past years. As well, the payment portal was down recently.

C. Simpson noted that the City of Toronto is thinking of closing down all but one ski hill. Equipment that is repurposed will need to be inspected. The changing climate will become more problematic for ski operators. The Chair said it is important to get the messaging right. C. Simpson said it was alarming how many were killed in B.C. avalanches this year.

Propane

J. Jackson highlighted the key items from the March 22 meeting.

With respect to tank and cylinder drainage, there is a requirement for pressure relief valve replacement every 25 years. The propane company must remove

the tanks and cylinders to another facility to replace them. Many are located on residential properties. TSSA requires a licensed technician to do the evacuations. The CPA and PAC agree that evacuation does not present a danger and this would eliminate the cost of using a trained technician. It would also allow drivers to do evacuations. TSSA has drafted a Director's Order and discussions with the ministry are ongoing. A regulatory change may be required. With respect to underground tank installation the process requires an application to TSSA for approval, an engineering review, and an onsite inspection. Many are located on residential properties. TSSA sees that having buried tanks as registered inventory increases safety due to tracking and it creates consistency for liquid fuel requirements. CPA and PAC have raised concern about the burden of cost and are in discussions with TSSA. With respect to fees, PAC contends that they are unreasonable compared with other sectors and jurisdictions, and discussion with TSSA is ongoing.

The Chair commented that lower numbers of students entering the industry has led to requests for lower qualifications and time required to obtain an apprenticeship.

Natural Gas

S. Menezes said there are no major updates from the April 14 meeting. Regarding code engagement, CSA will undertake a public engagement and all stakeholders are invited. Public review dates will take place in September and December 2023. They will include codes adopted by TSSA, including natural gas and propane installation, propane storage and handling, field approval, propane for motor vehicles, and portable oil burning equipment. Visit publicreviews.csa.ca

There was a slightly higher number of pipeline strikes this year compared to last (2300 versus 2140). There is currently no charge to make an Ontario 1 call. There has been discussion about whether this will continue to be a free service. The Red Seal Transition is expected to take approximately three years.

EDAC

A. Hussein provided updates from the April 19 meeting. The safety of construction hoist interlocks was discussed. Unlike B44 for elevators, CSAZ 185 does not specify certification. Drop test requirements at three-month intervals were discussed. Some have been delayed to six months. Regarding the manufacture or contractor-originated failures, TSSA confirmed that the testing is driven by manufacturers. Regarding operator licensing, there is no requirement for training to operate a construction hoist. Regarding the 9:1 roped counterweight issue that led to a failure in an Ottawa hotel elevator, TSSA has drafted a Director's Order to advise the ministry.

EDAC is open to hosting the FAC and subsequent meetings.

Liquid Fuels

The Chair provided updates from the April 6 meeting.

The industry has concerns with the adopted code surrounding the implementation of CSA B138. There was a suggestion to have more descriptive text on the invoices. There is interest in seeing technicians listed on the website where employers can check certifications.

There was discussion on the bulk plant issue being extended to private fuel outlets. TSSA indicated there is no need to update the regulation; it may not be understood by some people.

There have been concerns regarding people who deliver gas to cars, but this is not considered a high priority.

With respect to the lack of standards regarding bio fuel compatibility to prevent environmental or safety risks, a short list will be run through the process of adoption.

There was discussion about identifying where fuel storage sites are threatening source water. Many are not under TSSA jurisdiction. Discussion is ongoing.

TSSA provided updated change dates and voting dates for codes.

It was noted that fewer students are interested in being trained in fossil-fuel based systems due to climate change policies.

A. Hussein asked, with respect to the scope of liquid fuels, if TSSA covers the transport of LPA and CNG before they reach tanks inside and outside of the city.

A. Campbell said there are no specific regulations, but TSSA generally has authority. **[ACTION]** A. Campbell will come back with more details.

The Chair noted that the question of who does what may create gaps as new fuel technologies emerge.

BPVOE

R. Morrison said there was good discussion about having the right equipment described the right way. It will require better coordination between TSSA and the insurance group. Moving away from fossil fuels toward hydrogen fuel cells will have to be carefully looked at with respect to regulation. Also, there will be high-voltage charging stations for electric vehicles located near propane refuelling stations or gas and diesel, and this raises concern about charging stations being left unattended.

The Chair said people are increasingly installing generators at home, and that these may be located near a neighbour's gas intake. R. Morrison noted that the EVs should be plugged in outside, not in the garage.

J. Jackson said it is concerning that fewer students are entering college to work in the fossil fuels industry, and this appears to be leading to an easing of regulations. The Chair noted it is a national issue, and that problems solved in one province may create problems in another. J. Jackson said the relaxing of regulations during the pandemic did not work out so well.

8. Licensing Modernization Initiative

A. Campbell said TSSA is seeking licensing of businesses where TSSA has some authority. If there is industry council support to license them, TSSA will relay it to the ministry.

S. Saint explained that there are licensing gaps within PFOs, fuel distributors, power plants, digester gas facilities, landfill facilities, and biogas facilities. TSSA oversight would improve oversight and safety, enable data collection, and provide the regulated parties with predictable costs and understanding of their regulatory responsibilities. As well, it would provide an opportunity for a safety snapshot at the time of registration and renewal.

J. Jackson asked how the initiative connects to TSSA's lapsed authorization project. A. Campbell said they have no authorization, which is part of the problem. S. Saint said licensing would allow TSSA to gather information beyond inspection and take action where appropriate.

J. Jackson asked if unlicensed means unregulated. A. Campbell said TSSA has no legal authority to license them. It only has regulations to inspect them.

A. Hussein asked if there is a budget and enough inspectors to do the job. S. Saint said the initiative is in its early stages.

The Chair asked for consensus that the gap needs to be filled. Council agreed. A. Campbell said the ministry will be informed that there is consumer advisory council support for consistent practice. **[ACTION]**

9. Issue Prioritization Discussion

Education Fund

K. Woodcock said it has not been possible to get people excited about doing research. Academics need publication credits and keynote addresses, and TSSA cannot pay them in the currency they bank and spend. The fund should incentivise university and college research and not be given out to consultants.

J. Jackson said he likes the idea of going beyond academic institutions. TSSA could solicit within specific areas. The Chair agreed that some areas may be conducive to a non-academic environment.

K. Woodcock said the \$20,000 to \$25,000 stipend per project would suit a graduate student looking for funding.

C. Simpson noted there is currently \$192,000 in the fund. She asked how much is added each year and how many people know about it. K. Woodcock said the funding is transmitted by TSSA to post-secondary institutions, however she has not seen anything from them in years. A. Campbell said the fund was originally set up as a way to spend penalty money, however, penalties are no longer collected. She noted it is odd that client revenue is going into the fund. There is an open call on the website, but no one has submitted anything in years. A. Campbell suggested that the fund could be used for annual safety education blitzes.

The Chair suggested revisiting the topic at the fall meeting. He said he will help to build awareness of TSSA and its funding opportunities.

[ACTION] Council members were asked to each suggest three research projects worthy of consideration. Consider whether TSSA is involved or if it is peripheral, and state the desired outcome. These will be discussed at the fall meeting.

Standardization in the Field of Consumer Incident Investigations

The Chair said the ISO/DIS 5665 standard for consumer incidents is under way. It was largely a Canadian proposal to deal with incidents that occur in domestic environments. A preview of the document is available on the ISO website. It will be reviewed next week by the consumer policy committee.

The Chair said using the CSA standard as a base caused problems. K. Woodcock said the CSA is causation-based, not industry-specific. C. Simpson said it appeared that the CSA was not the right starting point.

The Chair said there is one chance to make an effective change using the DIS standard. It would be useful to TSSA and other authorities when they try to get data on incidents that occur in homes. K. Woodcock asked if it is an unmet need. The Chair said it is. C. Simpson said it is difficult to do a proper analysis after a fatality occurs.

Update on Trampoline Park Safety

K. Woodcock asked why look at a European standard development association like ANEC when ASTM F2970-22 is already adopted. The only thing that excludes it from being applied in Ontario is the off switch that excludes those venues from being covered under regulations. She said the ASTM standard acknowledges that harmonization between manufacturers and suppliers is needed and that B.C. is looking to remove its exemption.

The Chair agreed with the comments, stating that it is beneficial to look at different standards to get an overall view.

10. Adjournment

The meeting adjourned at 5:20 p.m.