



News Release

For Immediate Release

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TSSA Lacks Effective Licensing and Inspection Processes Required to Protect Public Safety and the Environment: Auditor General

(TORONTO) The Ontario agency created to promote and enforce public safety in four key technical areas does not have the required oversight processes that it needs to do its job properly, Auditor General Bonnie Lysyk says in her *2018 Annual Report*, released today.

“The Technical Standards and Safety Authority, or TSSA, is not meeting its mandate to protect public safety and the environment in areas of the regulated sectors where it has the responsibility to do so,” Lysyk added after her Report was tabled in the Legislative Assembly.

“In addition, the Ministry of Government and Consumer Services, which oversees the TSSA, has not fulfilled its oversight responsibilities to ensure that the TSSA is actually enforcing public safety through its safety programs.”

Created in 1997, the TSSA has a mandate to promote and enforce public safety in four specific sectors on behalf of the Government of Ontario. These are:

- fuels storage and handling;
- boilers and pressure vessels and operating engineers;
- upholstered and stuffed articles; and
- elevating devices, amusement devices and ski lifts.

Among the findings in the Report:

- The TSSA does not inspect oil and natural gas pipelines, but instead relies on the pipeline operators to conduct their own inspections. Once every five years, it audits the pipeline operators’ inspection records. Although two pipeline leaks in 2013 were caused by external corrosion that the pipeline operators failed to identify, the TSSA has not updated its practices for reviewing pipeline operators and still does not inspect pipelines.
- The TSSA also does not periodically inspect other areas in the fuel sector such as compressed natural gas stations, propane distributors, offsite propane storage locations, and private fuel-storage tanks that pose a threat to source water.
- The TSSA is responsible for ensuring that owners of fuel-storage sites remove fuel-handling equipment and storage tanks after they cease operations. However, in cases where the owner has abandoned a site and cannot be located, the TSSA is not ensuring that the site is cleaned up because there is no one from whom to recover the cost. As a result, whatever fuel contamination there is at the sites remains.
- The TSSA is aware that some fuel-oil distributors are delivering oil into leaky tanks and tanks that pose a high risk of carbon monoxide release, but has done nothing to deal with this safety hazard.

- For almost 20 years, the TSSA has done little to enforce and promote the continued safety of about 65,000 installed and operating boilers and pressure vessels. The TSSA said that these devices are being inspected by insurers, but it does not know how many of the devices operate in Ontario, where they are located, if insurers are actually inspecting them, or their safety status. In addition, Ontario is the only Canadian province where boilers and pressure vessels used in agricultural operations are exempt from safety laws.
- While TSSA inspectors examine product labels that are required to provide an appropriate description of the contents of upholstered products, they seldom inspect the actual contents to ensure they match the label. In addition, when the TSSA finds a mislabelled article that it deems to be a risk to the public, it orders the inspected retailer to remove the article from sale—but it does not check whether the same mislabelled article is sold in other stores in Ontario or online.
- Most Ontario elevators and escalators are not in compliance with safety laws, and the situation is getting worse. Over the past five years, the percentage of elevators and escalators failing their inspection has increased by 7%, from 75% to 82%. Neglected maintenance over time can result in elevators not leveling properly with the floor, or can cause sudden upward and downward acceleration. In 2018, 82% of elevators failed their TSSA inspection, mostly because maintenance and safety work required by law was not done on time. The TSSA has repeatedly prosecuted one large elevator-maintenance company, resulting in guilty verdicts and fines over \$1 million, but in 2018, 93% of the inspected elevators maintained by this company in regions related to the prosecutions (including five in a Toronto hospital) failed to pass their latest TSSA inspection.
- The TSSA's computer system is outdated and contains inconsistent and incomplete information about the safety status of devices and businesses that it regulates. As a result, in 2018, the TSSA renewed the operating licences of over 300 elevators that at the same time were still shut down by the TSSA for being unsafe to operate.

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Read the [Technical Standards and Safety Authority](#) audit report at www.auditor.on.ca



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