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December 7, 2009

Richard Horn
Toronto Transit Commission
1900 Yonge St
Toronto, ON M4S 1Z2
Canada

FS-LF Variance
Service Request No.: 197314
At: 700 Arrow Rd, Toronto

Request for variance from clause 7.4.2 of the Liquid Fuels Handling Code 2007, O.Reg. 217/01

Dear Mr. Horn,

Please be advised that your variance application dated September 10, 2009, to extend removal of underground piping, has been approved.

This variance is allowed under the authority of subsection 36.(3)(c) of the *Technical Standards and Safety Act, 2000*, (the "Act") and subject to such conditions as may be specified herein, being that:

- The piping shall be removed by October 31, 2010;
- No further extension will be granted;
- TSSA will inspect the site to confirm the piping has been removed. Please call our inspector Mary Ferrari at (905) 773-8584 for the site inspection;
- Non-conformity with the conditions specified shall thereby cause the allowed variance to become null and void;
- The applicant accepts full responsibility for any and all damages resulting from the use of the thing to which the variance applies. The applicant further accepts full responsibility for any impacts to the health and safety of any person in consequence of the allowance of the variance or of non-conformity with the conditions specified. The Technical Standards and Safety Authority accepts no responsibility for any such damages or impacts;
- In the event of any claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant agrees to indemnify the Technical Standards and Safety Authority and agrees to hold it harmless from such claims and attendant costs;
- The variance process is subject to public access under the TSSA Access and Privacy Code (available upon request). The fact that a variance has been granted, and information about any public conditions, such as a requirement to post a sign, may be released on request. Subject to law and the TSSA Access and Privacy Code, proprietary information will not be subject to release;

- The applicant shall pay the fee associated with the review of the variance; and
- A copy of the variance letter shall always be kept readily available and permanently legible in the vicinity of the appliance/device.

This variance only relates to the Act and regulations made thereunder and does not exempt you from compliance with other applicable regulatory requirements. The installation may be subject to an inspection to ensure compliance with the term of the variance.

Should you have any questions or require further assistance, please contact Marek Kulik at 416.734.3465, or by e-mail at mkulik@tssa.org. When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,



John R. Marshall
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Cc: Mary Ferrari, TSSA Inspector