



**APRIL 16, 2020**

Dear members,

As the COVID-19 pandemic continues to impact everyone across the country, the CPA team is communicating regularly with you but also with different levels of government to ensure propane is reaching markets and supporting efforts to combat the coronavirus outbreak.

While conversations between the federal government and the provinces are beginning to take place on how to gradually begin easing quarantine measures and reopen the economy step-by-step, the CPA will continue working to ensure the transition responds to your business environment.

The CPA also issued a news release today on safe grilling practices for stay-at-home meals. Check out the full release [here](#).

Keep informed with up-to-date information by visiting our [COVID-19 website](#).

## Federal

### ESSENTIAL SERVICES

#### Labour shortages resulting from COVID-19

According to a Public Safety Canada memo, labour shortages resulting from COVID-19 will have impacts beyond long-term care homes. The procurement of medical goods, the stability of the food supply chain, and the maintenance of our power grids, banking and telecommunications networks could also be impacted as essential workers choose to stay home out of fear.

#### Federal control?

It should be noted that the Premiers oppose the use of the *Emergencies Act* and made their position clear in a letter sent to the Prime Minister on April 15.

#### Transport Canada issues temporary certificate within TU 0751

Transport Canada issued an updated temporary certificate providing temporary regulatory relief within TU 0751. The temporary certificate allows for the extension of testing and inspection requirements on standardized means of containment. The changes allow for added retroactive coverage of class 2.1 and 2.2 dangerous goods containers as well as added definitions. The original certificate provided an exemption for expiring container inspection and test marks from **February 29, 2020**. The new version allows continued use of containers with inspections and test marks expiring on **February 28, 2019** in the case of cylinders, spheres, tubes, UN pressure receptacles, multiple-element gas containers, and other pressure receptacles, containing dangerous goods included in class 2.1 or class 2.2, and selected and used in accordance with CSA B340 and CSA B342.

### FINANCIAL AID

#### Expansion of the Canada Emergency Response Benefit

The federal government [announced an expansion](#) of the Canada Emergency Response Benefit (CERB) to allow individuals who earn up to \$1,000 a month to qualify. Workers who have recently

run out of EI benefits will also be able to receive the benefit. The government is also extending the CERB to seasonal labourers and artists.

The federal government is expected to rush billions of dollars of infrastructure spending out the door as a way to stimulate the economy. The appointment of Michael Sabia as the chair of the Canada Infrastructure Bank is another indication of the enhanced priority the federal government is putting on infrastructure.

## British Columbia

### PROVINCIAL ESSENTIAL SERVICES

#### Provincial state of emergency extended

The B.C. government has formally extended the provincial state of emergency to **April 28, 2020**.

## Alberta

### PROVINCIAL ESSENTIAL SERVICES

#### Temporary Suspension of In-Person Shareholder Meeting Deadlines under the ABCA

The Government of Alberta, under the Minister of Service Alberta, has [temporarily suspended the obligations](#) of Alberta corporations to hold in-person shareholder meetings under the provisions of the Business Corporations Act (Alberta).

## Ontario

### PROVINCIAL ESSENTIAL SERVICES

#### Truck drivers will have more places to stop and rest

Ontario is providing truck drivers with more [places to safely stop and rest](#) while moving essential goods during COVID-19. This includes parking at all 23 ONroutes as well as seasonal rest areas, Truck Inspection Stations and truck lay-bys. Check out the [Truck Rest Area](#) and [Truck Friendly Stops](#) text pages and interactive map for more information.

#### Update – Grace period of 120 days to perform home inspections (appliances and propane)

In response to the CPA's questions, the TSSA has indicated they have revisited their plans around grace periods and are simplifying things and make them more uniform across the program areas and different services. Currently, they have indicated that there has been a slight delay in the website update but **they have decided to provide a grace period that will last for 120 days after social distancing restrictions are removed.**

As such, the grace period will apply to all ROT requirements that cannot be met during COVID-19.

TSSA also indicated the following: *The grace period for home inspections is for industry as well as TSSA inspectors and applies to other inspections if there is a valid COVID-19 related rationale that an inspection could not be safely performed and assuming there is not a high risk situation. TSSA expects emergencies and high risk situations to be addressed.*

For the CPA, this condition of having to "justify there was a valid COVID-19 rationale" to not perform an inspection was unclear.

Today, the CPA received clarification - the TSSA does expect distributors to consider in each case whether the inspection can be safely deferred or not. There will be no specific documentation required. However, while the TSSA may not require documentation at this time, it may be

necessary later should an incident occur and the fuel distributor, for their own due diligence, will want to be able to demonstrate their actions or lack thereof, when required. In other words do their actions meet “the man test” as required by law (not a CPA qualification – most probably refers to a reasonable person test).

In summary, at this time, the TSSA will not automatically accept deferring all inspections except emergency ones.

The CPA has responded that it was disappointed to learn that the TSSA would not provide its regulated parties necessary protection in spite of the Ontario government *Emergency Declaration to Stop the Spread of COVID-19*. And while the TSSA issued a blanket public statement stating that “to protect the health and safety of its employees and customers, they are temporarily suspending non-emergency in-home visits” during the pandemic, it appears that they have chosen not to endorse the same standard for the health and safety of the propane industry’s employees and customers during the COVID 19 situation.

The CPA will continue to push for the same protection for our industry.

## Québec

### PROVINCIAL ESSENTIAL SERVICES

#### State of health emergency renewed until April 24

The Quebec government renewed the state of health emergency on Wednesday evening, this time until **April 24, 2020**, again due to the pandemic which, according to the government, constitutes "a real serious threat to the health of the population".

#### Open fires prohibited in two regions due to the pandemic

The regions affected by the decision are those of Montérégie and Estrie. They include the territories of Sherbrooke, Brome-Missisquoi, Haut-Richelieu and Vallée-du-Richelieu, Longueuil and Beauharnois-Salaberry.

## New Brunswick

### FINANCIAL AID

#### No electricity increases and suspension of smart meter rollout

NB Power is [postponing a bid](#) for a rate increase for 2020-21 and its request to implement smart meters in the province. The utility asked the board to delay releasing its decision on a proposed rate increase of 1.9 per cent and, in a separate filing, asked that it also [defer a ruling](#) on the smart meter rollout in the province. The Energy and Utilities Board agreed with the requests and has delayed rulings on the matter until further notice. NB Power decided against rolling out the technology at this time.

## Other Information

### RELEVANT BUSINESS INFORMATION

#### Environmental Due Diligence

Regulators have been issuing emergency orders and directions at an unprecedented rate. It is therefore recommend implementing the following best practices:

- Identify qualified individuals at your facility tasked with specifically managing environmental compliance during the COVID-19 crisis.
- Continue to monitor any regulatory changes or notices that may apply to your facility, operations and property.
- Identify any potential compliance issues that may arise or have already arisen as a result of the current crisis and implement proactive measures to address or prevent them, including

updating staffing protocols to address social distancing and safety requirements, engaging alternative suppliers and making alternative arrangements with third party consultants and agents whose normal services may also be impacted by the circumstances.

- Ensure that employees assigned to temporary roles as a result of changes to staffing protocols or duties are properly trained.
- For due diligence purposes, make sure you keep detailed records of modifications made as a result of COVID-19 orders and directions, including any temporary procedures, policies and guidelines.

As noted, where compliance with any material environmental requirement may not be possible, begin discussions with the regulator immediately.

## Competition Bureau Guidance to respect necessary collaboration between businesses

In its April 8 [statement](#), the Bureau acknowledged that the exceptional circumstances created by the COVID-19 pandemic “may call for the rapid establishment of business collaborations of limited duration and scope to ensure the supply of products and services that are critical to Canadians.”

With this recognition, the Bureau indicated that it generally will not exercise scrutiny “in circumstances where there is a clear imperative for companies to be collaborating in the short-term to respond to the crisis, where those collaborations are undertaken and executed in good faith and do not go further than what is needed.”

### MEDIA

## A proper national energy policy should be a post-coronavirus priority

*We can now see how critically important reliable energy supplies are, and how taken for granted they were. We will have seen that a global lockdown resulted in a massive drop of 30 million barrels per day of oil demand, but that the world still required 70 million barrels per day even when as close to a standstill. To read more, [click here](#).*

## Government must launch support package for besieged oil & gas sector

The Canadian Chamber of Commerce urges the federal government to [launch the long-promised support package for Canada’s oil and gas sector](#). Despite the recent international agreement to reduce production, COVID-19 will continue to put extreme pressure on global demand. Canada must consider the steps it can take to ensure low prices and insolvency among Canadian oil and gas producers does not jeopardize the resiliency of Canada’s energy system.

## Can Alberta and Canada agree on kick-starting Alberta’s economy?

McMillan Vantage says it has been thinking about Alberta more than ever and how the twin perils of Covid-19 and the crash of the oil economy have created enormous challenges. [Check out Nathan Rotman’s thoughts](#) on kick-starting Alberta’s economy.

## Presentation overview and insights on COVID-19

The CPA’s partner, **Temple Scott Associates**, organized a webinar for their clients on April 9, 2020. The CPA participated and is sharing their presentation: [COVID-19 Public Affairs Advocacy](#). It provides a good overview of what has happened so far and insights regarding a go forward plan (note that some information is already dated as it is changes quickly).

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