



345 Carlingview Drive  
Toronto, Ontario M9W 6N9  
Tel.: 416.734.3300  
Fax: 416.231.1626  
Toll Free: 1.877.682.8772  
[www.tssa.org](http://www.tssa.org)

July 6, 2020

Clinton Harper  
Lambton Area Water Supply System  
1215 Fort St  
Sarnia, ON  
N7V 1M1

**FS Variance**  
**Service Request No.: 2848456**

**Re: Request for variance from Section 7, 24(1) and 24(2) of O. Reg. 213/01**  
**1215 Fort St, Sarnia**

Dear Clinton Harper,

This is in response to your variance application involving:

- A 45 000 L ULC double wall vertical main tank;
- Two 1110 L ULC indoor day tanks; and
- 4 diesel generators.

Please be advised that your request for the temporary use of the existing fuel oil system, until they are upgraded to a compliant fuel oil system, has been approved.

This approval expires on December 31, 2021.

The temporary approval is based on the reports provided by the inspecting Oil Burner Technician 1 (OBT1) and PM3 certificate holder.

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

- The installation shall be inspected by a person holding the appropriate certificates initially and once every 90 days;
- A copy of the inspection report by the certificate holder shall remain on site with the equipment and a copy shall be forwarded to the Fuel Distributor. The inspection reports are to clearly identify the unacceptable conditions;
- The plan to upgrade the fuel oil systems shall be submitted to TSSA by October 1, 2020.
- The progress of upgrading the installation shall be reported to TSSA via [rsumabat@tssa.org](mailto:rsumabat@tssa.org) at the completion of major milestones;
- This variance approval only applies to conditions that pose an unacceptable condition with no immediate hazards as defined by the Ontario Regulation 213/01, section 22;
- If the unacceptable conditions with no immediate hazards identified develop into immediate hazards, this approval shall become null and void. TSSA and the Fuel Distributor shall be immediately notified of such conditions;

- This variance expires on December 31, 2021;
- Non-conformity with the conditions specified shall thereby cause the allowed variance to lapse;
- The applicant accepts full responsibility for all damages resulting from the use of the thing to which the regulation under the Technical Standards and Safety Act applies or to the health or safety of any person in consequence of allowance of the variance or of non-conformity with the conditions specified, to the complete exclusion of Technical Standards and Safety Authority;
- In the event of third-party claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant accepts - on demand - to indemnify the Technical Standards and Safety Authority and 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, could be released on request. Proprietary and/or competitive information would not be subject to release;
- A copy of the variance letter shall always be kept readily available and permanently legible in the vicinity of the appliance;
- The applicant shall pay the fee associated with the review of the variance; and
- The system shall be inspected and periodically audited by TSSA. Please contact Raphael Sumabat at rsumabat@tssa.org to arrange for the inspection.

Please note that this variance only relates to the Technical Standards and Safety Act and Regulations made thereunder and does not exempt you from compliance with other applicable jurisdictional requirements. The installation may be subject to an inspection at any time to ensure compliance with the terms of the variance.

Should you have any questions or require further assistance, please contact Raphael Sumabat at 416-734-3357 or rsumabat@tssa.org.

Yours truly,



John R. Marshall  
Director, Fuels Safety Program