

“Contractor” means a person who carries on, in whole or in part, the business of installing, removing, repairing, altering or servicing appliances, and includes a person or an agent of the person who agrees to install, remove, repair, alter or service appliances sold or leased by the person.

This regulation places significant duties and responsibilities on contractors, so it is important to decide if activities fall within the definition of a *contractor*.

“Distributor” means a person who supplies gas to an end user, and “distribute” and “distribution” have corresponding meanings.

The deregulation of the natural gas industry has created some confusion about who is a distributor. The above definition clearly refers to the supplier—the company that owns and controls the pipeline supply system in the case of natural gas. The company that sells the gas through the natural gas pipeline is not the distributor. For propane installations, the distributor owns and controls the propane supply system.

“Gas” means a gas as defined in the code adoption document.

The code adoption document actually accepts the definition of “gas” given in CSA B149.1, which states the following:

1.3 Where the term “gas” is used, the requirements of this Code apply equally to, any of the following gases or mixtures of them: natural gas, manufactured gas, or mixtures of propane gas and air, propane, propylene, butanes (normal butane and isobutane), and butylenes.

“Install” includes placing an appliance in position for permanent or temporary use, venting it and connecting piping to it, and “installation” has a corresponding meaning.

Together with the definition of “installer” that the Code uses, consider this wide-ranging definition when interpreting the duties and responsibilities surrounding installation requirements.

Application

It is obviously important to determine whether the regulation applies to the type of installation or activity that you are working on. Read Clause 2. of this Regulation, which identifies what it does and does not apply to.

Installations that are exempt from this regulation are subject to requirements established in other legal documents. For example, appliance and piping installations on boats are subject to the federal *Canada Shipping Act*.

Prohibited activities without approval

The Regulation prohibits activities conducted without approval. Read Clauses 4. (1) and (2).

The regulation takes a practical and reasonable approach by allowing the usually prohibited activity if the appliance, equipment, or thing has received approval prior to use. As such, the unapproved appliance could undergo activation and testing before use for its intended purpose.

Certificates required for various activities

The requirement to receive certification in accordance with the *Fuel Industry Certificates Regulation* is endorsed in this Regulation (see 6. (1), (2), and (3)). Both regulations provide a limited exemption for duct cleaning as long as “the person does not interfere with the appliance, equipment, or thing”.

Interpreting or using the exemption allowed in 6.(3) requires the application of due diligence. The exemption to proper certification for the task only applies to lower level certificate holders (e.g., G.3) working **in the presence** of the holder of the proper certificate.

An uncertified helper must never conduct any of the activities listed in 6. (1). However, a certificate holder who lacks authorization to repair or service an appliance (such as a G.3 or GP) can conduct this work if an appropriate certificate holder (e.g., G.1, G.2, DA, IMT, LP) is immediately present and in full control of the activity that falls within the scope of the supervising certificate holder.

The *Fuel Industry Certificates Regulation* is referenced in the definition of “certificate” in the *Gaseous Fuels Regulation*. As such, the two documents support each other, and you must read them jointly when interpreting certification requirements.

For example, the *Fuel Industry Certificates Regulation* exemption for duct cleaning allows cleaning of the fans, which you should not consider separately from the exemption given in this regulation.

Initial putting into use

7. (1) Where premises are connected to a supply of gas for the first time, no person shall put an appliance in the premises into use for the first time until the distributor has examined the installation of the appliance and is satisfied that the installation and use of the appliance are in compliance with this Regulation.

(2) An examination under subsection (1) shall include an examination of all appliances intended to be installed at the time of occupation of the premises.

Initial activation of an installation supplied for the first time carries with it specific duties, responsibilities, and liabilities.

Part 2 of the clause places a new condition on the distributor to ensure the examination of all the appliances intended for use. This prevents acceptance of an installation on the basis of examining a construction heater rather than the final installation and all appliances.

The above clause not only places significant duties and responsibilities on the distributor, but also prohibits a person who is not a representative of the distributor from initially activating an installation for the first time until the distributor has inspected and accepted the installation.

This clause does not apply to the activation of an appliance on premises with an existing gas supply.

Duty of an employer

Employers are given significant duties and responsibilities to inform and monitor their employees concerning compliance with the Act and this regulation. See Clauses 11. (1) and (2).

Due diligence suggests that the notification should be in writing rather than verbal and be based on proof that the employee understands what it means to comply with the Act and this regulation. Certification or training would constitute proof in this regard.

The phrase “every precaution reasonable in the circumstances” obviously speaks to the issue of due diligence. The actions that the employer takes to ensure employee compliance must include a procedure and recordkeeping process for reasonable monitoring of the employees’ actions.

Accident or occurrence reporting and investigation

Read Clauses 12. (1), (2), and (3), which detail a certificate holder’s responsibilities in reporting an incident or accident and the responsibilities associated with not disturbing the scene.

The requirement to notify an inspector in the event of an accident or occurrence suspected to result from the use, storage, or handling of gas applies to certificate holders, ROT holders, and contractors, as well as the distributor.

The Act requires the director to “order such investigation as he or she considers necessary on being notified of an accident or incident” (see Clause 25 of the Act).

Accident investigation allows for the identification of safety problems, as well as the effective enforcement of the Act and regulations.

Non-investigation of an incident due to lack of notification or unnecessary disturbance of the evidence is a lost opportunity to improve safety in the gas industry. Recent amendments to the Act allow TSSA to administer separate Inspection and Investigation departments.

Failure to notify an inspector in these cases or interfering with an incident site raises serious concerns of obstruction and cover-up.

The word “appears” used in the first line of the above clause is intentionally vague. The judgment must be based on due diligence—i.e., would any other reasonable person suspect that the use, storage, or handling of gas caused the incident?

Clause 12 applies to every person but possibly more so, in the eyes of the law, to certificate holders who must be fully aware of their duties and responsibilities.

Duties and responsibilities of distributors, certificate holders, and owners concerning unacceptable conditions

13.(1) In this section and in section 14, “**Unacceptable condition**” means

- (a) with respect to an appliance, container or work, that it is being used for a purpose other than that for which it was approved;
- (b) with respect to an appliance, container or work, that any alteration to it or any deterioration of it, is likely to impair its safe operation; or
- (c) with respect to an appliance or work, that the condition of piping, tubing or hoses, the venting of products of combustion, the supply of air for combustion or the clearance from adjacent combustible matter is likely to impair its safe operation or that the appliance or work does not meet the requirements of this Regulation or, where it was installed before this Regulation came into force, that it does not meet the requirements of the predecessor to this Regulation as it existed when the appliance or work was installed.

This regulation directs the actions a Gas Technician certificate holder must take to make a situation safer. The public relies on the expertise of a knowledgeable certificate holder to make decisions and perform work that is in the best interest of public safety.

These rights and responsibilities are listed to guide and support a gas technician’s work in the field and provide the legal basis for taking action to correct a risky situation that may cause harm to occupants, the public, or oneself.

Distributors and certificate holders often become aware of an appliance or installation that does not comply with the regulations for various reasons (lack of maintenance, physical damage, improper installation, etc.).

Examples of “immediate hazards” might be an ineffective venting system, a cracked heat exchanger, or a supply line leak, to name just a few.

The regulations have always given specific direction to distributors, certificate holders, and owners on when and how to act in cases of unsafe appliances and installations.

The direction given in Clauses 13 and 14 of this regulation confirms and extends the duties and responsibilities of all parties.

Interpretation of these clauses depends on a clear understanding of the term “unacceptable condition”, along with a reasoned judgment of what constitutes an immediate hazard.

13. (2) where a distributor finds that an appliance or work is in an unacceptable condition and that it constitutes an immediate hazard, the distributor shall

- (a) immediately shut off the supply of gas to the appliance or work;
- (b) promptly notify the user in writing of the unacceptable condition, including a direction that the appliance or work not be used until the condition is corrected; and
- (c) affix a notice containing the information referred to in clause (d) to the appliance or work.

Distributors have significantly more power to control the supply of gas to an appliance or work compared to contractors or certificate holders.

Although certificate holders have similar duties and responsibilities, they must enlist the help of the distributor who has ultimate control over the gas supply.

These actions will help ensure the shutoff of fuel supplies and the awareness of all parties of the situation that you have uncovered, made safe, and will keep safe until such time as it is corrected.

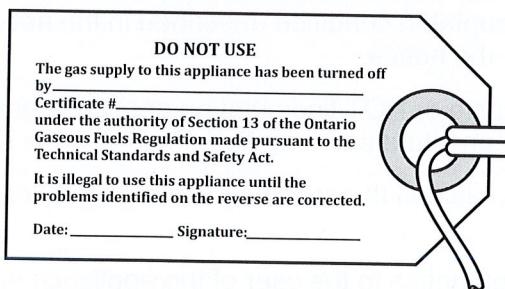
13. (3) Where a holder of a certificate or ROT finds that an appliance or work is in an unacceptable condition and that it constitutes an immediate hazard, the holder shall,
- (a) immediately shut off the supply of gas to the appliance or work;
 - (b) promptly give oral notice of the shutting off of the gas to the distributor;
 - (c) promptly give a written notice to the user,
 - (i) describing the condition that constitutes the immediate hazard, and
 - (ii) directing that the appliance or work not be used until the condition is corrected;
 - (d) within 14 days of finding the condition, give written notice of the condition to the distributor, including notice that the supply of gas has been shut off; and
 - (e) affix a notice containing the information required in clause (c) to the appliance or work.

The means of satisfying Item (e) include:

- affixing a copy of the written notice required by Item (c); or
- affixing a tag designed specifically for the purpose.

Recordkeeping is an essential aspect of compliance with these duties and responsibilities. Records of notification also reduce potential liability.

Figure 3-2
Tag example



Owners and users of the appliance or work share in the duties, responsibilities, and liabilities associated with the actions of a distributor or certificate holder. (See 13. (4) and (5).)

The notice affixed to the appliance or work entails certain restrictions and conditions for removal:

13. (6) Where a notice is affixed to an appliance or work under clause (2) (c) or (3) (e), no person shall remove the notice unless the person holds a certificate for that purpose and on removing the notice the person shall endorse his or her certificate number, name and address on the notice and send it by prepaid registered mail or deliver it to the distributor.

Where a distributor or certificate holder finds an appliance or work in an unacceptable condition and it does **not** constitute an immediate hazard, shutoff of the gas does not have to be immediate.

Providing the owner with immediate written notice describing the condition and advising him/her of the sending of a notice to the distributor is still a requirement for the certificate holder. He/she must also give the same written notice to the distributor within 14 days and affix a notice to the appliance or work.

It is the responsibility of the certificate holder who finds the unacceptable condition to set the time period for correcting the unacceptable condition. The time period should be reasonable and cannot exceed 90 days. The certificate holder must include the required completion date in the notices that he/she provided the owner and the distributor with.

The owner and user are responsible for responding to the notice of an unacceptable condition. Only a certificate holder can remove the notice (affixed to the appliance or equipment). The notice of correction must be sent to the distributor.

For clarification of this important set of requirements, read the entire Clause 14 below. A Director's Order added Subclause (6) after acceptance of the regulation.

14. (1) Where a distributor finds that an appliance or work is in an unacceptable condition but that it does not constitute an immediate hazard, the distributor shall

(a) promptly notify the user, in writing, describing the condition and indicate in the notice that the distributor will shut off the supply of gas to the appliance or work if the contractor does not notify the distributor that the condition has been corrected within the period of time specified in the notice, which shall not be greater than 90 days; and

(b) affix a notice containing the information required under clause (a) to the appliance or work.

(2) A distributor who gives a notice under subsection (1) shall shut off the supply of gas to the appliance or work if the unacceptable condition described in the notice is not corrected within the period of time specified in the notice.

(3) Where a holder of a certificate or ROT finds that an appliance or work is in an unacceptable condition but that it does not constitute an immediate hazard, he or she shall

(a) immediately give oral notice of the condition to the distributor who supplies gas to the appliance or work;

(b) immediately give written notice to the user of the appliance or work describing the condition and advising that notice of the condition has been given to the distributor;

(c) give written notice of the condition to the distributor within 14 days of finding it; and

(d) affix a notice containing the information required in clause (b) to the appliance or work.

- (4) An owner or user of an appliance or work to whom notice has been given that there is an unacceptable condition that does not constitute an immediate hazard shall not use the appliance or work, or cause or permit its use, after the expiry of time specified in the notice for correcting the condition until the condition has been corrected.
- (5) Where a notice is affixed to an appliance or work under clause (1) (b) or (3) (d), no person shall remove the notice unless the person holds a certificate for that purpose and on removing the notice the person shall endorse his or her certificate number, name and address on the notice and send it by prepaid registered mail or deliver it to the distributor.
- (6) A distributor who is advised of an unacceptable condition in accordance with this section, shall if the condition is not corrected in the time provided, shut off gas to the appliance, equipment or work.

Failure to maintain appliances in a safe operating condition is the single largest cause of accidents. Past regulations recognize the owner's and user's responsibilities to maintain the equipment.

TSSA has issued a safety directive over the past four heating seasons requiring gas technicians to ensure annual maintenance of domestic heating boilers and that carbon monoxide levels in the vent are below 100 ppm (otherwise, they must shut the boiler down). This reflects TSSA safety data collection indicating the importance of annual maintenance, which is ultimately the responsibility of the appliance owner.

15. An owner or user of an appliance, equipment, a work or any other thing employed in the handling or use of gas shall ensure that the appliance, equipment, work or thing employed in the handling or use of gas is maintained in a safe operating condition.

Certificate holders may wish to advise their customers of their legal responsibilities by referencing the above clause.

Additional responsibilities of a distributor

The distributor's duties and responsibilities do not end with the initial examination required under Clause 7 nor with the action required upon identifying an unacceptable condition. They are ongoing.

16. No distributor shall supply gas to a premise unless the distributor is satisfied that the installation and use of the appliance or work comply with this Regulation and,
- (a) unless the distributor has inspected the appliance or work at least once within the previous 10 years; or
 - (b) unless the distributor has inspected the appliance or work in accordance with a quality assurance inspection program.

Reference to a quality assurance inspection program in Part (b) of the clause consists of a set of policies and procedures for auditing and responding to existing installation concerns. It must meet the approval of the director and is subject to audit by TSSA.

Approval of appliances

For an appliance, equipment, component, or accessory to gain approval for sale, lease, rent, or installation in Ontario, its construction must be according to the applicable recognized standard, and it must undergo testing by and receive labelling from a designated certification organization.

The approval process may happen:

- *Off-site* from where you will install the appliance, equipment, etc. (typically this is a certification process); or
- *On-site* (typically through field approval by TSSA)

The former is the most common with mass-produced appliances, equipment, etc., certified off-site in a testing laboratory, while on-site testing and approval usually works for one-of-a-kind or larger appliances.

Clause 18 of the *Gaseous Fuels Regulation* outlines the requirements for *off-site* testing and approval, while Clause 19 deals with *on-site* testing and approval.

Gas technicians should look for a certification marking on an appliance rating plate, valve body, hose, manufacturer's instruction, etc., to ensure that the item is **approved**.

They would then check the marking against the list of certification organizations provided in the natural gas or propane regulations to determine if it receives designation for the purpose in Ontario.

The regulation does not list the designated testing organizations. Rather it states the following:

18. (3) The organizations accredited by the Standards Council of Canada are designated as organizations to test appliances, equipment, components and accessories to the applicable approved standards or laboratory test reports for the purposes of this Regulation.

Certification organizations

There are dozens of testing organizations, but the Standards Council of Canada designated only five certification organizations to certify gas appliances, equipment, components, and accessories. Below are the organizations, along with their corresponding certification marks:

Figure 3-3
Marks for gas appliances, equipment, components, and accessories

| Certification organizations | | |
|---|---|---|
| (Any one of the following marks on gas equipment indicate certified for Canada) | | |
| CSA Group | | |
| Used currently: |  |  |
| Used prior to 2001: |  |  |
| Intertek Testing Services | | |
| WH-ETL: |  |  |
| Intertek | | |
| ETL: |  |  |
| Warnock Hersey: |  |  |
| OMNI Test Laboratories Inc. | | |
|  | | |
| Underwriters' Laboratories of Canada |  |  |
| ULC |  |  |
| |  |  |

Note that the ETL, Warnock Hersey, OTL, and UL Marks must have a letter "c" beside the label to designate that the gas equipment has received certification for Canada. If the Warnock Hersey mark lacks a "c" and a "US", it has gained certification for Canada.

On-site testing of appliances, equipment, components, or accessories is more common in industrial installations. Certificate holders involved with industrial, custom, one-of-a-kind, or foreign appliances will want to review Clause 19 of the regulation.

Figure 3-4
TSSA field label example



TSSA conducts the testing and approval for these types of appliances, equipment, components, and accessories.

If its fuel features comply with the approved standard or laboratory test report or CSA B149.3-15 and this regulation, an inspector applies a TSSA field label. This approval is site-specific, so transfer of the appliance to another site requires re-approval.

Contractor registration

21. (1) No person shall act as a contractor unless the person is registered for the purpose.

Most Acts or regulations employ registration of activities and equipment as a means of cataloguing and controlling the activity or equipment. For example, registering under the Business Services Act is a requirement for businesses and registering under the Highway Traffic Act for vehicles.

The purpose in all cases is the same. Registration allows the authority having jurisdiction to know who has control and responsibility over the activity or equipment for notification purposes. Registration requirements also give the authority control over the activity or equipment in that it can refuse or revoke registration if a person does not meet the requirements.

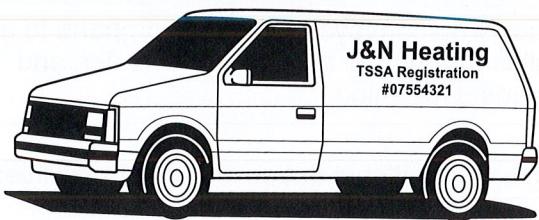
Contractor registration allows TSSA to track compliance and contact those in the business of installing, removing, repairing, altering, or servicing appliances. It is also a means for customers of such businesses to determine whether the company is working in compliance with safety requirements.

Contractor registration is a type of “authorization” as identified in the Act. It carries with it specific duties, responsibilities, and rights separate from certification, licenses, or other forms of registration.

Clause 21 deals with contractor registrations and should be read in entirety.

The requirement to clearly display the registration number on field vehicles will ensure higher compliance with the registration requirement, as well as customer recognition of your commitment to industry requirements.

Figure 3-5
Example of a field vehicle with registration number



It is worth noting that separate registration numbers are a requirement for "subcontractors".

Propane Storage and Handling Regulation 211/01

The *Propane Storage and Handling Regulation* is very similar to the *Gaseous Fuels Regulation* but applies to fewer technicians. It specifies important duties and responsibilities for technicians, contractors, distributors, owners, and users involved in the following activities:

- the storage, handling, transportation, and transfer of propane;
- the installation of appliances, equipment, components, accessories, and containers on highway vehicles, recreational vehicles, mobile housing, outdoor food service Units, and wash-mobiles when technicians use propane for fuel purposes; and
- the installation of containers and equipment that technicians will use for propane in distribution locations and filling plants and on tank trucks, tank trailers, and cargo liners.

Definitions

As noted in previous Sections, important definitions are given at the beginning of a legal document to clarify their intent and application for **all** documents. A definition in the *Propane Storage and Handling Regulation* applies to other regulations and codes unless those documents use the word with a new definition.

Continually refer to the definition section when reading and interpreting any regulation.

Many definitions are similar to those covered within **Definitions** in the *Gaseous Fuels Regulation* 212/01 section and are not reproduced here. These include "appliance", "approved", and "contractor".

The following text quotes the regulation in boxes and then provides a brief commentary on the importance and application of the quoted section.

"Code adoption document" means the "Propane Code Adoption Document" adopted as part of this Regulation under Ontario Regulation 223/01.

The code adoption documents allow for greater flexibility in adopting new codes and responding to technological changes.

The Propane Code Adoption Document as amended by the Director's Order of Amendment, July 1, 2017, adopted and amended CSA B149.2, *Propane Storage and Handling Code*. This Document is found in the salmon-coloured pages of the Ontario edition of CSA B149.2-15.

"Distributor" means a person who conveys or supplies propane to an end user, but does not include a person who supplies propane to a vehicle or cylinder, and "distribute" and "distribution" have corresponding meanings.

The Act and this regulation place significant duties and responsibilities on distributors.

It is important to note that this definition is different from that in the *Gaseous Fuels Regulation* (covered in Section 2). It specifically excludes persons who supply propane to vehicles or cylinders from being considered as distributors.

"Equipment" means a device that is used in venting propane or in the handling of propane.

This definition should be read in conjunction with the definition of "handling" for full appreciation of its meaning when used in this regulation.

"Propane" means propane as defined in the code adoption document.

The code adoption document actually accepts the definition of "propane" given in the CSA B149.2-15 Code, which states the following:

- 1.3 Where the term "propane" is used, the requirements of this Code include, and apply equally to, any material that is composed predominantly of any of the following hydrocarbons or mixtures of them: propane, propylene, butanes (normal and isobutane), and butylenes.

Application

It is obviously important to determine whether the regulation applies to the type of installation or activity that you are working on. Read Clause 2. of this regulation, which identifies what it does and does not apply to.

Installations that are exempt are subject to requirements established in other legal documents. For example, appliance installations on boats are subject to the federal *Canada Shipping Act*.

Risk and safety management plans

Amendments to O. Reg 211/01 in 2009 now require propane filling plants and facilities to have a safety plan in effect to identify how a licensed operator would handle a hazardous event, such as a fire or explosion, in the interest of public safety.

- 3.1 (1) A person who holds a license to operate a retail outlet, filling plant, cardlock/keylock, private outlet or container refill centre shall prepare a risk and safety management plan, which shall, at a minimum, address the following matters:
1. A hazard analysis that identifies possible hazardous scenarios, the frequency of those scenarios and their consequences, and that takes into account,
 - i. the most severe incident or situation that could occur at the referenced facility based on the total capacity of propane at the referenced facility, and
 - ii. any less severe incident or situation that could occur at the referenced facility.

Duty of an employer

Clauses 5. (1) and (2) dealing with duties of an employer are similar to Clauses 11. (1) and (2) of the *Gaseous Fuels Regulation* 212/01 section.

Certificates required for various activities

This regulation endorses the requirement to receive certification in accordance with the Fuel Industry Certificates Regulation. Like the *Gaseous Fuels Regulation*, this regulation provides a limited exemption for lower-level certificate holders to conduct the work within the scope of higher-level certificate holders when working ***in the actual presence of*** the appropriate level certificate holder. See Clauses 8. (1) and (2) of the Regulation.

Initial activation

Initial activation of an installation supplied for the first time entails specific duties, responsibilities, and liabilities.

9. (1) Where premises are connected to a supply of propane for the first time, no person shall put into use for the first time an appliance in the premises that is connected to a propane supply until the distributor has examined the installation of the appliance and is satisfied that the installation and use of the appliance are in compliance with the Act and this Regulation.
- (2) An examination under subsection (1) shall include the examination of all appliances to be installed at the time of occupation of the premises.

Sub clause (2) places a new condition on the distributor to ensure the examination of all the appliances intended for use. The practical application of this clause is limited since this regulation only applies to appliance installations on highway vehicles, RVs, mobile homes, outdoor food service Units, and wash-mobiles.

Furthermore, the definition of distributor effectively excludes these types of installations since a person supplying propane to a vehicle or cylinder is not a distributor.

Prohibited activities without approval

Refer to Clause 12. (1) and (2) of the *Propane Storage and Handling Regulation*. Note that these clauses are similar to Clauses 4. (1) and (2) of the *Gaseous Fuels Regulation* 212/01 section.

Accident or occurrence reporting and investigation

Refer to Clauses 15. (1), (2), and (3) of the *Propane Storage and Handling Regulation*. Note that these clauses are similar to Clauses 12. (1), (2), and (3) of the *Gaseous Fuels Regulation 212/01* section.

Duties and responsibilities of distributors, certificate holders, and owners concerning safe operation condition

This regulation has two important sections not found in the *Gaseous Fuels Regulation*.

The following clauses clearly speak about the responsibilities of all parties and, as such, deserve close review and consideration.

16. No person shall knowingly supply propane to or use an appliance, a container, equipment, a propane vehicle, a work or other thing employed in the handling or use of propane that does not comply with this Regulation or, where it was installed before this Regulation came into force, that does not comply with the requirements of the predecessor to this Regulation as it existed when it was installed.
17. (1) An owner and every person responsible for the operation of an appliance, a container, equipment, a work or any other thing employed in the handling or use of propane shall ensure that it is maintained in a safe operating condition.
(2) No person shall operate or permit to be operated, an appliance or work unless it is maintained in a safe operating condition and it complies with this Regulation or, where it was installed before this Regulation came into force, that it complies with the requirements of the predecessor to this Regulation as it existed when it was installed.

Failure to maintain appliances in a safe operating condition is the single largest cause of accidents. Past regulations recognize the responsibility of owners and users to maintain the equipment.

Certificate holders may wish to advise their customers about their legal responsibilities by referencing Clause 17 above.

Responsibilities of a distributor

The distributor's duties and responsibilities do not end with the initial examination required under Clause 9 nor with the action required when an unacceptable condition is identified (as discussed below). They are ongoing like the propane supply, transfer, or transportation operations.

18. (1) No distributor shall supply propane to a container that is connected to an appliance or work unless the distributor is satisfied that the installation and use of the appliance or work complies with the Act and this Regulation and
 - (a) unless the distributor has inspected the appliance or work at least once within the previous 10 years; or

- (b) unless the distributor has inspected the appliance or work in accordance with a quality assurance inspection program.
- (2) A distributor shall prepare a report of every inspection made under subsection (1) and shall retain the report until the next inspection and report are completed.
- (3) This section does not apply to propane vehicles, industrial vehicles or to appliances on highway vehicles or recreational vehicles.
- (4) An inspection shall only be carried out by a person who is the holder of a certificate for that purpose.

Reference to a quality assurance program in Part 1 (b) consists of a set of policies and procedures for auditing and responding to existing installation concerns. It must meet the approval of the director and is subject to audit by TSSA.

Duties and responsibilities of distributors, certificate holders, and owners concerning unacceptable conditions

The duties and responsibilities of distributors, certificate holders, and owners concerning unacceptable conditions as outlined in Clause 19 of the *Propane Storage and Handling Regulation* are similar to those that Section 2 under Clause 13 of the *Gaseous Fuels Regulation 212/01* section describes.

For clarification of this important set of requirements, read the entire Clause 20 of the *Propane storage and handling regulation* below.

20. (1) where a distributor finds that an appliance or work is in an unacceptable condition but that it does not constitute an immediate hazard, the distributor shall,
- promptly give the user a written notice describing the condition and indicate in the notice that the distributor will shut off the supply of propane to the appliance or work, unless the contractor notifies the distributor that the condition has been corrected, within the period of time specified in the notice, which shall not be greater than 90 days; and
 - affix a notice containing the information required under clause (a) to the appliance or work.
- (2) A distributor who gives a notice under subsection (1) shall shut off the supply of propane to the appliance or work if the unacceptable condition described in the notice is not corrected within the period of time specified in the notice, which period shall be within 90 days.
- (3) No user to whom notice has been given under subsection (1) shall use, or permit to be used; the appliance or work after the expiry of the period of time specified in the notice for correcting the condition, unless the condition has been corrected.
- (4) A holder of a certificate or ROT who finds that an appliance or work is in an unacceptable condition but that it does not constitute an immediate hazard shall,

- (a) immediately give oral notice of the condition to the distributor of propane regarding the appliance or work;
 - (b) immediately give written notice to the user of the appliance or work describing the condition and advising that notice of the condition has been given to the distributor;
 - (c) within 14 days of finding the condition, give written notice of the condition to the distributor; and
 - (d) affix a notice containing the information required in clause (b) to the appliance or work.
- (5) A distributor who receives a notice under subsection (1) or (4) shall inspect the appliance or work and take the action required under section 19.
- (6) Where portable containers are connected to an appliance or equipment by a person other than a distributor, the distributor is exempt from section 19.
- (7) Where the holder of a certificate or ROT finds an unacceptable condition in circumstances where subsection 19 (5) applies, the certificate or ROT holder shall notify the owner of the equipment of the unacceptable condition.

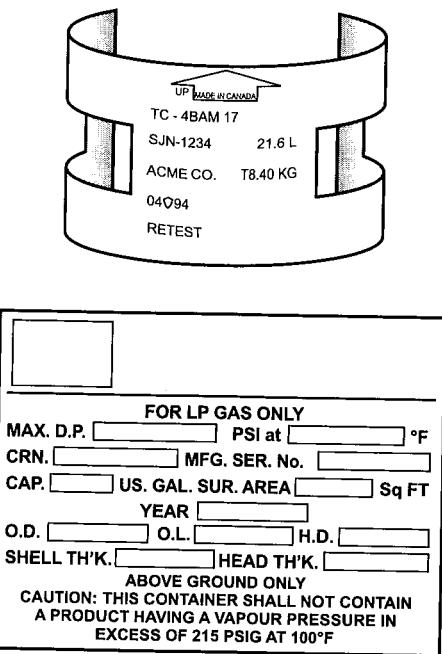
Approval of appliances and equipment

Clauses 21 and 22 of the *Propane Storage and Handling Regulation* addresses approval of appliances in a manner similar to the *Gaseous Fuels Regulation 212/01* section.

Transport Canada (TC) is the organization designated to approve propane cylinders.

Propane tanks must bear a marking of the Canadian Registration Number (CRN) or Ontario Identification Number (OIN) and the manufacturer's name before you can consider it approved.

Figure 3-6
Propane tank label examples



Contractor registration

Refer to Clause 23 of the *Propane Storage and Handling Regulation* for requirements dealing with contractors and vehicle conversion centre operators. Note that the contractor requirements are similar to Clause 21 of the *Gaseous Fuels Regulation 212/01* section.

Other sections of Regulation

The remainder of the *Propane Storage and Handling Regulation* deals with issues related to distributor's facilities, filling plants, cylinder handling facilities, and retail outlets.

Those involved in the storage, handling, transportation, or transfer of propane should review the entire regulation.

Assignment Questions – Chapter 3

- 1) What is one correct action that a holder of a certificate or ROT must take if he or she finds that an appliance is in an unacceptable condition but does not constitute an immediate hazard?
_____ of the condition to the distributor who supplies gas to the appliance or work.
 - a) Immediately give written notice
 - b) Immediately give oral notice
 - c) Within 5 business days send a registered letter with return receipt
 - d) Ask the user of the appliance to shut off the gas and have them provide details

- 2) What is one correct action that a holder of a certificate or ROT must take if he or she finds that an appliance is in an unacceptable condition but does not constitute an immediate hazard?
_____ to the user of the appliance or work describing the condition and advising that notice of the condition has been given to the distributor.
 - a) Immediately give oral notice
 - b) Within 14 calendar days send a registered letter with return receipt
 - c) Within 5 business days send a registered letter with return receipt
 - d) Immediately give written notice

- 3) What is one correct action that a holder of a certificate or ROT must take if he or she finds that an appliance is in an unacceptable condition but does not constitute an immediate hazard?
_____ of the condition to the distributor within 14 days of finding it.
 - a) Within 14 days give written notice
 - b) Within 7 days send a registered letter with return receipt
 - c) Within 5 business days give written notice
 - d) Within 1 calendar day send an email with return Delivery Receipt and Return Receipt features enabled

- 4) What is one correct action that a holder of a certificate or ROT must take if he or she finds that an appliance is in an unacceptable condition but does not constitute an immediate hazard?
_____ containing the information required in clause (b) to the appliance or work.
 - a) Shut off the supply of gas and affix a notice
 - b) Call the appliance user then affix a notice
 - c) Affix a warning label
 - d) Affix a notice