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May 8, 2020
File: SR 2817990

NADARAJAH KANDASAMY
2624827 ONTARIO INC
5 EL CAMINO WAY
BRAMPTON ON
L7A 3A1

Email: nadararathan65@gmail.com

Dear NADARAJAH KANDASAMY,

Re: Application for a Variance from Clause 1.3.1 of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 105 MAIN ST PARKHILL

Phoenix Petroleum has submitted a variance request, on your behalf to allow you to keep the Versapipe™ 4710 piping (a high-density polyethylene pipe commonly used by the natural gas industry) in place at your facility. The pipe was installed as vent piping for underground tanks. It is not ULC approved and it would be very expensive to dig up and replace.

Tom Gallagher, P. Eng., of Gallagher Technical Services, was retained by Phoenix Petroleum (the contractor) to perform a risk assessment on Versapipe™ 4710 pipe. In his letter, dated March 12, 2020, he concluded that, in his opinion, a Versapipe™ 4710 piping system does not pose any additional risk to the public or the environment than a CAN/ULC- S679 piping system for the following reasons:

- Versapipe™ 4710 is made from high-density polyethylene, which is also used to manufacture other fuel components like sumps, spill boxes and jerry cans. These items are subject to long-term fuel exposure, including fuel additives and ethanol.
- In a worse-case scenario in which the vent at the facility is blocked, the Versapipe™ 4710 piping would be subjected to a maximum of 5 per cent (10 pounds per square in gauge) of the rated pipe pressure (200 pounds per square in gauge).
- The overfill valves on the underground tanks will protect against a tank overfill that could potentially expose the vent piping to liquid fuel.

In addition, the pipe manufacturer sent an email endorsing the use of Versapipe™ 4710 pipe for venting gasoline/diesel tanks.

Based on the above information, your variance application dated March 27, 2020 has been approved.

Please be advised that this variance will not take effect until 15 days from the date of posting the decision on the environmental registry. This decision of the Director is subject to a right of appeal, under the Environmental Bill of Rights, if such an appeal is filed within 15 days from date of posting. In the event an appeal is filed, this decision of the director may be subsequently stayed, disallowed or significantly altered. Notice of an appeal will be placed on the Environmental Bill of Rights registry.

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:

- This variance is not permission to install the Versapipe™ 4710 at any other liquid fuels facility;

- 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/equipment.

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 has already been inspected by Peter Franzen.

Should you have any questions or require further assistance, please contact Ann-Marie Barker at 416.734.3354, or by e-mail at abarker@tssa.org. When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,



John R. Marshall
Director, Fuels Safety Program

- c. Mark Ebbett, Phoenix Petroleum, mark.ebbett@phoenixpetro.ca
Peter Franzen, TSSA, pfranzen@tssa.org