

Measurement Canada

Retail Petroleum Trade Sector Review

*Recommendations for Establishing an
Appropriate Level of Measurement Canada
Intervention in the Retail Petroleum Sector*

May 2004

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1.0 Introduction

1.1 Purpose of the Report

This report contains the recommendations for establishing an appropriate level of intervention for Measurement Canada in the Retail Petroleum Sector. These recommendations are the result of extensive consultation with sector stakeholders to ensure the accurate measurement of petroleum products in the Retail Petroleum Sector.

This report summarizes the views of the Retail Petroleum Sector stakeholders established through consensus during open consultation meetings and provides Measurement Canada Senior Management with the supporting rationale and considerations behind each recommendation.

1.2 Sector Review Methodology

Beginning in December of 2002, the Retail Petroleum Sector Review team contacted a sample of sector stakeholders individually, to obtain preliminary feedback on the Retail Petroleum Sector. The information obtained was used to understand the Retail Petroleum Sector and aided the review team to develop a discussion paper on the sector. This discussion paper was distributed to stakeholders in the sector and formed the basis for discussions at regional consensus meetings held in Calgary, Halifax, Toronto and Montreal. During these meetings, stakeholders reached consensus on the recommendations included in this report. Minutes of the individual meetings can be found on the Measurement Canada web site (www.mc.ic.gc.ca).

1.3 Decision Making Criteria

Throughout the consultation, the team strived to achieve consensus among sector stakeholders for all recommendations. The following conditions were used to guide the discussions:

- general consensus of the vulnerable parties must support all recommendations;
- general agreement from all stakeholders on all recommendations;
- general support from third parties (those who are not parties to the trade transaction);
- all decisions/recommendations must be in line with Measurement Canada's strategic direction;
- all recommendations must be sustainable into the future;
- all recommendations must be consistent with 'sound metrological practices'; and
- recommendations must not contravene any international requirements nor place

Canada in breach of any international trade agreements.

1.4 Impact of Recommendations on Other Trade Sector Reviews

Some recommendations contained within this report may impact on other trade sector reviews. The Retail Petroleum Sector Review recommendations may be reviewed and possibly considered by other trade sector reviews for adoption, however, they will remain applicable only to the Retail Petroleum Sector.

1.5 Stakeholder Reach

The Retail Petroleum Sector Review Team made every effort to obtain the participation of a representative group of stakeholders involved in the industry. This also included obtaining the participation of vulnerable parties to the transaction.

Representation from the sector included all the major petroleum retail chains; small to mid size petroleum retail chains; petroleum cooperatives; independent retail petroleum dealers; petroleum associations; petroleum device manufacturers; petroleum device repair/service agencies; and provincial regulatory bodies.

As all transactions in the sector involve vulnerable parties, the participation of consumers was paramount. Option consommateurs participated in all of the consultation sessions and was represented by Genevieve Reed. Other consumer groups represented were the Halifax Regional Homeowners Association represented by Walter Nolan, the Consumer Group for Fair Gas Prices represented by Dennis O'Keefe and the Consumers Association of Canada represented by Nick Murray. Several other consumer groups were invited to participate but declined the opportunity.

See **Appendix A** for a list of stakeholders who participated at the consensus meetings.

1.6 Conclusion, Thanks

The Retail Petroleum Sector Review Team would like to express their sincere thanks and appreciation to all participating stakeholders. The exchange of information and dialogue throughout the consultation process was always done in a courteous and professional manner and the sector as a whole was very supportive. The team believes that it has met the project obligations by using consultation to achieve the principal goal of determining an appropriate level of intervention for Measurement Canada in the Retail Petroleum Sector. Should any clarifications be required on this report, the members of the Retail Petroleum Sector Review Team are available to provide assistance.

The team would like to thank Measurement Canada's staff, managers and Senior Management Committee for the support and input received during the project. The team would also like to thank Sonia Roussy and Gilles Vinet, the sector review team stewards, for their patience, support and guidance throughout this project.

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2.0 Recommendations (Summary)

2.1 Approvals

- 1(a). Measurement Canada should continue to approve all new devices (including updates and revisions) prior to trade use.
- 1(b). Measurement Canada should continue to engage in the recognition of regulatory organizations in other countries provided that they perform work to Measurement Canada standards and as long as Measurement Canada still remains accountable. Measurement Canada should also pursue becoming a recognized international approval body.

2.2 Initial Inspection

- 2(a). Initial inspections should continue to be conducted before weighing or measuring devices are used in trade.
- 2(b). Initial inspections should continue to be done either at the factory or in the field as long as the devices comply with all Measurement Canada requirements prior to use in trade.
- 2(c). Initial inspections should be conducted by an accredited or registered authorized serviced providers. Individuals performing initial inspections must be competent and continuously monitored by Measurement Canada.

2.3 Subsequent Inspection

- 3(a). As a starting point, subsequent device inspections should take place every 2 years except for propane devices, which will be on a 1 year cycle.
- 3(b). The inspection frequency may change, pending results from sector monitoring and stakeholders' input.
- 3(c). The inspection cycle or frequency shall be defined so that the period of time between inspections is clear to all stakeholders.

2.4 Standards

- 4(a). Standards used by accredited or registered service providers to inspect legal for trade devices on behalf of Measurement Canada should be calibrated, certified and traceable to a national or international standard.
- 4(b). Measurement Canada should continue to pursue the delegation of authority for service providers to calibrate and certify measurement standards on behalf of Measurement Canada.
- 4(c). Measurement Canada should also continue to pursue the recognition of other international standards laboratories.

2.5 Alternate Service Delivery

- 5. Two alternative service delivery mechanisms are recommended by stakeholders for initial and subsequent inspections of legal for trade devices in the Retail Petroleum Sector:
 - 1. Accreditation
 - 2. Registration

Authorized service providers may choose either model in order to perform initial or subsequent inspections on behalf of Measurement Canada.

2.6 Monitoring

- 6(a). Measurement Canada should continue to monitor and report on the Retail Petroleum Trade Sector through compliance rates, percentage of substantiated complaints, and stakeholder input.
- 6(b). This information should be transmitted in a manner that can be easily accessed and understood by consumers.

2.7 Commodity Inspections

- 7(a) Measurement Canada should still maintain its commodity inspection program in the propane gas cylinder fill industry.
- 7(b) Measurement Canada should permit only one method of filling for clerk served propane gas cylinders.

2.8 Complaints

- 8(a). Measurement Canada should continue to be responsible for the investigation of all valid complaints reported to them.
- 8(b). Measurement Canada must increase awareness of its existence in terms of their role in the investigation of complaints.
- 8(c). A toll-free telephone number adjacent to the name Measurement Canada, should be added to all inspection stickers used by Measurement Canada and accredited/registered service providers.

3.0 Recommendations (Detailed)

3.1 Approvals

Background:

Before a measuring or weighing device can be legally allowed to be used in trade, it must go through a mandatory approval process. Prototypes are evaluated for compliance with legislated requirements to ensure minimum design requirements and that they are capable of measuring accurately under normal conditions of use and throughout their service lifetime. Once approved, an approval number is issued authorizing the use of the device type for **Legal for Trade** use in Canada. Weights and Measures approval numbers must be displayed on the device and will generally be in the format of *SWA-XXXX* or *AV-XXXX*. Once approved, the device must be initially inspected if it is to be used in trade.

Current:

Measurement Canada's approval laboratory evaluates and approves all devices used in trade within the industry. Device manufacturers are responsible to apply and submit devices to Measurement Canada for approval. Measurement Canada has mutual recognition with the United States to recognize approval test results for fuel dispensers. Under this agreement, most of the evaluations for fuel dispensers are still conducted by Measurement Canada.

Recommendation 1:

- 1(a) Measurement Canada should continue to approve all new devices (including updates and revisions) prior to trade use.
- 1(b) Measurement Canada should continue to engage in the recognition of regulatory organizations in other countries provided that they perform work to Measurement Canada standards and as long as Measurement Canada still remains accountable. Measurement Canada should also pursue becoming a recognized international approval body.

Rationale:

The recommendations are consistent with Measurement Canada's Mission and Strategic Direction where the approval process will still be maintained and the door is open for the use of viable Alternative Service Delivery options. By maintaining Measurement Canada's mutual recognition with the United States and continuing to pursue recognition of other international approval bodies, stakeholders should have access to the use of emerging new device technologies in a timely and cost effective fashion. By further adopting international standards, stakeholders will benefit by minimizing duplications and sustaining competitiveness in international trade.

Key Considerations:

- Measurement Canada should still pursue the adoption of the international standard R117 issued by OIML (Organisation internationale de métrologie légale - International Organization of Legal Metrology).
- Measurement Canada should be proud of being a leader in the volumetric approval process and should make it known to Canadians.

2.2 Initial Inspections:

Background:

Initial inspections are one part of the legal steps that a device must go through in order to be legally used in trade. This step ensures that a device meets its approved design specifications, that it is properly installed and measures accurately within prescribed limits. All measuring devices used in the trade sector are legally subject to an initial inspection prior to their use in trade.

Current:

Measurement Canada, as well as accredited organizations, conduct initial inspections on every trade device used in the sector prior to its use in trade. This inspection is conducted at the factory or in the field, depending on the device type and its sensitivity to installation.

Recommendation 2:

- 2(a) Initial inspections should continue to be conducted before weighing or measuring devices are used in trade.
- 2(b) Initial inspections should be done either at the factory or in the field as long as the devices comply with all Measurement Canada requirements before use in trade.
- 2(c) Initial inspections should be conducted by an accredited or registered authorized serviced providers. Individuals performing initial inspections must be competent and continuously monitored by Measurement Canada.

Rationale:

All stakeholders unanimously agree that initial inspections should continue to be mandatory. The initial inspections are viewed as a vital step in the commissioning of all trade devices prior to their use. They provide assurances that the devices conform with approval notices, meet special requirements, are installed as specified, and that they measure within the tolerances specified by Measurement Canada. These assurances provide a high level of confidence to all stakeholders that the devices conform to all Measurement Canada requirements before they are put into service. This is regarded as a good safety net to ensure proper installation and calibration for all trade devices prior to their first use in trade. This will also contribute to a higher level of confidence for consumers.

Key Considerations:

The majority of the stakeholders are concerned with the errors found between the initial factory inspection and initial field. As a result, special consideration should be given to the following.

- Measurement Canada should finalize the study regarding the possible inaccuracies between factory and field initial inspections.
- Measurement Canada should review and document its list of installation sensitive devices that should only be initially inspected in the field.

- As long as all Measurement Canada initial inspection requirements are met and the devices are not installation sensitive, factory initial inspection should continue to be performed, especially where it is more feasible and more cost effective to do so.

2.3 Subsequent Inspection

Background:

The subsequent inspection is an inspection that follows the initial inspection to assure continued compliance with the Weights and Measures Act and Regulations. Measurement Canada currently does not have legislated mandatory periodic subsequent inspections.

Current:

The *Weights and Measures Act and Regulations* do not prescribe any mandatory inspection periods for measuring devices in the sector. Measurement Canada does conduct random inspections to monitor industry compliance but some devices may not be inspected following the initial inspection for many years. Most traders have some type of maintenance program in place to ensure the accuracy of their measuring equipment. This testing is done by private service companies or corporate maintenance staff. Many of these traders are concerned with inventory balances for monetary as well as environmental reasons. It is understood that Measurement Canada will not provide subsequent inspection services directly. These inspections would have to be conducted through an approved alternative service delivery mechanism. Currently, Measurement Canada has several accredited organizations that perform subsequent inspections on its behalf but only a handful of these are in this sector. Another model of alternative service delivery, the Registration program, was launched on April 5, 2004 for the Downstream Petroleum Sector.

Recommendation 3:

- 3(a) As a starting point, mandatory subsequent device inspections should take place every 2 years except for propane devices which should be on a 1 year cycle.
- 3(b) The inspection frequency may change, pending results from sector monitoring and stakeholders' input .
- 3(c) The inspection cycle or frequency shall be defined so that the period of time

between inspections is clear to all stakeholders.

Rationale:

Although all stakeholders unanimously agree that a mandatory subsequent inspection program is in the best interest of the sector and should be implemented, long discussions ensued trying to justify how much time should elapse between inspections or if the mandatory subsequent inspection should be based on a quantitative system where the cycle is based on how much product is dispensed through a meter. A proper balance is to be reached between assurance of good measurement and the cost effectiveness of maintaining such assurances. Finding a balance between too frequent and not frequent enough inspection periods will have to be an ongoing process.

Key Considerations:

- Information on device capabilities (how long can a device maintain its calibration) cannot be provided at this time. Industry stakeholders were of the opinion that devices failed in favour of the customer, yet Measurement Canada inspection results reflect the opposite.
- Where internal calibration programs are already implemented, the added cost in performing the whole inspection is negligible.
- Some provinces have environmental laws that have driven the industry to have a two year calibration program.
- There could be new costs associated with the mandatory inspections for small, independent and/or isolated traders and retailers. These new costs could be minimized by traders partnering with other traders in the area during the subsequent inspection cycle. This would allow traders to share the travel expenses for the service providers conducting the periodic inspections.
- Consumer confidence will be enhanced by knowing that trade devices are being inspected on a regular basis.

- The recommendation of a two year inspection frequency for subsequent inspections is being made due to the major support by the stakeholders representing the consumers. One of Measurement Canada's primary criteria is to give higher consideration to the vulnerable parties. A cycle of three years was preferred by the major oil companies and repair/manufacturers but fell well out of the consumer groups' comfort zone. It is felt that because many retailers do calibrate their devices more often than every two years, that a mandatory two year cycle would not add a financial burden.
- The one year cycle for the propane devices, specifically meters, is due to the fact that propane by nature is a much more abrasive liquid and hence more difficult to keep propane meters calibrated. Industry has suggested more frequent inspections to ensure proper measurement. It is to be noted that Measurement Canada has met with the Canadian Propane Gas Association and that the one year cycle has been accepted without any concerns. The one year cycle for propane would not add a financial burden to the propane industry or retailers.
- Regarding mandatory subsequent inspection cycle, it was suggested that if an inspection was performed on a device prior to the beginning of the inspection cycle, it could become the start of the mandatory subsequent inspection cycle.
- It was agreed that traders could inspect their devices more often than the recommended mandatory subsequent inspection cycle because the established frequency is a minimum requirement.
- The truck meter inspection frequency is aligned with the Downstream Petroleum Sector frequency.
- It was felt by some stakeholders that a mandatory periodic inspection cycle would provide a business climate leading to affordable inspections by accredited or registered companies.
- It is understood that the recommended cycle is a starting point and that it may be changed if monitoring data dictate it.
- It was also suggested that an expiry date on the inspection sticker would help in the enforcement of the inspection cycle. Participants felt the public would inform Measurement Canada if devices were found with expired inspection stickers.

3.4 Standards

Background:

Physical measurement standards include 20 litre measures, volumetric open provers, small volume provers, master meters, test weights, etc. Physical measurement standards also include any instrument used in calibrating or determining accuracy of other devices such as pressure gauges, temperature gauges, etc.

See **Appendix B** for Measurement Canada's hierarchy of volumetric standards.

Current:

Physical measurement standards owned by Measurement Canada, owned by organizations accredited by Measurement Canada, or owned by industry but intended to be used by Measurement Canada's staff for the inspection of trade devices must be traceable to the national standard (NRC 2) and are required to be calibrated and certified periodically by Measurement Canada. Physical measurement standards owned and used by industry for the repair and calibration of trade devices (other than for certification), are not required to be calibrated and certified by Measurement Canada. Presently, certain industry physical measurement standards may be traceable, while others may not.

Recommendation 4:

- 4(a) Standards used by accredited or registered service providers to inspect legal for trade devices on behalf of Measurement Canada should be calibrated, certified and traceable to a national or international standard.
- 4(b) Measurement Canada should continue to pursue the delegation of authority for service providers to calibrate and certify measurement standards on behalf of Measurement Canada.
- 4(c) Measurement Canada should also continue to pursue the recognition of other international standards laboratories.

Rationale:

Physical measurement standards that are well maintained, reliable, accurate and traceable to a national or international standard form the foundation for good sound metrology. Any significant uncertainties or calibration errors impact directly on trade measuring device accuracy. Even small inaccuracies may result in significant financial loss for the trading partners. It is vital that rules for measurement standards are established and applied. In order to have a uniform, reliable, national measurement system, uncertainties of standards must be established, standards must be maintained and used in accordance with sound procedures and must be suitable for the intended use. Stakeholders feel that Measurement Canada is in the best position with the necessary authority to accomplish this goal for the industry.

Measurement Canada also has the capability to recognize laboratories with acceptable procedures and reference standards that have an unbroken traceability to the national standards such as the National Research Council or the National Institute of Standards and Technology. These two laboratories can provide the same level of reliability and accuracy for standards as the calibrations conducted by Measurement Canada. Other international standards laboratories may be able to provide the same level of reliability and accuracy. As Measurement Canada pursues its work with other international organizations, it may be able to recognize the physical standards held by these organizations and the calibration services they provide.

Key Considerations:

- Measurement Canada must still be in control of the calibration of physical standards even if the calibrations are done by other laboratories or 3rd parties. In other words, Measurement Canada must still be the final authority.
- The hierarchy of the reference stands must be followed (see Appendix B) in order for the traceability to be valid, i.e. a level 3 standard should be referenced to a level 2 standard, etc.
- Stakeholders feel that any national or international standards used for traceability or certification must not be lower than Measurement Canada's standards.
- Stakeholders have concerns that the use of different types of test standards (pipe provers versus open provers) or test standards of the same type and design could provide different results if different testing methods are used when performing calibrations. The examples raised were the top filling of a prover compared to the bottom filling of a prover, as well as open neck provers compared to closed system provers (pipe provers or master meter provers).

- A study should take place or a the technical working group established for the Retail Petroleum (made up of industry and Measurement Canada representatives); to review design criteria for standards and to study the optimum recertification frequency of various physical standards; and to address the concerns of the stakeholders of the Retail Sector Review.

3.5 Alternative Service Delivery

Background:

At this time, Measurement Canada's Accreditation program allows organizations to be granted the authority to inspect and certify weighing and measuring trade devices provided that they implement a quality management system based on Measurement Canada's S-A-01 standard. There are few organizations that are accredited by Measurement Canada in the Retail Petroleum industry, but 69 or so organizations are accredited overall by Measurement Canada. (See the Measurement Canada web site, www.mc.ic.gc.ca under Authorized Service Providers, List of Accredited Service Providers.)

One of the reasons that the program has not been well subscribed to could be the lack of mandatory subsequent inspection. This would provide the incentive needed for most organizations to seek Accreditation.

Current:

Measurement Canada has developed and launched effective April 5, 2003 another Alternative Service Delivery program, the Registration program, that stems from the recommendations of the Downstream Petroleum Sector.

Recently, an alternative service delivery program was launched for standards calibration in the electricity and gas side as a result of the Electricity and Natural Gas Sector reviews. This program requires the implementation of a quality management system.

In terms of approval, the mutual recognition program with the United States is the only existing form of alternative service delivery.

Recommendation 5:

5 Two alternative service delivery mechanisms were recommended by stakeholders for initial and subsequent inspections of legal for trade devices in the Retail Petroleum Sector:

1. Accreditation
2. Registration

Authorized service providers may choose either model in order to perform initial or subsequent inspections on behalf of Measurement Canada.

Rationale:

The Accreditation and the Registration programs will ensure the same competence in the delivery of inspections (standards used, inspection procedures, training of technicians). Most stakeholders, including consumer representatives, were in agreement that both models of alternative service delivery mechanisms could be used because both are equally capable of providing the same quality of service and that both models would be strictly monitored by Measurement Canada making them equally acceptable. It was stressed that a major difference between models was that in order for an organization to register with Measurement Canada, the Registration program must have been accepted, as a model of alternative service delivery, in the sector in which an organization wants to do business. If an authorized service provider wants to perform inspections in more than one sector, then the Accreditation program may be a better alternative at this time. The introduction of mandatory subsequent inspections will provide the incentive needed for most organizations to seek Accreditation or Registration.

Key Considerations:

- Stakeholders suggested to have a standardize reporting system for data gathering.
- Stakeholders strongly recommend mandatory monitoring by Measurement Canada of both programs.
- Stakeholders strongly recommend authorized service provider training be delivered by Measurement Canada.
- The criteria of the Registration program should be identical to that for the Downstream Petroleum Sector.

3.6 Monitoring

Background:

Historically, performance indicators were mainly compliance rates for device and commodity inspections performed by Measurement Canada. These rates were determined from results obtained by Measurement Canada inspectors during periodic inspections, compliance sampling, selective inspections, complaints, request inspections and re-inspections.

Current:

Measurement Canada does not report on performance indicators to the general public. Compliance rates for device and commodity inspections performed by Measurement Canada are used to assess different industries for targeted inspection.

Recommendation 6:

- 6(a) Measurement Canada should continue to monitor and report on the Retail Petroleum Trade Sector through compliance rates, percentage of substantiated complaints, and stakeholder input.
- 6(b) This information should be transmitted in a manner that can be easily accessed and understood by consumers.

Rationale:

Consumers generally feel that someone must take overall responsibility for monitoring the accuracy in trade measurement in the Retail Petroleum industry. Preferences expressed were that this role be the responsibility of Measurement Canada, but the use of data supplied by authorized service providers was seen as acceptable as long as Measurement Canada continues to provide an integral monitoring role to ensure that any system was in fact unbiased and fair to all. Measurement Canada can also fulfil its mandate by providing better monitoring through the use of authorized service providers and maintaining its existing work force.

Key Considerations:

- Authorized service providers performing work on Measurement Canada's behalf will be monitored by Measurement Canada through requirements specified in the Accreditation and Registration programs, audits of authorized service providers and follow up inspections that are to be representative of the work performed by authorized service providers.
- A general performance indicator for service providers should be posted. The information should be divided into easily interpreted categories. Specific information about individual service providers must not be posted.
- Some stakeholders wanted Measurement Canada's monitoring data to reflect the number of complaints versus the total number of transactions or vehicle fills in Canada. Obtaining the total number of transactions or fills could be difficult. Using numbers from Statistics Canada was suggested.
- Any monitoring and posting of complaints should be based on percentage of substantiated complaints. Monitoring based solely on the number of complaints does not give a true performance indicator.
- Historical data should be posted on Measurement Canada's internet site to indicate to consumers if the sector is improving.
- It was suggested that Measurement Canada specify the degree of measurement errors to give a better outlook of the total inequity versus compliance rate.
- It was suggested that Measurement Canada include definitions to explain measurement and non-measurement errors.
- It was also indicated that the toll-free number on the verification stickers will help Measurement Canada to achieve better monitoring by consumers informing Measurement Canada of any issues present.
- Stakeholder input can also be achieved through the use of existing industry associations, contacts and the Canadian Forum on Trade Measurement .

3.7 Commodity Inspections

Background:

Measurement Canada performs commodity inspections on clerk served propane gas cylinder fills. This is accomplished through anonymous test purchases, where an inspector presents a propane gas cylinder to be filled and checks for the proper amount delivered.

Current:

Measurement Canada does not have a legislated frequency of commodity inspections. However, ad-hoc inspections are conducted to determine how the industry is performing in this area.

Recommendation 7:

- 7(a) Measurement Canada should still maintain its commodity inspection program in the propane gas cylinder fill sector.
- 7(b) Measurement Canada should specify only one method of filling for clerk served propane gas cylinders.

Rationale:

Stakeholders were of the opinion that given the low compliance rate in the propane gas cylinder fill sector, that Measurement Canada should remain responsible for this industry until the compliance rate is improved. There were several factors that were identified for the cause of the low compliance rate for this sector (ie. cylinder type, fill methods, lack of training, etc.). Given the wide range of these factors, the Propane Gas Association of Canada has committed to working with Measurement Canada to determine the true cause of the low compliance rates and to implement with their members, corrective measures to prevent measurement errors in filling propane gas cylinders. Stakeholders suggested, as a start, to require all establishments filling propane gas cylinders to use the weigh in, weigh out method of filling propane cylinders. They thought this method would alleviate a portion of the problems with filling propane gas cylinders.

Key Considerations:

- The industry is moving towards propane gas cylinder exchange programs and the number of establishments filling propane gas cylinders on site is declining.
- Measurement Canada has put significant resources in resolving the problems in this sector with little results. The commitment of the Propane Gas Association of Canada in aiding in the investigation and improvement of the low compliance rate is critical. With the Association's help significant steps can be made in resolving the problems of the industry.
- Measurement Canada Bulletin C-03 defines the policy regarding propane gas cylinder filling. This bulletin could be revised to contain only the weigh in, weigh out method of filling propane gas cylinders and the propane cylinder exchange method for the sale of propane.
- The weigh in, weigh out method of filling bottled propane will not address the compliance of the exchange program method. The inspection and enforcement of the exchange method is performed through the *Consumer Packaging and Labelling Act*, not the *Weights and Measures Act*.
- Any changes to requirements should be done after the joint work has been completed by Measurement Canada and the Propane Gas Association of Canada.

3.8 Complaints

Background:

Complaints are brought forward by consumers or purchasers believing that they did not receive fair measure in a trade transaction. These complaints are either resolved with the trader or business or brought forward to Measurement Canada for investigation. It should be noted that due to the *Access to Information Act*, Measurement Canada cannot divulge measurement errors found during a complaint investigation to parties other than the device owner without the device owner's permission.

Current:

Measurement Canada currently investigates all complaints on trade measurement reported to them.

Recommendation 8:

- 8(a) Measurement Canada should continue to be responsible for the investigation of all valid complaints reported to them.
- 8(b) Measurement Canada must increase awareness of its existence in terms of its role in the investigation of complaints.
- 8(c) A toll-free telephone number adjacent to the name Measurement Canada, should be added to all inspection stickers used by Measurement Canada and accredited/registered service providers.

Rationale:

Measurement Canada's mandate and strategic direction has committed Measurement Canada to investigating complaints. Consumer representatives expressed concerns with the lack of public knowledge of the existence of Measurement Canada. This was also evident at the public focus group sessions held across Canada. To resolve this lack of knowledge, consumer representatives indicated that steps need to be taken to make Measurement Canada more known and accessible to consumers. By providing a toll-free number, it would not only allow consumer access to Measurement Canada but it would also provide traders with information and access to Measurement Canada in instances where complaints cannot be resolved directly with the consumer. By letting consumers know that Measurement Canada is overseeing the petroleum industry, consumer confidence in the industry should be enhanced.

Key Considerations:

- Measurement Canada must fulfill its commitment to investigating complaints.
- During implementation, there may be a risk of a flood of complaints brought forward.

Appendix A Participants

Alarie, Roger	Measurement Canada
Bailey, Garnet	M.T.I.
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Bekolay, Tim	National Energy
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Betts, Brian	Gibson Energy Ltd.
Bourdage, Roland	Measurement Canada
Bush, Bob	Canwest Propane Ltd.
Chan, Jim D.	Actaris Neptune Liquid Measurement Division
Cunningham, Bob	Propane Gas Association of Canada
Currie, Myles	National Energy Equipment
Daviau, Chrystian	ITS Caleb Brett
Doherty, Keith	MID:COM
Ebbett Mark	Phoenix Petroleum
Fiot, Gerard	Ultramar Ltée
Freed, Graham	Petro-Canada
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Grace, Rodney	Retail Gasoline Dealers Association
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Hansen, Kim	MI Petro Group
Hawkyard, Drew	Measurement Canada
Hobbs, Bob	Dresser Wayne
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Hutton, Dennis	Hutton&Associates
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Krause, Al	Cantest Solutions Inc.
Labonté, Gaetan	Shell Canada
Lastoria, John	Canadian Tire Petroleum Operations
Latta, Randy	Measurement Canada
LeBlanc, Bernard	Petro Service
LeBlanc, Steve	Irving Fleet Management
Lemire, Gerry	Irving Oil Corp.
Lesperance, Nelson	Imperial Oil-Products&Chemicals Division
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Mohammed, Hafiz	MI PetroServices
Moore, Bob	National Energy
Murray, Nick	Consumers Association of Canada
Nelson, Jeff	Mettler Toledo
Nollan, Walter	Halifax Regional Homeowners Association
O'Keefe, Dennis	Consumer Group for Fair Gas Prices
Pelletier, Gilles	Measurement Canada
Poulin, Jacques	Association des entrepreneurs pétroliers du QC Inc
Ranger, Larry	Measurement Canada
Reed, Geneviève	Option Consommateurs
Reid, Terry	Measurement Canada
Rideout, Doug	Measurement Canada
Roussy, Sonia	Measurement Canada
Roy, Claude	Sonix
Roy, Jacques	Certiflo Inc.
Rushoway, Gene	NGLBU Eng.
Santilli, Pino	John Reed et fils Ltee
Saunders, George	Newfoundland and Labrador Petroleum Products Pricing Commission
Savage, Jane	Canadian Independent Petroleum Marketers Association (CIPMA)
Simpkins, Bill	Canadian Petroleum Products Institute
Thibodeau, Paul	LTS Sales Ltd.
Thompson, Dave	Measurement Technology International
Thompson, David	Phoenix Petroleum
Toms, David	Newfoundland and Labrador Petroleum Products Pricing Commission
Tremblay, Pierre	Mesures Calib-Tech
Trujillo, Luis	John Reid & Son
Trussler, Bill	Shell Canada Products Limited
Vinet, Gilles	Measurement Canada
Watters, Jeff	Measurement Canada
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White, Ken	SAS Petroleum Technologies Inc.
Young, Robert	Measurement Canada
Zuehlke, Ken	Gemini Pump & Compressor

Appendix B Hierarchy of Volume Standards

