



Technical Standards and Safety Authority
Minutes of the Liquid Fuels Industry Advisory Council
Meeting on April 6th, 2023

Minutes of the Liquid Fuels Industry Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 1:00 p.m. on the 6th day of April 2023.

Present:

Rae Dulmage, TSSA Consumers Advisory Council; Brent Francis, Francis Fuels; Steve Kuzmanovic, Suncor; Laurie Marcil, Nature & Outdoors Tourism in Ontario; Brian McBain, Underwriters Laboratories of Canada; Derek Northcotte, Heartland Farm Mutual; Jennifer Stewart, Canadian Energy Marketers Association

Dan Brazier, Chief Financial Officer; Alexandra Campbell, VP Communications and Stakeholder Relations; Gary Highfield, Manager, Fuels Engineering; Ammara Khan, Manager, Stakeholder Relations; Anil Lal, Manager, Engineering and Technical Services, Fuels Safety Program; Olga Sousa-Dias, Executive Assistant; Sam Sadeghi, Director, Fuels Safety Program

Guests: Sahra Kassim, Policy Advisor, Ministry of Public and Business Service Delivery; Allison Nicholls, Senior Policy Advisor, Ministry of Public and Business Service Delivery

1. Welcome & Constitution of Meeting

The Chair, B. Francis, called the meeting to order at 1:00 p.m.

a) Safety Moment

For the safety moment, Council was shown a short video on the importance of a good night's sleep.

2. Adoption of April 6, 2023 Agenda

The agenda was adopted as presented.

3. Adoption of October 19, 2022 Minutes

The minutes were adopted as presented.



4. Review Action Items from Last Meeting

The action item refers to the amplification of TSSA messaging on source water private fuel outlet inspection project. The Chair said it would be discussed later, under meeting Item 9.

J. Wood asked for clarification in the description of the pending action. A. Campbell said it is about ensuring that NOTO was involved when meetings and webinars were set up around the source water and their membership would be invited. J. Wood asked if J. Stewart received the invitation for Pilot 2 before Christmas. J. Stewart said she did not recall it. J. Wood said J. Stewart and L. Marcil are on the list for upcoming webinars. L. Marcil asked for her invitation be-resent to her so she can confirm receipt. A. Campbell said she would re-send it.

[ACTION]

5. Chair's Update

The Chair provided an update on what was accomplished last year. A priority was to review codes and standards that relate to bio-fuels that are now prevalent in the market. The synchronization between UL and ULC are under way and will be discussed later on in the meeting. Also, unattended fueling was identified as an area of further review and pilot projects pilot projects to be undertaken due to labour shortage issues and technological advances made in the past decade.

Training and licensing concerns amid the labour shortages are an ongoing concern. As electrification increases fewer students are interested in getting gas and oil licenses, which compounds the issue. It is necessary to encourage young people to take up the trade. A Contractor and Technician Public Registry is a requirement so that those hiring can see if applicants are trained.

6. Council Administration

a) Membership Renewals: Terry Ablett and Brent Francis

Brent Francis has renewed his membership for another three-year term. TSSA will follow up with Terry Ablett to see if he wants to renew. **[ACTION]**

7. Agenda Item Requests

J. Wood said the B138 Standard Alignment Standard was adopted with the Fuel Oil CAD and is now in place. It has to do with mobile, fuel oil-fired devices and equipment. Prior to this, all installations had to be certified under the B139



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Section 1 or 1.1. B138 allows for the relaxing of the standards and requirements. There are questions within the industry around its implementation and enforcement. He suggested that a task group be formed to address the questions with TSSA, specifically with respect to power generation, fire pumps, and other portable equipment to gain a better understanding of certification. For example, if an owner has multiple units of the same model, would the inspection of one cover them all? J. Wood said he will share an itemized list of the questions with Council. **[ACTION]** S. Sadeghi said this may replace the need for a task group. J. Wood said he would prefer to get more industry input within task group with TSSA. G. Highfield said TSSA has met with Policy concerning the Fuel Oil CAD. TSSA will re-adopt B138 under the CAD. He suggested this may provide the forum to address concerns. He asked if questions were raised in the past when the B138 adoption was made. J. Wood said they were. J. Wood will include the construction, rental agency, and distributors' questions within the itemized list that he submits.

With respect to TSSA invoicing, the Chair commented that clarity is needed so customers will know what they are paying for. D. Brazier said the customer portal coming in January 2024 addresses the needs of companies with multiple licenses. The portal will provide a lot of detailed information beyond the invoice, such as where the device is located or when the last inspection report was done, and if orders are outstanding. J. Wood asked what the work order number relates to. D. Brazier replied it is the TSSA work order number. The more useful number is the authorization number, which is the license number. The Chair said it would be helpful under a contractor's license to list the types of fuels along with their license renewals. J. Stewart commented that invoicing clarity will be a welcomed addition. The Chair asked if third-party test results on service stations will be made available. D. Brazier said this could be added in the future, but not in this iteration of the portal. J. Wood commented that the portal will be a big step forward in establishing whether people have their certificates and licenses in place. It will allow a certificate holder to authorize an employer to look at the account and verify individual certificates, for example. D. Brazier said TSSA will try to satisfy all requests in future iterations.

J. Wood said TSSA hosted an excellent customer journey session with large and small customers. The Chair added that another improvement to the portal would be to include WSIB notices on new and renewed contractors.

With respect to the inclusion of registered fuel contractor branch offices and technicians on the website, J. Wood said it would be helpful to have multiple office locations listed. For example, a company like Reliance is listed in one spot, but it has multiple offices. R. Dulmage added that this is important to consumers, especially in light of labour shortages. A. Campbell said a listing of technicians is planned after the website launch. Listings of multiple offices would be labour



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intensive as branch information is not currently collected by TSSA. The Chair noted that consumers can use their search engines to find the offices. He also suggested linking the portal to contractors' websites. L. Marcil suggested that contractors be asked to update their profiles on the portal rather than having the TSSA do it. A. Campbell acknowledged the suggestion as a good one.

With respect to bulk plants being licensed as Private Fuel Outlets (PFOs), J. Wood asked if there is truth to the rumour that a facility moving fuel from the back of a vehicle to a slip tank would have to be licensed as a bulk plant. Asked to define a PFO, A. Lal said it is any premises other than a retail outlet where gasoline or associated product is put into fuel tanks of motor vehicles or floating motorized watercraft or portable containers (O Reg 217.01). It is basically private, not for commercial purposes. S. Sadeghi and B. Francis said they are unaware of the rumour. S. Sadeghi said TSSA is in the preliminary phase of reviewing licensing gaps within PFOs.

With respect to the licensing of retail mobile fueling, some companies are not licensed and retailers are upset. S. Sadeghi said these must be brought forward by individuals. S. Sadeghi suggested that a retailer fill out a PIRP. J. Wood asked if doing so would make it a priority issue. A. Campbell said the issue will be brought to the next plenary meeting. **[ACTION]**

J. Wood said the ask for TSSA is to reconsider the license for mobile retail fuelling. This is an old issue which was dismissed in 2017 and has resurfaced. S. Sadeghi said TSSA will look into a complaint made by Refuel Mobile. **[ACTION]** B. McBain said he thought this issue had been addressed in the past. J. Stewart agreed.

Auditor-General Recommendation # 11, Source Water will be addressed in Item 8.

8. Adopting Biofuel Standards

S. Sadeghi said the Cleaner Transportation Fuels regulation requires that fuel suppliers blend 10% of renewable content in gasoline from 2020 to 2024. The renewable content requirement increases to 11% in 2025, 13% in 2028, and 15% in 2030 and onwards.

The renewable content must emit fewer greenhouse gas emissions than fossil gasoline on a lifecycle basis by 45% before 2030 and 50% from 2030 onward. The regulation also requires fuel suppliers to continue to blend 4% renewable content in diesel. This renewable content must emit 70% fewer greenhouse gas emissions than fossil diesel on a lifecycle basis.



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As part of reducing Green House Gas emission initiative, the Government of Canada is requiring refineries to increase bio content of gasoline (Ethanol up to E20) and Diesel/Fuel Oil (up to B10)

Subsequently, Ontario refineries notified their distributors of their own plans to meet the federal requirements.

Industry is concerned there will be incompatible equipment continuing to be used or installed as higher bio content fuels are legislated to be produced by the Federal Government starting in 2022. Neither CSA nor ULC have adopted or created equivalent Canadian standards. UL has developed appropriate codes for fuel handling equipment and burning equipment.

Given that most equipment is targeted to the North American market, new equipment for the most part complies with the UL standards for bio content. As the bio content increases, the existing equipment (eg, dispensers, tanks, pumps, etc.) and new installations have the potential to fail prematurely (eg, increased biofuel content increases the risk of degradation of the equipment, leading to environmental and safety risks).

The problem statement is that there are currently no standards adopted in Ontario regarding biofuel compatibility to ensure existing equipment and new installations meet the minimum requirements to prevent environmental or safety risks.

The ask from TSSA is to adopt the appropriate codes and standards to ensure that existing equipment and new installations meet a minimum biofuel tolerance requirement.

Inquiries were sent to Nova Scotia Technical Safety Division and Technical Safety BC. The US standards development is significantly advanced beyond Canada. The UL has a series of more than 35 codes that have been rewritten to accommodate biofuel considerations. The applicable codes are the O Reg 217/01, Federal Government Clean Fuel Standard/Regulations, the Canadian General Standards Board CAN/CBSB 32, CAN/CGSB 3.512, CAN/CGSB 3.524, and the UL standards in Appendix 1 attached to the meeting materials.

G. Highfield provided highlights since the last meeting. TSSA has received input from council and industry on the preferred short list. It started with five and morphed into seven. Input from UL and ULC was received and reviewed, and a plan for each code is being prepared based on the UL plan.

The short list will be run through the process of adoption. TSSA has a document



under its control for adopting the standards. A key challenge is to communicate to industry the dates of implementation and impacts of adoption when people are noncompliant so that installations are not tripped up. Once processes are adopted for the seven, others can be done in short order. The short list will be included in the meeting minutes if desired. J. Wood asked if the short list looks after dispensing requirements. G. Highfield said it does. Regarding timeline, G. Highfield said he would establish the legal process with the key item being the compliance state. B. McBain added that seals and gaskets are affected by biofuels, and understanding timelines is important from a fire service perspective.

9. Source Water Contamination Risk Reduction

A. Lal provided a review along with updates since the last meeting. The Auditor General's Recommendation 11 is for TSSA to work with implementing bodies for source water protection plans with MECP and other conservation authorities to identify threats. Secondly, TSSA is to establish a risk-based inspection program.

To find out where the PFOs are, a Demand Order to fuel licensees was presented as a concept by Sandra Cooke at the OPPTA general meeting in June 2022. J. Wood suggested first educating tanker truck licensees on how to determine where the sensitive water sources are and then provide the information.

The Chair asked if filling a riding lawn mower fits the definition of a PFO. J. Wood said the code refers to large deliveries and excludes residential and farming applications.

A. Lal said MECP has an online Source Water Protection Atlas showing the locations and rankings of all sensitive water sources. At a meeting at the Kawartha Lakes Conservation Authority stakeholders expressed interest in using the tool for source water protection as well as for their own spill protection protocols. There was good feedback from fuel distributors and risk management officers (RMOs). A similar regional meeting was held in London at the Thames River Conservation Authority office. Some large distributors there expressed concerns that it would be difficult to manually look up where each delivery is happening in proximity to sensitive source water. MECP is working with McDougall Energy on this and options will be presented before the next roll-out.

The Chair asked what actions distributors will be expected to take after sensitive water sources are found. A. Campbell said the information will go to the Source Water Protection Agency which may then reach out to TSSA. J. Wood said the information will allow fuel distributors to be aware of where the sensitive areas



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are. This project is involved with only the most sensitive areas, and there are not many of them.

L. Marcil asked how the source water protection plan will affect Northern Ontario. J. Wood said it would not be a big issue.

10. Questions and Other Business

A. Campbell said TSSA will reach out about the new licenses for PFOs before the next council meeting. **[ACTION]**

A. Campbell noted there are a few areas in Liquid Fuels where the fee is not recovering the cost. TSSA will reach out about this before the next Council meeting. **[ACTION]**

The CSA codes will be re-sent as well. The codes are on the CSA website. **[ACTION]**

With respect to the short list of the UL standards, S. Sadeghi asked if there will be further discussion with the council member. G. Highfield said TSSA will reach out to the council members on the next steps. The goal is to issue a Director's Order to adopt the standards by the next meeting.

11. Adjournment

The meeting was adjourned at 2:48 p.m.