



## Northern Ontario Compliance Strategy – Gas Stations and Marinas

Recent consultations with northern Ontario stakeholders have identified significant challenges for some gas station and marina owner/operators in complying with regulatory requirements outlined in the Liquid Fuels Handling Code (LFHC).

The limited availability of certified fuels contractors, short construction season to upgrade or repair equipment and seasonal operations of many fuel facilities in northern Ontario have been identified as major barriers to complying with code requirements.

**In order to assist operators facing compliance challenges with orders related to underground piping and sumps, TSSA has developed a revised compliance strategy for northern Ontario to provide additional flexibility for owner/operators. TSSA fuels inspectors have been directed to work with owner/operators who require additional consideration to develop flexible compliance plans to effectively manage safety and environmental risks.**

This revised approach to enforcement deals primarily with requirements related to single-walled underground piping and sumps, and is available only to those owners and operators of facilities in northern Ontario, as defined by the [Northern Ontario Heritage Fund](#).

### **The revised Northern Compliance Strategy:**

- Applies flexibility in enforcement of code requirements.
- Any major non-compliance that poses an immediate safety or environmental risk will not be subject to the interim compliance strategy and equipment will be shut down.
- Applies only to the North, as per [Northern Ontario Heritage Fund definition](#).
- Will be reviewed in 2016 to determine its effectiveness.

### **WHAT HAS NOT CHANGED**

**Non-compliances related to maintenance or operational issues that do not require significant cost or expertise to resolve will continue to be subject to standard processes.**

These include issues such as:

- Signage
- Fire extinguisher requirements
- Dispensing equipment maintenance

**Non-compliances related to record keeping, inspection or testing requirements that are basic safe operating practices will continue to be subject to standard processes.**

These include issues such as:

- Manual reconciliation (i.e. dipping tanks) and record keeping
- Ongoing equipment maintenance

### **WHAT WILL BE CONSIDERED AND SUBJECT TO THE REVISED COMPLIANCE STRATEGY**

**Non-compliances that pertain to upgrading, removal and replacement of underground equipment will be subject to a revised process.**

- Single walled steel underground piping
- Electronic leak detection for sump pumps



\* No changes for single wall steel underground storage tanks **except that time to comply will be subject to operating considerations specific to northern Ontario.**

## **SINGLE WALLED STEEL UNDERGROUND PIPING**

### ***Revised approach for northern Ontario:***

- If no records are available for pressure, precision leak or CP tests, compliance order for pressure test will be issued with 90 days to comply; extensions will be provided to address seasonal and other site specific circumstances.
- If pipes fail the pressure test, equipment will be locked out. The operator will be allowed to conduct a second test. If it passes, the equipment will be allowed to operate.  
If the second test fails, the equipment will be ordered removed.
- If the operator is unwilling to conduct a pressure test, the equipment will be locked out.
- If the equipment passes a pressure test, it will be required to be tested at intervals outlined in the code.
- If there was no acceptable corrosion test or if the system was never protected, after a passed pressure test, the equipment will have to be upgraded with CP or pressure tested every 6 months.  
Operators must apply for a variance, free of charge, for the latter option.

### *For reference, current compliance requirements:*

- Code requires single walled underground piping without electronic leak detection to undergo precision or pressure tests.
- Code also requires cathodic protection (CP).
- CP must be maintained and tested at prescribed intervals.
- Records must be kept of tests. If failed or no record of CP test, equipment shall be tested and upgraded as appropriate.
- If piping never had CP, then it shall be removed.

## **ELECTRONIC LEAK DETECTION FOR SUMPS**

### ***Revised approach for northern Ontario:***

Sumps without electronic leak detection will be allowed to continue operating, provided the operator:

- Performs daily visual inspection
  - Maintains log of daily visual inspections
  - Installs electronic leak detection in two years.
- Operators must apply for a variance, free of charge, for this option.

### *For reference, current compliance requirements:*

- Code requires sumps to be electronically monitored for leaks.

## **SINGLE WALL UNDERGROUND STORAGE TANKS**

While there are **no changes to code requirements** for Single Wall Underground Storage Tanks (UST) because of the risk they pose to public safety and the environment, **time allowed for compliance will take northern Ontario's challenging operating conditions into account.**

### **CODE REQUIREMENTS:**

- In-service monitoring of all USTs
- Single walled steel USTs be cathodic protection (CP) tested every 2 years
- Precision leak testing

### **In-service monitoring of all UST**

- Daily dipping, plus precision leak tests every two years.
- Monthly statistical inventory reconciliation, plus precision leak tests every 5 years.
- Electronic leak monitoring, no precision leak test required.



- If there are no records for in-service monitoring, inspector will issue compliance order for in-service monitoring to be conducted and recorded going forward.

**Single walled steel USTs be cathodic protection (CP) tested every 2 years**

- If records are unavailable or if equipment fails, a CP test order will be issued for CP to be brought into working order (i.e. provide positive CP test result).
- Since 1974, code required all new tanks installed to have CP protection. UST installed prior to 1974 required CP upgraded or removed by 1991.
- There should be no UST in Ontario without CP.
- USTs without CP are required to be removed.

**Precision leak testing**

- Every two years if the operator is manually dipping
- Every five years if Statistical Inventory Reconciliation is being used
- No test required if electronic leak detection is in place.
- If UST fails precision leak test, a second test is allowed. If second test fails, UST will be locked out.
- If operator refuses to conduct an initial or second test, UST will be locked out.

**For more information, please contact:**

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