



DATE: November 30, 2019

MEMORANDUM TO: JOHN MARSHALL, TSSA, Statutory Director, Fuels Safety Program
SOLOMON KO, TSSA, Senior Engineer, Fuels Safety Program

FROM: MARECELLINE RIDDELL, Director, Ontario Government Relations

RE: PROPANE INDUSTRY RESPONSE TO REVISED RSMP RENEWAL FORMS

Thank you for the opportunity to provide comment on the revised TSSA Risk Safety Management Plan (RSMP) license renewal application forms.

As TSSA is aware, Ontario's propane industry welcomes changes to the current regulatory and administrative regime resulting in simpler and less costly processes while preserving public safety.

We would like for you to ensure that these forms are revised to further clarify the issues identified by John Lastoria of Canadian Tire in his response on November 5, 2019. Specifically, Director/Officer signing authority delegation and the documents valid as proof of incorporation require clarification. In Solomon Ko's response to these two issues on November 7, 2019, he indicated the delegation of authority provision has been incorporated into the application itself, and that no additional documents will be needed for proof of incorporation as the Certificates of Status and Incumbency remain valid. Please make this clearer in the accompanying guide or forms themselves to avoid further questions and industry time and expense.

More broadly, the CPA would like to identify the following issues regarding the TSSA's RSMP renewal form revision consultation and communication process:

1. RSMP Data Collection - Beyond the TSSA's expressed purpose of this exercise to simplify and improve processes and minimize licensee efforts, the additional information required (Level 2, page 5) is concerning given the lack of consultation. These new requirements are significant and represent more involved and time-consuming applications, not simpler or streamlined processes for businesses. For example, the phrase "blast radius circle" requires revision or clear definition.
2. Meaningful Consultation – Final draft forms were circulated to industry representatives on November 4, 2019, with comments requested by month's end and implementation slated for December 1, 2019, leaving TSSA no time for meaningful consideration of responses received and concerns raised. The issue was further exacerbated when Ontario propane businesses began receiving letters dated November 20, 2019 from TSSA Statutory Director, John Marshall, informing them of "incomplete or missing information" (Level 2) warning a failure to provide the information by January 31, 2020 "may result in a re-evaluation of your inspection frequency". These renewal forms are not final, nor accessible to business on the TSSA website, and yet Ontario propane businesses are expected to comply without any prior notice of the final renewal forms information needs. The new data needs are attached in an appendix to the letter sent via mail. A more considerate approach would have been to advise industry of the new information needs after they are finalized and then implement the new requirements as the next round of renewals occurs, rather than after the fact, of draft forms, without prior notice.

I expect these comments, along with others submitted, will be reflected in the final forms, and if they are not, a detailed rationale, is offered as to why not. Please consider these comments in the spirit in which they are intended, which is to help strengthen our partnership and foster ongoing propane industry support for your work.