



Technical Standards and Safety Authority 2018 Value-for-Money Audit

Why We Did This Audit

- The Technical Standards and Safety Authority (TSSA) was created in 1997 by the Government of Ontario to regulate elevators; amusement rides; boilers; companies that store, transport, and distribute fuel; and upholstered and stuffed articles sold in Ontario.
- We wanted to assess how well the TSSA has been carrying out its mandate to promote and enforce public safety for Ontarians in its regulated sectors.

Why It Matters

- Ontarians regularly interact with the devices and facilities that the TSSA regulates. These devices and facilities can pose a significant safety risk to the public if they are manufactured and installed incorrectly or operated unsafely.
- Effective oversight, which includes licensing, inspections and enforcement, can reduce public safety and environmental risk.

What We Found

- The TSSA does not have consistent inspection standards that all inspectors are required to follow and could not explain why it does not periodically inspect some areas in the fuel sector, such as pipelines, compressed natural gas stations, propane distributors and private fuel storage sites, that pose a threat to source water.
- The TSSA's computer system is outdated and contains inconsistent and incomplete information about the safety status of the devices and businesses that it regulates.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.
- The TSSA never inspects many jobs by technicians who install and perform maintenance on fuel-burning appliances, such as furnaces and water heaters, because the jobs it inspects are pre-selected by the companies that employ the technicians. Faulty installation and maintenance of fuel-burning appliances can pose a high risk of carbon monoxide poisoning. In the past eight years, about 2,500 carbon monoxide releases have been reported to the TSSA, causing 14 deaths and almost 350 injuries.
- A small number of elevator maintenance companies dominate Ontario's market, and for years they have been failing to maintain most of Ontario's operating elevators in accordance with safety laws. The TSSA has tried with little success to have these companies perform required maintenance and safety work. Over the past several years, it has repeatedly prosecuted one large maintenance company, but in 2018, almost all of the inspected elevators maintained by this company in the regions where the prosecutions occurred failed to pass their latest TSSA inspection.
- When the TSSA finds at an inspected store a mislabelled upholstered and stuffed article that it deems to be a risk to the public, it does not check whether the same mislabelled article is sold in other stores in Ontario or online. Also, we were able to purchase one out of every two of the mislabelled articles from the same stores that the TSSA inspected. The stores had been ordered to immediately stop selling the mislabelled articles that we purchased.
- For almost 20 years, the TSSA has done little to enforce and promote the safety of approximately 65,000 installed and operating boilers and pressure vessels. The TSSA told us that these devices are being inspected by insurers, but it does not know how many devices operate in Ontario, where they are located, if insurers are actually inspecting them and their safety status. Also, Ontario is the only province in Canada where boilers and pressure vessels used in agricultural operations are exempt from safety laws.
- The TSSA is aware that some fuel-oil distributors are delivering oil into leaking tanks and tanks that pose a high risk of carbon monoxide releases but has done nothing to deal with this safety hazard.

Conclusions

- The TSSA is not proactive in delivering on its mandate and seldom takes the initiative to protect public safety in areas of the regulated sectors that it does not currently license and/or inspect, but where its oversight activities would help promote public safety.
- The TSSA does not have effective licensing and inspection processes in place to enforce and promote public safety in the sectors it is responsible for regulating.
- The Ministry of Government and Consumer Services has not fulfilled its oversight responsibilities to ensure that the TSSA is accomplishing its mandate.

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