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August 26, 2024

CAM LOUCKS
WIARTON MARINA LTD.
PO BOX 1270,
WIARTON ON N0H 2T0
CANADA
c.loucks@wiartonmarina.ca

Work Order Type: FS Variance - LF
Work Order No.: 14361849
Facility Type: Marina
Located at: 827 BAYVIEW ST, WIARTON, ON, N0H 2T0

Re: Variance from Clause 1.3.1, 4.4.1, 4.5.2.5 of the LFHC 2017 Code, O. Reg. 217/01

Dear CAM LOUCKS,

This is in response to your variance application involving a DoubleTrac pipe by Omega Flex.

Your variance request was to allow:

- Using the DoubleTrac pipe certified to the ULC 1369 standard that is not on the list of Liquid Fuels Handling Code 2017 approved standards;
- Using the DoubleTrac pipe that has an outer wall melting temperature below 538 C;
- Not terminating the underground DoubleTrac pipe in a monitored underground sump;

Please be advised that your variance application has been approved because:

- The ULC 1369 standard is recognized by Standards Council of Canada and likely it will be included in the next edition of Liquid Fuels Handling Code;
- The melting temperature of the outer pipe is irrelevant as the inner pipe of the DoubleTrac pipe is metallic with melting temperature above 538 C. The DoubleTrac pipe is approved under ULC S679 (underground piping) and ULC 1369 (aboveground piping) therefore it is acceptable to be used in both applications;
- There is no need for a monitored transition sump as there is no joint in the DoubleTrac pipe when transitioning from underground to aboveground (one continuous pipe);

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:

- The installation/system/appliance dealt with in this variance must be inspected by TSSA. Please fill out the FS Customer Inspection Request Form found on our website and submit to fuelsinspection@tssa.org to schedule your 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/equipment.

This variance only relates to the Act and regulations made thereunder and does not exempt you from compliance with other applicable regulatory requirements.

Should you have any questions or require further assistance, please contact Marek Kulik at +1 416-734-3465 or by email at mkulik@tssa.org. When contacting TSSA regarding this file, please refer to the Work Order number provided above.

Yours truly,



Gary Highfield, P. Eng.
Engineering Manager, Fuels
Delegated Authority under section 36(3) (c) of TSS Act

- c. Reed Stock, Comco Canada, reed.stock@comcocanada.com

**A legible copy of this letter shall be kept readily available near the appliance/equipment.
This Variance is not valid unless all Variance Conditions in this letter have been met.**