

Transportation Committee

November 28, 2019

1:00 PM ET

Members:

Jim Bellwood, Highlands Propane (Chair)
Ken Gillis, Superior Propane
Floyd Running, Diversco Supply
Todd Sande, Pembina
Patrick Knight, ERAC
Todd Sande, Pembina
Nick Robichaud, Nova Chemicals
Alex Beatty, Beatty Petroleum Consulting

Moderator:

Rebecca Keeler

Staff

Marcelline Riddell
Darren Cunningham

SUMMARY

1. Welcome and Acknowledgement of CPA Competition Law Compliance Statement

The meeting was called to order at 1:03 PM ET

The Chair Jim Bellwood, welcomes all participants to the meeting and the CPA Competition Law Compliance Statement was acknowledged as read.

2. Review of the October 2, 2019 Draft Meeting Summary

The draft summary of the Transportation Committee meeting held on October 2, 2019 was reviewed and accepted, as presented.

Motion: To approve the summary of the October 2, 2019 meeting.

Moved: Alex Beatty

Seconded: Todd Sande

3. Cross Country Check-up

Regional representatives / Regional Directors will be invited to provide short updates.

- Atlantic – no one on the phone
- Quebec – no one on the phone
- Ontario – Jim: TC inspections, discrepancies. Patrick increase of new TC inspectors focusing on requalification facilities. Jim TC has all the documents, felt like TC was looking for something.

- Manitoba – no updates
- Saskatchewan – no updates
- Alberta – no updates
- British Columbia – Transport Canada is reaching out to members in the Lower Mainland Area to do a study on transportation. Reminder to members that this data might already be accessible by other means, such as E2 or Transport Canada systems.

4. Equivalency Certificates Update

The CPA's Equivalency Certificates are due for renewal March 31, 2020.

Reviewed the equivalency certificates.

Questions:

Does the renewal number need to be put on the shipping documents? To change the shipping documents is a high cost to industry.

Answer from TC: Yes, it must be on the shipping documents, but can be added by hand in pen.

Discussion on the rivetted plates equivalency certificate. Alex Beatty send the code requirements for rivetted plates. Clarification that there was confusion in the code of which cylinders allow rivetted plates. The code will be changed to make it clear.

Question on SU 12435 if it will be repealed due to companies using it without meeting the conditions of the metal being used. Discuss with Transport Canada if there are any issues with this certificate.

NEXT STEPS:

- Send rivetted plates clauses to Alex Beatty
- Discuss certificate SU12435 with Transport Canada to determine if there are any issues with this certificate.

5. Transport Canada General Policy Advisory Council Update

1. Current Legislative and Regulatory Priorities

- Part 6 competency-based training assessment standard *targeted release date in the gazette spring 2020
 - i. Companies have concerns with the prescriptive nature of the requirements. CPA provided this feedback to TC during the consultation period.
 1. Comment from Nick: misalignment with terminology with ERAP's. Trying to align with the US model core training and function specific training.

2. Comment on the implementation period. How long would it be? The three year cycle? Would you have to change the whole industry again? Follow up with TC.
- Regulatory sandbox for electronic shipping documents *January 2020 meeting with stakeholders
 - i. Key concerns: how will you send the shipping document when there is no reception, they have proposed a timeframe of 5 minutes if a shipping document is requested. Patrick commented on the rail system to give conductors I pads. The trucking industry does not have a set standard yet. Jim commented that TC likes there electronic shipping document system. Jim asked if it is just rail. No it is all means of transport. Include Jim on the equivalency certificate process.
 - Harmonization with international regulations *unknown timeline
 - Fee modernization: TDG means of containment facilities registration program *fee proposal to stakeholders targeted for 2020, regulatory amendment 2020-2021
 - Client Identification Database (CID) *regulatory amendments targeted for 2020-2021. Issues with this being a duplication with ERAP.
 - i. Nick: duplicating the HAZMAT registration in the US, revenue neutral. Cost to industry on administrative time. Goal of TC is to have an inventory of where goods are being shipped to prioritize inspections. A bunch of systems for registration under different criteria. Encouraged TC to reach out to federal counterparts to make it easier for companies to satisfy all these administrative requirements.
- 2. Compliance: Ongoing investigations of highway tank facilities:**
- Inspections by TDG have found that highway tank facilities in different parts of the country have conducted work without being registered.
 - In 2018, separate inspections at highway tank facilities in Newfoundland and Ontario revealed that highway tanks had been assembled, modified or repaired by facilities without valid registration.
 - In early 2019 revealed that they were operating in contravention of the earlier directions. The facilities were again directed to cease these activities.
 - In June 2019, a search warrant was executed for those facilities. The search warrants produced a large volume of documents pertaining to operations, and investigators continue to review the documents.
 - Recalls and Notices of Defective Repair or Testing sent to affected highway tank owners.
 - Tanks that are assembled, modified, repaired, tested or inspected by these facilities are non-compliant with the TDG Regulations
 - Send out notice in RA Newsletter for renewal and how to check if a facility has a license.
- 3. Emergency Response Guidebook 2020 Updates:**
- Publication planned for spring 2020

- No changes to the propane section

4. CANUTEC Strength, Weaknesses, Opportunities and Threats (SWOT) Exercise:

- Three areas of improvement:
 - i. Promoting awareness of services offered;
 - ii. Building stronger relationships with training colleges and programs; and
 - iii. Raising awareness of its services with indigenous communities.

Patrick CANUTEC wants to communicate out the free services, such as the 24-hour number. Communicate out to members on the free services provided.

5. Transport Canada Emergency Response Assistance Plan Guides

Since the changes Part 7 of the ERAP regulations Transport Canada has done a good job developing a set of guides to help understand the new regulations.

Here are links to the guides to help everyone understand the new language being used in the ERAP world

- [Guide to find out if you need an ERAP](#)
- [Guide to help you prepare your ERAP](#)
- [Guide to apply for approval of an ERAP](#)
- [Guide for persons who have an ERAP](#)

Patrick explained the different guides.

6. Transport Canada Inspection Discussion

Members have brought up concerns with discrepancies between sites and inspectors from TC. This will be a verbal discussion to understand the issue.

No comments from members. Rebecca will bring the topic up to Transport Canada.

7. Rail Security Regulations

- The requirements for railway loaders in the [Rail Security Regulations](#) come into effect May 6, 2020.
- At the meeting we will be reviewing Transport Canada's Railway Loader Fact Sheet: <https://www.tc.gc.ca/documents/rail-sec-regs-loader-03.pdf>

Propane that is categorized as Class 2.1, in a single means of containment, in a quantity that exceeds 3 000 L, must have:

- Security Plan (Section 10 of the [Regulations](#))
- Security Plan Training (Section 12 of the [Regulations](#))
- Security Awareness Training (Section 14 of the [Regulations](#))

Requirements for all other propane rail car loading facilities:

- Security Awareness Training (Section 14 of the [Regulations](#))

Nick: The regulation seems to focus on the railway carrier, and not a lot on the rail loaders. TC will be releasing a guidance document in December. Rebecca will update when this is released.

8. CSA Technical Committee Updates

No updates

9. Next Meeting

Proposed date: March 3 at 1:00 pm EST
Accepted

10. Other Business

No other business.

11. Adjournment

Motion to adjourn.

Moved: Nick Robichaud

Seconded: Alex Beatty

The meeting was adjourned at 11.50 pm ET