BUTANE-PROPANE NEWS

BPN

NOVEMBER 22

How the **Inflation Reduction Act** Will Affect Your Company

Tax Savings Start Now: Get the Most Out of Your Deductions



Image courtesy of Crestwood Services

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Dear Readers,
For any business owner in the propane industry, anything to do with the United States government's Consumer Product Safety Commission usually means at least two things: paperwork and a headache. Properly navigating product recalls has always been a cumbersome aspect of doing business in this industry, but the advent of online retailers like Amazon has only made the process more challenging. Opening our feature series this month, Thomas Davis discusses what you need to know in the modern era of product recalls and how to prepare to keep your company safe.

While we're talking safety and compliance, let's talk personal protective equipment (PPE) and why no one in the field wants to wear it. On page 66, experts from consultant J. J. Keller & Associates dive into a recent study on PPE from companies in a variety of industries — why employees balk at complying with PPE regulations, the most common citations they see and how company leadership can encourage and improve proper use of it.

Rounding out this month's feature series on legal and liability challenges, Jan Kelly discusses the importance of keeping your compliance policies and procedures manual up to date — and how not doing so will put your business at risk for federal audit — stat. Business compliance is a challenge for all companies, no matter the industry.

In Ernst & Young's (EY) 2022 Global Integrity Report, the firm surveyed 4,700 employees in a variety of industries and found that in the last 12 months, there has been a greater investment in integrity and compliance initiatives. Of those surveyed, 53% currently have a code of conduct in place, compared with 47% 18 months ago. The EY report also found an increase in training programs in companies, moving from 38% of businesses in 2020 providing regular training on relevant legal regulatory or professional requirements, to 46% in 2022.

However, the report also referenced a willingness among senior executives to act outside compliance rules. EY reported that board members surveyed were five times as likely as employees surveyed to falsify financial records (15% to 3%) and six times as likely to say they would be willing to mislead external third parties, such as auditors (18% to 3%). Find the full report at ey.com/forensicsglobalintegrityreport2022.

What should this tell you about your own company? You and your management team must maintain an eagle-eye focus on potential compliance and liability challenges. As we hurtle full-speed ahead into our industry's busiest season, making sure you've covered your bases (wherever possible) will help ensure a smoother — and hopefully safer — winter heating season.

Speaking of covering your bases, who better to help you do so than the manufacturers, distributors, suppliers, tech providers and more featured in our 2022 Corporate Capabilities section this month? Turn to page 14 to learn more about 30 propane partners who are helping drive growth both in your company and the industry at large.

I hope you find useful information in the following pages — and I always welcome your feedback. Send me an email at emanning@cahabamedia.com to start the conversation.

Take care and I hope to see you soon,



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NATIONAL PROPANE GAS ASSOCIATION

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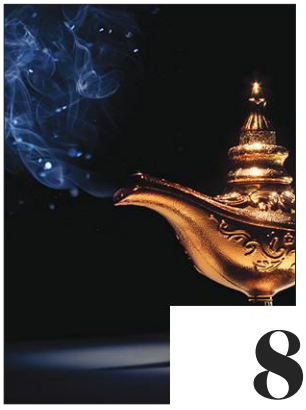
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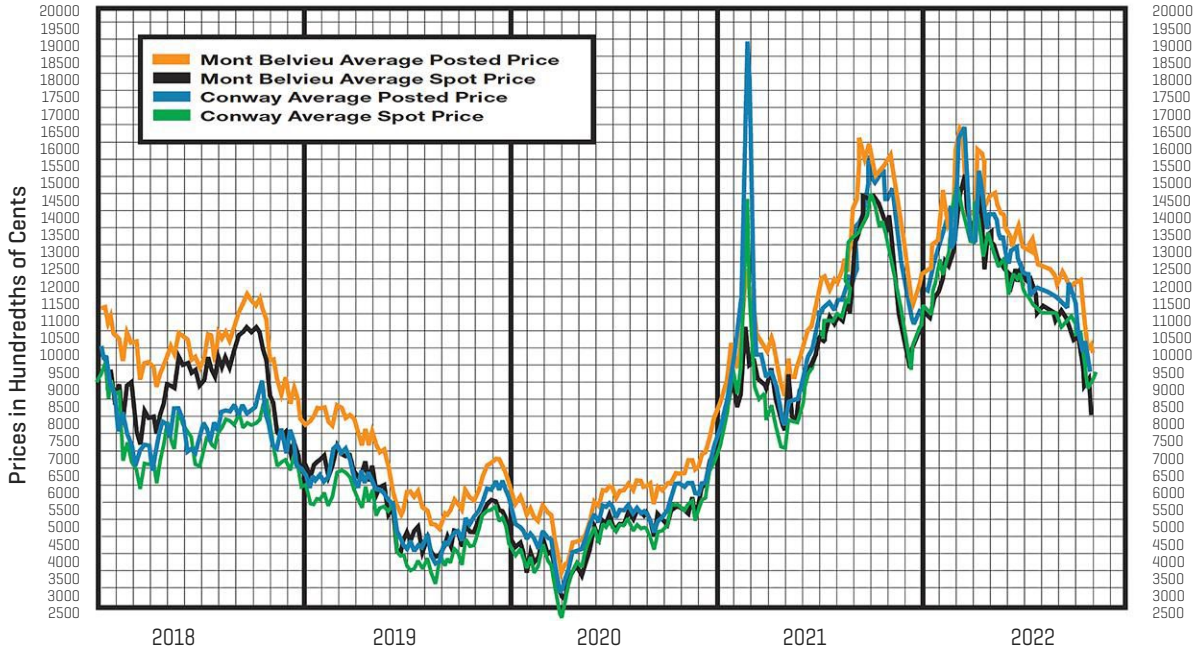
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MONT BELVIEU & CONWAY AVERAGE THURSDAY PROPANE PRICES



at a glance: During the latest September to October mid-month period, Mont Belvieu, Texas, posted prices fell 21.5 cents/gal., and the spot prices dropped 21.375 cents. Conway, Kansas, postings ended with a 21.25-cent decrease and spots fell 20.75 cents over the month.

MID-WEEK AVERAGE POSTED/SPOT PROPANE PRICES (Cents per Gallon)

	9/15/22	9/22/22	9/29/22	10/6/22	10/13/22
Mont Belvieu					
posted	118.089	109.006	99.089	101.589	96.589
spot	103.250 – 103.500	94.000 – 94.750	87.000 – 88.000	91.000 – 92.000	81.875 – 82.875
Conway					
posted	112.698	105.698	94.498	97.648	91.448
spot	104.000 – 105.500	94.500 – 96.750	87.750 – 88.500	90.000 – 92.750	83.250 – 84.000

at a glance

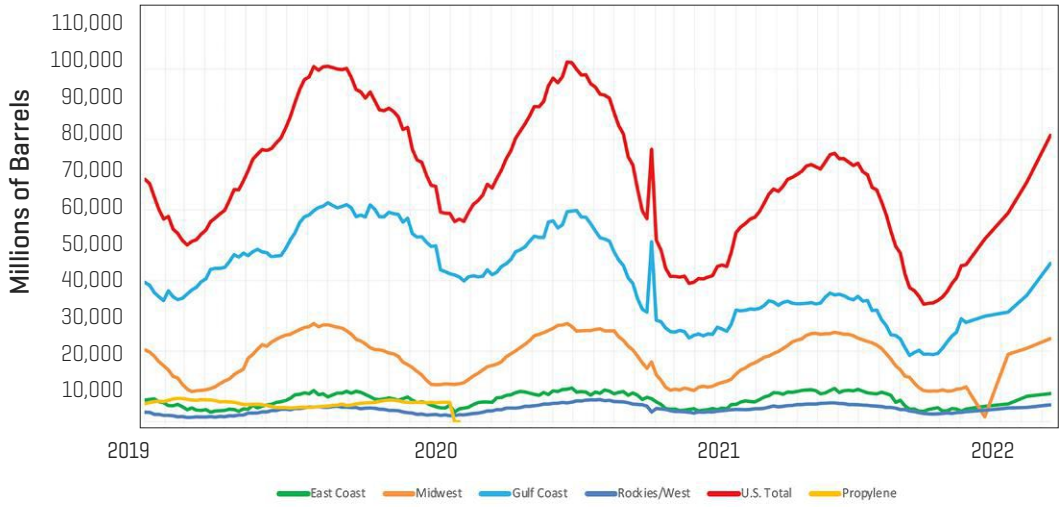
Canada's primary underground propane inventories increased by 5.14% in October, according to the Canada Energy Regulator. The total represented a month-to-month increase of 90 Mcm. Compared to a year earlier, stocks were lower, with 182.2 Mcm, or 9.01%, less product on hand.

CANADIAN INVENTORIES (Thousand Cubic Meters)

PROPANE	Sept. 2022	Oct. 2022	Change	Oct. 2021
Propane-East	588.4	642.1	9.1%	989.9
Propane-West	1161.3	1197.6	3.1%	1031.0
Total Propane	1749.7	1839.7	5.1%	2021.9
BUTANE				
Butane-East	589.6	633.2	7.4%	443.0
Butane-West	712.3	678.0	-4.8%	529.6
Total Butane	1301.8	1311.3	0.7%	972.5

Source: Canada Energy Regulator

U.S. PROPANE INVENTORIES



at a glance

United States propane stocks experienced a 4.773-MMbbl increase from September to October. East Coast stocks rose 710,000 bbl, the Midwest rose 1.029 MMbbl, the Gulf Coast increased 2.642 MMbbl, and the Rocky Mountain/ West Coast increased 391,000 bbl. Compared to the same time in Oct. 2021, the Oct. 2022 stocks were 12.344 MMbbl higher.

U.S. PROPANE INVENTORIES

Sept. 16, 2022 - Oct. 14, 2022, and One Year Ago (Thousand Barrels)

	10/14/22	10/7/22	9/30/22	9/23/22	9/16/22	10/15/21
East Coast	78.706	8.584	8.173	7.677	7.996	8.173
Midwest	24.583	24.864	24.465	24.350	23.554	24.925
Gulf Coast	47.496	47.127	46.728	45.784	44.854	35.264
Rocky Mtn & West Coast	5.178	4.907	5.025	5.017	4.787	5.259
U.S.	85.964	85.483	84.391	82.828	81.191	73.620

U.S. RESIDENTIAL PROPANE PRICES

(Mid-Month, Cents per Gallon)

	Oct. 2022	Sept. 2022*	Oct. 2021
East Coast (PADD 1)	341.6	N/A	335.7
Midwest (PADD 2)	223.6	N/A	233.0
Average U.S.	266.4	N/A	269.1

**The Energy Information Administration reports U.S. residential propane prices from October to April each year. For this reason, September data is unavailable.*

Source: "This Week in Petroleum," Energy Information Administration

Find out more:
For further commentary on mid-month prices and Canadian inventories, visit bpnews.com/news.

DEAD RIVER COMPANY ACQUIRES SCOTT ENERGY CO.

Dead River Company LLC, based in South Portland, Maine, has acquired the distillates, propane and HVAC service business of Scott Energy Co. Inc., based in Gloucester, Massachusetts. The transaction closed on Aug. 16, 2022. Scott Energy is a full-service home and business energy provider. Ed Scott Sr. founded the company in 1946 under the name Scott Oil Co. Over the ensuing decades, the company has passed through the hands of family members of Ed Scott Sr. In the 2010s, the family changed the company name to Scott Energy to more accurately represent the growing variety of products and services offered. Shortly after, a propane division was added to the business, which has grown and today boasts a propane bulk plant that supports thousands of customers in the North Shore cities and towns from Lynn to Newburyport, Massachusetts. Dead River Company, founded in 1909 by Charles Hutchins, had its roots in the forest products industry. In 1936, Dead River entered the petroleum business and has since grown to be the largest full-service home heating provider in northern New England. By operating locally managed offices throughout Maine, New Hampshire, Vermont and Massachusetts, it maintains deep roots in the communities it serves. Cetane Associates LLC served as the sole arranger and financial advisor to Scott Energy.

ENERGY NORTH GROUP NAMES VICE PRESIDENT OF WHOLESALE



Kevin Jackson

Energy North Group announced Kevin Jackson as its new vice president of wholesale. With over three decades of experience in the fuel industry, Jackson brings a wealth of knowledge that enables him to oversee the company's existing wholesale customer network and foster future growth opportunities. He is affiliated with the New York Association of Convenience Stores and the New England Convenience Store and Energy Marketers Association. Outside of the office, Jackson enjoys spending time traveling with his family. He is also a fervent supporter of St. Jude Children's Research Hospital and the Massachusetts-based adoption agency Wide Horizons for Children.

EIA EXPECTS MOST US HOUSEHOLDS TO PAY MORE FOR HEATING THIS WINTER

The United States Energy Information Administration (EIA) expects most U.S. households will pay more to heat their homes this winter. In its "2022 Winter Fuels Outlook," EIA forecasts higher U.S. residential energy prices compared with last winter, as well as higher consumption of heating fuels during what is forecast to be a slightly colder winter than last year. The National Oceanic and Atmospheric Administration expects the U.S. to experience a slightly colder winter than last year, leading to higher consumption of heating fuels. That higher consumption and higher energy prices contribute to EIA's forecasts for higher heating costs. Compared with last winter's heating costs, EIA forecasts U.S. households will spend 28% more for natural gas, 27% more for heating oil, 10% more for electricity and 5% more for propane. U.S. households will spend even more on average if the weather is colder than expected.

LIFEGUARD TECHNOLOGIES MOURNS PASSING OF CHAIRMAN & DIRECTOR OF ENGINEERING JOE ABRAMS



Joe Abrams

With deep sadness, the team at LifeGuard Technologies announced the passing of Chairman and Director of Engineering Joseph H. Abrams on Sept. 25, 2022. Abrams was a leader in the industrial gas industry, and LifeGuard Technologies as you know it today would not exist without his ingenuity and dedication to making a safer industry for all. Abrams' contribution to the industry first began with his work in cryogenics in 1958, and today the LifeGuard Safety Hoses have become a standard worldwide in all industries and applications. In 1986, Abrams owned and sold one of the largest industrial gas companies in Pennsylvania and New Jersey, Woodland Oxygen Supply Company. He held three patents, including one that was issued when he was 90 years old. Abrams was a pioneer founding Woodland Cryogenics and developing the industry's first computerized cylinder filling plants, as well as having invented the LifeGuard Safety Hose technology mandated for use by the U.S., Canadian and Indian governments and specified by all the largest industrial gas companies in the world. Abrams will forever remain highly regarded for his contributions to the liquefied petroleum gas and industrial gas industries.

CIVISTA BANCSHARES ACQUIRES VISION FINANCIAL GROUP

On Oct. 3, Sandusky, Ohio-based Civista Bancshares Inc. closed the transaction of a definitive stock purchase agreement to acquire all of the issued and outstanding shares of Pittsburgh-based Vision Financial Group Inc. (VFG), a privately held, independent, full-service general equipment leasing and financing company. Founded in 1991 by Fred Summers, VFG provides lending solutions to both small- and medium-sized businesses and large corporate customers across the U.S. VFG plays a meaningful role in the success and growth of its customers' businesses by serving as a knowledgeable and reliable financing source for revenue-producing equipment. Based on financial data as of June 30, 2022, VFG had total loan and lease assets of approximately $89 million and is expected to generate loan and lease originations exceeding $120 million during 2022. Upon completion of the transaction, VFG became a subsidiary of Civista Bank, with current VFG leadership and all employees continuing in their positions, led by CEO Bill Summers. VFG will continue to operate under the Vision Financial Group Inc. name.

ONYX SYSTEMS ANNOUNCES PROPANE ENGINE TECHNOLOGY EXPANSION ROAD MAP

On Oct. 7, 2022, ONYX Systems LLC celebrated National Propane Day

by announcing its propane engine technology expansion plan road map. "Propane engine-powered equipment is a near-zero emission, clean, ecofriendly, efficient, reliable and affordable bridge technology between today's gasoline- and diesel-powered industrial equipment and the fully electrified zero emission future," explained Stuart Proctor, ONYX vice president of marketing. ONYX propane engines are fully EPA- and CARB-certified with emission certification results well below EPA and CARB limits. ONYX plans to expand its portfolio of EPA certified propane engines by adding the 302cc Horizontal Engine, 452cc Vertical Engine, 459cc Horizontal Engine, 764/678cc Horizontal Engine, 999cc Horizontal Engine, and 999cc Vertical Engine to its lineup.

BERGQUIST INC. WELCOMES NEW TANK MONITOR SALES SPECIALIST


Kim Keil

Bergquist Inc. announced the addition of tank monitor sales specialist, Kim Keil. Based in Hudson, New York, Keil brings over 16 years of professional sales experience. She has worked with various energy companies, including Energy North Group, Global Partners LP, Red Kap Sales, Valley Energy and Getty Petroleum Marketing Inc. In her new role, she will focus on Bergquist's Anova universal tank monitor and Cavagna smart meter to customers, primarily in the Northeast U.S. In addition to her experience in sales, Keil is involved with numerous industry associations, including the Propane Education & Research Council, the New York Propane Gas Association, Women in Energy, the Empire State Energy Association and the New England Convenience Stores & Energy Marketers Association.

EDP ACQUIRES HARBOR POINT ENERGY PRODUCTS

Energy Distribution Partners (EDP) has announced the acquisition of Harbor Point Energy Products. Founded in 2007, Harbor Point provides a full range of energy products and services to nearly 6,000 customers across seven counties in East Central New York. Principal owner John DesJardins has a long history in the energy industry and will remain with the company to spearhead the transition. All Harbor Point employees will join EDP. "We are delighted to welcome Harbor Point Energy Products and its team of experienced employees to EDP," said Thomas Knauff, EDP's president and CEO. "Harbor Point Energy has built an excellent reputation for providing a complete range of energy products and services to thousands of customers for the past 15 years, and the company is very respected in the communities it serves."

WESTPORT APPOINTS NEW CFO

Westport Fuel Systems Inc. announced the resignation of its chief financial officer (CFO), Richard Orazietti, for personal reasons. Orazietti will continue in his capacity as CFO until Nov. 30, 2022, following the release of Westport's third quarter 2022 results, to ensure a smooth transition and the seamless transfer of duties and responsibilities. Succeeding Orazietti is William Larkin, a finance executive with more than 14 years in the CFO role in both public and private companies. His experiences span a diverse set of corporate environments ranging from entrepreneurial startups, high-growth small caps and mature enterprises across various industries focusing on corporate development, finance and strategy. Most recently, he served as CFO of Akumin Inc. He is returning to Westport having served as CFO of Westport Fuel Systems Inc. (then known as Westport Innovations Inc.) from 2010 through 2014, and he also served in progressively senior positions at Fuel Systems Solutions Inc., including CFO. Larkin began his career as a Certified Public Accountant with Deloitte & Touche and is a veteran of the U.S. Army. Larkin joined Westport in October 2022 and will work with Orazietti to ensure a smooth transition.

Have something to share?
Send us your company news at bpneditorial@cahabamedia.com.

Industry Calendar

Nov. 10 Iowa PGA Board Meeting
iapropane.org
Des Moines, IA

Nov. 10 Indiana PGA Board & Membership Meeting
indianapropane.com
Carmel, IN

Nov. 11 Oklahoma PGA Board Meeting
okpropane.org
Oklahoma City, OK

Nov. 14-18 LPG Week 2022
lpgweek.com
New Delhi, India

Nov. 29-30 Ohio PGA Fall Quarterly Membership Meeting
ohiopropanegas.org
Lewis Center, OH

Nov. 30 Iowa PERC Board Meeting
iapropane.org
Pleasant Hill, IA

Dec. 6-7 NPGA/PERC State Leadership Summit
npga.org
Washington D.C.

Dec. 8 Nebraska PGA Board Meeting
nebraskapropane.com
Kearney, NE

Dec. 13 Ohio PERC Board of Directors Meeting
ohiopropanegas.org
Lewis Center, OH

Dec. 14 Ohio PGA Membership & Board Meeting
ohiopropanegas.org
Lewis Center, OH

Jan. 11 Arkansas PGA Board Meeting
arkansaspropane.com
Virtual

Jan. 23-24 Michigan PGA Winter Board Meeting
mipga.org
Mount Pleasant, MI

FOR ADDITIONAL CALENDAR ITEMS, VISIT BPNEWS.COM.



Nancy Coop is an industry advocate. She is director of marketing at the M&A advisory firm Cetane Associates. Contact her at ncoop@cetane.net. Visit cetane.net.

YOU'RE GIVEN ONE WISH, BUT YOU CANNOT USE IT ON YOURSELF — WHAT WOULD YOU WISH FOR?

Respondents yearn for a peaceful & harmonious world in Nancy Coop's latest column

Right off the bat, Boyd McGathey cleverly asked me if he could "wish for more wishes." Yet he, like our other respondents, found a broader, more humanitarian wish within the boundaries of this month's question. Only a couple people threw in something personal, and one used her wish for yours truly (one of the more humbling moments I've experienced).

I hope you'll give this question some thought: What would you wish for if the wish-granting power stipulated it could not be for yourself?

In this column, adopted from the familiar "Heard on the Street" format, we offer our responders a chance to answer the question posed in the title. These are their replies reported verbatim.

A WAR-FREE WORLD

My one wish would be for everyone to follow the "Golden Rule" all the time ("Do unto others as you would have them do unto you"). As I was thinking about this, I realized how many problems in this world could be solved. I doubt that we would have wars, political division, homelessness or hunger. I'm sure that would just be the tip of the iceberg of the problems that would go away. I'm the first one to admit that I, myself, don't follow it near enough, but I am working on it. I hope that anyone else who reads this could work on it as well. I think we'd all be better off for it.

JON SHEPARD
VK INSPECTIONS LLC
MERCER, PENNSYLVANIA

My single wish would be to grant every person with consistent, loving kindness and a desire to never hurt another human being. Hopefully this would then lead to the end of wars and suffering caused by humans. That would bring an end to greed, crime, hate, lies, deceit and other evil traits in the world. That would be my wish for the world to be a better place.

SUSAN PETERSON
RURAL COMPUTER CONSULTANTS
BIRD ISLAND, MINNESOTA

Gosh, big question! All the obvious answers are a wish for world peace, or an end to world hunger or homelessness. But what I would love to share as my wish is written in Matthew 7:12: "So whatever you wish others would do to you, do also to them."

If we all treated other humans with kindness and respect, I think everything else would just fall in place.

TONYA CROW
GROWMARK INC.
BLOOMINGTON, ILLINOIS

I would wish that the people of Ukraine could live peacefully and freely in their own country. Totally unrelated personal wish: I wish that one day my son is the captain of the world's largest cruise ship.

LESLIE WOODWARD
FAIRVIEW FITTINGS
OAKVILLE, ONTARIO, CANADA

This one is simple yet remains true no matter which way I frame it: I would wish for peace on earth.

JESSICA JOHNSON
THOMPSONGAS
ASHEVILLE, NORTH CAROLINA

COUNTRY, FAMILY & FRIENDS FOCUS

There is so much division in our country now and not a lot of willingness to consider issues with an open mind. This makes me very concerned for the future of my children and grandchildren. My wish would be that people could



overcome their differences and learn to work together for the good of our country so that our descendants can experience a peaceful coexistence.

ROSIE BUSCHUR
MCMAHAN'S BOTTLE GAS
DAYTON, OHIO

My wish would be to heal our country. We're never going to agree on everything, but for many decades we have managed to find common ground and compromise — I think, by not being so extreme in one direction or the other.

BOYD H. MCGATHEY
ENERGY DISTRIBUTION PARTNERS
PARKVILLE, MISSOURI

I would wish for the safety and happiness of my wife, kids and loved ones.

JASON SOULON
WESTMOR INDUSTRIES
SHAWNEE, KANSAS

I wish that Nancy Coop would feel appreciation from our industry. She has done so much to promote propane and community in our industry, and to give women a voice in our association. She has been a tremendous example of professionalism and grace to all she comes in contact with. May all her dreams come true!

JULIE JOHNSON
TED JOHNSON PROPANE
BALDWIN PARK, CALIFORNIA

My wish would be that my children and their children succeed in whatever they do. It is harder today to follow your dreams. But I truly believe that with confidence and conviction, anyone can succeed. I was lucky to have good parents, siblings, coworkers and employees throughout my career. I also had a mentor that helped me mature and grow in business. My wish is that the next generation makes the world and our country a better place.

ED VARNEY
TOP LINE MANAGEMENT LLC
MCKINNEY, TEXAS

WISHING IT WERE SO

The pattern in our respondents' replies verify what I hear from my friends, my colleagues, my family members and pundits on media news outlets: We humans are struggling to find harmony and equity in this world we inhabit. These responses may make a case for wishful thinking as the basis for making meaningful change.

The meaning of "wishful thinking" is, according to Webster's Dictionary, "the formation of beliefs based on what might be pleasing to imagine, rather than on evidence, rationality, or reality." Further delving into definitions, "wish," when used as a verb, is "to feel or express a strong desire or hope for something that is not easily attainable."

Shall we consolidate the thoughts presented by the collective conscience in this column to create a better world for the future? Perhaps, with our kindness and open-mindedness and desire for reasonable compromise, we can establish a new "Make-a-Wish" organization whose mission is to improve the world for future generations.

Individually we add to the collaborative effort by applying real-world behaviors and attitudes, such as respect, caring and kindness, to all those whom we encounter.

If you are interested in submitting responses, please contact Coop at ncoop@cetane.net.



David Schlee is of counsel to the firm of Baty Otto Coronado Scheer P.C., with offices in Kansas City, St. Louis and Springfield, Missouri. He may be reached at dschlee@batyotto.com. Visit batyotto.com.

PENNSYLVANIA COURT LIMITS CLAIMS IN GAS COOKSTOVE LAWSUIT

Questions of burner knobs, fire causation & the qualifications of experts lead to a split decision

On March 28, a federal court in Pennsylvania limited the claims that a jury could consider in a residential fire lawsuit. The fire was allegedly caused by the ignition of propane that leaked from a gas cookstove. No one was home at the time, but the residence sustained significant damage. The case is Allstate v. Haier.

NEW COOKSTOVE

In 2012, Duane and Sherri Koons purchased a new General Electric (GE) gas cookstove at Home Depot. The stove was converted from natural gas to propane and was installed in their home in Lebanon, Pennsylvania. Although new in 2012, the stove was actually manufactured in 2007.

The stove was manufactured by Leiser, a joint venture between General Electric and a Mexican company. In 2016, General Electric sold its entire appliance business to Haier United States Appliance Solutions. Haier continued to sell and service appliances under the name GE Appliances.

The stove did not have pilot lights for the burners. It was electronic ignition, with push-to-turn burner control knobs. This meant that to activate a burner, the knob would be pushed in and turned to the desired setting.

FLAME RECTIFICATION

The stove did not have a flame rectification system, which uses a sensor to monitor when gas being released to a burner is actually ignited and burning. If gas is flowing but there is no flame, the system activates an electronic ignitor. The Koons used the cookstove for six years without incident. That changed in June 2018 when the family left for a vacation. On June 6 or 7, Sherri cleaned the kitchen. She later said that she did not turn the stove burners on or leave them on. On June 7, the family departed.

HOUSE ON FIRE

On June 9, Duane received a call that the house was on fire. The family immediately returned to find extensive damage. There had been no explosion. At the scene, a firefighter told Duane that he saw at least one burner knob in the on position. Duane said this was impossible. The family, he said, had never accidentally turned a burner knob on in the six years they owned the cookstove.

The Koons had purchased property insurance from Allstate Property and Casualty Insurance. Allstate paid substantial benefits to the Koons and then conducted its own investigation of the cause of the fire. It hired two experts, Mr. Spadt and Mr. Zazula, and they reviewed the evidence at the scene. They conducted tests on the incident stove and an identical model. Both concluded the fire's origin was at the cookstove, and that it was caused by the ignition of gas that leaked through the burners that must have been accidently turned on by Sherri Koons while cleaning. Both said the ignition source was the refrigerator motor at floor level, where they concluded the heavier-than-air propane had collected.

LAWSUIT

Zazula asserted the stove was improperly designed (evidently because it lacked a flame rectification system), and was not accompanied by adequate warnings about the danger of leaving burners on.

Based on these conclusions, Allstate sued Haier and General Electric to recover the amount paid to the Koons. The defendents responded by denying that the origin of the fire was at the stove and was caused by ignition of gas leaking through the burners. The defendants filed motions to exclude the opinions of Spadt and Zazula, and for summary judgment dismissing Allstate's claims. The trial court considered these motions and came up with a split decision.

UNQUALIFIED EXPERT

The court first considered the opinions



of Allstate's experts. While they did not agree that the origin of the fire was at the stove, the defendants did not challenge Spadt's credentials to present that opinion to the jury. They did, however, argue that Spadt was unqualified to opine that the cause of the fire was ignition of a propane leak through the stove burners. The court agreed:

"Spadt, by his own admission, simply does not have 'specialized knowledge' about the core instruments of his fire causation theory — LP gas, gas stoves and refrigerators. Accordingly, Spadt is not qualified to offer his second conclusion to the finder of fact."

Defendants did not attack Zazula's qualifications to provide an opinion on the cause of the fire, but they did argue his methodology was flawed. Zazula had conducted tests on the stove, as well as on an identical model. The defendants attacked these tests. Zazula did not test whether a refrigerator motor at floor level could ignite leaking gas from the burners. He also did not consider outside variables (such as air exchange and air currents in the house) that would relate to the movement and accumulation of gas. He also did not explain why there was no evidence of an explosion.

FITTING THE FACTS

Defendants also pointed to the denials by the Koons that Sherri could have accidentally turned one or more of the burners on. The court was unpersuaded:

"Whether the fire at the Koons' home was caused by the accidental discharge of LP gas from the Koons' stove is an open question. Defendants may yet prove at trial that Zazula's theory of causation is entirely mistaken. But as it stands, Zazula's opinion fits the facts of the case. We will deny defendants' motion as to Zazula's opinion on causation."

The court, however, found that Zazula was not qualified to provide opinions on improper stove design to a jury.

'MECHANICALLY POSSIBLE'

When it turned to the defendants' motion for summary judgment, the court found that Allstate could present its improper design claims to the jury. Testing after the incident on an identical stove "show that accidental manipulation of the burners without triggering the ignitor is mechanically possible." And while the Koons' denials that they could have left burner control knobs on "leans against Allstate's theory of causation," those denials are "not conclusive." This was enough to allow the jury to consider Allstate's negligent design claim, even without Zazula's testimony.

For the failure to warn claim, the court focused on causation — would different consumer warnings for the stove have prevented the incident?

UNREAD INSTRUCTIONS

Duane testified he never read the stove instructions, and in fact doubted a manual even came with it. Sherri said she saw a manual and read some parts of it, but could only remember the part relating to the stove's computer motherboard, not the burner knobs. And Allstate's theory rested on the accidental manipulation of the burner knobs by Sherri when she was not paying attention to her conduct. This was enough for the court to dismiss the warning claim:

"Allstate insists a warning would have made a difference but offers no theory as to how a different or additional warning could have prevented the fire. Without even a theory of causation, we must find Allstate's contention that a different warning could have prevented the fire at the Koons' home to be mere speculation."

Finally, the court held that Allstate's claim for breach of warranty on the stove must be dismissed because it was not filed within four years of purchase.

In summary, the court did allow Allstate's claim to go to trial, but with limitations: (1) Spadt's opinion that the fire originated at the stove could be presented to the jury; (2) Zazula's — but not Spadt's — opinion that the fire was caused by the refrigerator motor igniting gas that leaked from the stove's burners could also be presented to the jury; (3) Allstate could argue that the stove was improperly designed, but could not present Zazula's opinion to that effect; and (4) the warning and breach of warranty claims were dismissed.

THE EFFECTS OF THE INFLATION REDUCTION ACT ON PROPANE



How this climate change bill can both help & hurt the industry over time

BY JESSICA GRAHAM

After passing in both the United States House and the Senate, the Inflation Reduction Act (IRA) was signed into law by President Joe Biden on Aug. 16, 2022. The Committee for a Responsible Federal Budget describes the IRA as "legislation which would use Fiscal Year 2022 reconciliation instructions to raise revenue; lower prescription drug costs; fund new energy, climate, and health care provisions; and reduce budget deficits."

In other words, the U.S. government is providing subsidies for certain sectors of the economy in hopes that pumping money into the economy will help to incentivize growth and create jobs.

Because part of the bill funds new energy provisions, the propane industry has a vested interest in the IRA's impact over time. What can the industry hope to gain from the IRA and where might it see setbacks? Michael Baker, vice president of federal legislative affairs for the National Propane Gas Association (NPGA), shared with BPN his analysis of the bill and what it could mean for the industry. Read on to learn more.

Can you give an overview of how the IRA aims to combat climate change?

Baker: The Inflation Reduction Act offers a number of government incentives and establishes programs to promote clean energy and climate change initiatives. The bill includes $369 billion worth of clean energy provisions. The IRA is the second part of Congressional Democrats' two-pronged approach to infrastructure legislation.

The first part was the bipartisan Infrastructure Investment and Jobs Act, which passed last year. The IRA is a partisan, Democrat-led bill that garnered zero Republican votes in the House or Senate. ... There are a lot of giveaways toward electrification in the IRA, but there are also other provisions that promote an all-of-the-above approach to solving the emissions reduction goal of Democrats.

How did NPGA work with members of Congress to try to ensure some propane-beneficial elements were in the bill?

NPGA identified certain provisions in early versions of the bill and made sure Congress was aware of how those provisions may impact the propane industry, and where possible, we offered alternative language. ... As an example, we lobbied to clarify language in the proposed Clean Fuel Production Credit. This provision provided production incentives for transportation-grade fuel, but we wanted to ensure fuel used for other purposes — such as home heating — would qualify. So, we were able to clarify and work with Congress to ensure that gallons of, say, renewable propane could be used for home heating under this credit.

[NPGA is] making sure that the fuel producers receiving this incentive know that as they sell or promote these gallons, they can reach a broader market beyond just the transportation sector.

I would also say that these bills provided an opportunity to showcase propane as a clean fuel. It's something that we've done for several years now. We're building on our advocacy efforts over the years, and in many ways, it's not new — it's just that there is a new legislative vehicle.

Do you feel that NPGA had success with that endeavor?

Yes. We are thrilled that we got a number of our priorities included in this bill, like the Alternative Fuel Tax Credit incentives for distributed power generation and renewable propane production. However, this Democrat-led bill favors electrification.

When we look back at the Infrastructure Investment and Jobs Act, it is clear to see where we worked on a bipartisan basis to get some real wins. We think the bill lacks an all-of-the-above approach to energy solutions, so we have a mixed review. But we are happy about what we achieved, especially compared to previous iterations of this bill.

The IRA provides funding for energy security. Can you give a brief definition of energy security?

Energy security is the reliability of our

grid or citizens' access to reliable energy. When we think about grid security, we look at situations like in Texas, where we had significant grid failures, wildfires in California, and Hurricane Ian coming through Florida and the Southeast. We know these events caused millions of people to lose power.

One of the things that we've promoted — especially in the Inflation Reduction Act — is propane-fueled distributed power generation, which can provide an affordable and pragmatic solution to grid reliability.

How might it affect marketers?

I think there's an opportunity for propane to continue to operate and grow market share by utilizing technologies like combined heat and power. For marketers that are willing to put in the time and energy to grow their business, in many parts of the country, there is an opportunity. Some association members are actively marketing these technologies in places like California. They have grown their business in this sector significantly over the past several years.

The bill aims to lower consumers' energy costs by creating incentives to buy energy-efficient appliances, vehicles, etc. Is there a path left open for the propane industry among those rebates and tax credits?

This question is difficult to answer. It really depends on where you live. The idea that if you live in northern Minnesota and receive incentives to put a heat pump into your home — and that's going to save money off your energy bill — may be unrealistic. But there may be places where it does make sense, and the incentive could cover the cost of adopting that technology as well as lowering your overall energy bills. That's not universal, though.

This bill provided money for passenger vehicles — a vehicle manufacturing credit — but there are several exceptions. So, if you make over a certain amount of money, you cannot claim the credit. If the vehicle's too expensive, it doesn't qualify for the credit. If the vehicle parts aren't sourced or manufactured in the U.S., it doesn't qualify for the credit. There aren't many vehicles that will qualify for this credit today or in the near future.

This is just one example, but I don't know if provisions like this will lower people's energy costs, as these vehicles are expensive, and electricity isn't free. Additionally, a lot of the technologies they're building into the grid — whether it's wind or solar — are also expensive. Yes, it's renewable energy, but will it lower overall energy costs for Americans? We'll have to wait and see.

There's a focus in the bill on domestic manufacturing. Will that help alleviate any supply chain issues we've been experiencing this year?

Certainly not in the near future. It's not like you can pull a lever and these things start happening tomorrow. In general, many goods produced in the U.S. aren't as cost-effective as purchasing them from other countries. The bill's focus on domestic manufacturing may ease inflation or supply chain issues in the long run, but its impact today is uncertain.

So, it's more of a long-term issue than they probably want it to be.

Slapping a title like the Inflation Reduction Act on a bill makes people feel a little bit better. Again, the likelihood of this bill favorably impacting inflation in the near future is uncertain.

How might provisions in the IRA help fund infrastructure for renewable propane and rDME?

We've been working really hard to educate members of Congress on the value of renewable propane and renewable DME. We see a lot of Congressional interest in clean fuels (biodiesel/renewable diesel). Now that the Inflation Reduction Act is a law, we're seeing an opportunity — whether it's DME or renewable propane — to break into that market as well.

There are a number of incentives in this bill to increase production. There's an extension of the biodiesel/renewable diesel credit, which has been around for many years. And while this credit doesn't directly impact renewable propane, where these fuels are produced, there's an opportunity to produce renewable propane as a byproduct. There's also a newly established Sustainable Aviation Fuel Credit. Again, it will not directly impact the industry, but there's an opportunity where these fuels are being produced to produce renewable propane.

The last thing, which may be most beneficial, is the Clean Fuel Production Credit. This is a producer credit, which provides an incentive based on the carbon intensity of the fuel being produced. Renewable propane and DME would qualify for the duration of the program. And we look at this as an opportunity to help offset the cost of investing in building out the operations to produce more fuel. This is meant for fuels like ours.

Are there opportunities to push for propane growth and to get the message out that it's a clean alternative fuel?

The most important thing for us is to see our industry try and understand, "What are these incentives? How can I take advantage of them?" The more we take advantage of these incentives, the next time there's a bill, we can tell Congress, "Look what [this incentive] did for us. We're ready to take advantage of new incentives in the future."

Again, it's about encouraging our industry to understand these incentives and helping them to grow their businesses. It's not going to be easy. There isn't a single thing [in the bill] where you can just show up, collect a check and say thank you. It's going to involve a lot of work. It's hard to get this money. But for anyone willing to work hard, there's a way to take these incentives to grow their business.

Jessica Graham is associate editor of Butane-Propane News.

2022 CORPORATE CAPABILITIES

In BPN's special advertising section, we're covering the companies, services and products that are pushing long-term propane growth. These are the industry partners that are helping to drive your company's — and the industry's — success in an increasingly complicated economy. On the following pages, learn about each of these industry leaders and how they are carving a path to viability in a world searching for the clean energy that propane provides.





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Anova

Enabling marketers to realize the benefits of tank monitoring faster

Anova is a trusted innovator and leader in remote tank monitoring, providing propane marketers, fuels, oils and lubricant distributors with unparalleled monitoring affordability, capability and transformative insight. Anova monitors over a million propane, fuel and other tanks and applications around the world.

More Than a Vendor, Anova Is Your Partner

Anova partners with its customers to help them transform their businesses. Beyond the foundation of its trusted tank monitoring hardware, actionable software and comprehensive integration services, Anova's deep industry expertise, analytics tools and convenient services help its customers digitize operations and drive profitability.

Success Through Collaboration

Anova takes pride in working with its customers to develop solutions that meet the challenges of a fast-evolving industry. Anova's innovative solutions originated from decades of discussions and collaborative problem solving with long-time customers and industry partners.

Anova Installation Services

Anova enables marketers to realize the benefits of tank monitoring faster by utilizing Anova Installation Services. Anova-trained installation teams save customers time and labor while accurately capturing valuable tank information, GPS location and photographic documentation of every installation and upgrade performed.

The service is efficient at any scale, and large deployments are completed quickly and efficiently — regardless of location area size. Alternatively, use Anova's sophisticated logistical and routing support with your own team of installers.

Anova Universal Tank Monitor

The Anova Universal Tank Monitor (UTM) is an affordable tank monitor that monitors multiple inputs simultaneously and communicates over a wide variety of networks and carriers, including LTE CAT-M1. With easy installation, a 15-plus-year battery, an array of sensor support for different applications, clip-in cables and the ability to monitor tank level, pressure, meters, change-over manifolds or inputs from adjacent tanks, the Anova UTM helps drive better distribution.

Gain True Business Intelligence With Anova

Anova provides an unparalleled analytics platform that enables sophisticated business intelligence and better forecasts derived from your data. Leveraging its decades of industry experience, the Anova solution helps reveal actionable insight and pinpoints the opportunities to improve operational and delivery efficiency. Outcomes include improved fill efficiency, less customer churn and ultimately higher profitability.

Advanced Analytics & Forecasting

Anova advanced forecasting introduces the combination of Industrial Internet of Things and artificial intelligence for more accurate fuel tank-level forecasting on unmonitored tanks, outperforming the accuracy of traditional forecasting methods: routed, calendar or weather-based degree-days. Advanced algorithms learn from every collected data point across a tank population, including telemetry and delivery data, resulting in higher efficiency delivery scheduling.

Applications include tank-level forecasting, consumption analysis and peak-shaving, enabling new benefits across all seasons, in resource allocation, in product acquisition costs and allocations, and in reducing carbon emissions from inefficient deliveries.

Anova cares deeply about serving its customers and proudly providing propane industry innovations that connect the industrial world for better.



Anova
866-493-7762
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anova.com

Bergquist Inc.

A long history of expertise

Karl Bergquist, founder of Bergquist Inc., created his company in 1963 under the name Bergquist Propane Equipment Inc. At the time, Karl served a regional area of customers out of a single garage location.

Today, Bergquist Inc. continues to operate as a family-owned entity under the leadership of Lauren Clark, providing wholesale propane equipment and appliances to companies across 50 states and worldwide.

To serve you better, the company's staff of more than 30 experienced propane specialists is dispersed throughout five national sales and distribution centers. With so many years of expertise in this industry and multiple locations across the United States, Bergquist is the propane supplier you can count on for the equipment you want and the service you need.

Core Values Designed to Benefit You

Over the years, Bergquist has expanded to meet the needs of its customers and developments in the industry. Yet no matter how the company may change and grow over time, it remains focused on four core competencies:

1. *Timely Distribution of Equipment*
Your order is pulled, packed and shipped within hours of your call.

2. *Representation of Leading Global Manufacturers*
As the largest independent distributor of propane equipment, you have access to a great selection of technology and industry trends from around the world — with just one call.

3. *Technical Competence by Sales Personnel*
Your questions are answered by the people who know propane equipment. Every member of the Bergquist team is highly knowledgeable about its product line and participates in ongoing industry and product training.

4. *Involvement in Industry Associations*
At Bergquist, the team stays involved and gives back to the propane industry:

- Bergquist Inc. is an active member of 26 state associations.
- Lauren Clark, president, sits on the National Propane Gas Association (NPGA), Distributor Section and Women in Propane Council.
- Bob Barry, chief financial officer, is the immediate past NPGA chair and a past member of the Propane Education & Research Council.



> Bergquist is the propane supplier you can count on for the equipment you want & the service you need.

With locations and area sales managers throughout the country, you can expect fast, personalized service.

Bergquist's Mission

Bergquist is a wholesale distributor of equipment for propane and other industrial gases. The company is committed to providing innovative products, outstanding customer service and technical support to deliver the best outcomes for its customers, the industry and its families.

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BLT Tanks LLC

Selling & refurbishing propane tanks since 1994



BLT Tanks is a family-run business that is 100% owned, operated and funded in the United States. The company emphasizes quality at a reasonable cost. BLT Tanks' main line is refurbished tanks from 120 gallons to 1,000 gallons, selling mostly 250-, 330- and 500-gallon tanks. Its team of 65 employees is prepared to meet your needs.

BLT rebuilt tanks are steel-shot blasted to white metal, leaving a rough surface for the specially formulated high-solids, direct-to-metal, mastic polyurethane coating developed to provide additional corrosion protection, enhanced weatherability (long-term gloss and color retention), and increased overall coating toughness by H-I-S Paint of Oklahoma City, Oklahoma. BLT tanks are painted white, tan and gray with several dome colors available in load lots. The company uses only all-American-made RegO valves and replace gauges. The tanks are fitted with steel domes and are pressure tested and methanol treated. Data plates are cleaned and coated with marine varnish to protect them and ensure they are legible for years to come.

Tanks are sorted into quality grades A and B. "A" is for the customer who wants and needs quality. "B" is for the customer who needs economical and reliable tanks. Many BLT Tanks customers are unable to tell the difference between A and B grades at a glance. The B-grade tanks are usually available, but sometimes there is a wait due to supply demands.

BLT Tanks has 15 boom trucks that can deliver tanks nationwide to its customers' locations. BLT primarily deals in load lots, but will occasionally do partial loads. The company will purchase tanks — 100 gallons and larger — in semi load lots nationwide. It also sells and delivers used tanks at a reasonable price. These vary from serviceable, later-model tanks to older tanks that might need painting and refurbishing. BLT's refurbished tanks are warranted like new.

The BLT team strives to deliver quality customer service to meet your needs: Brad Ragains, owner/manager; J.R. Heredia, sales for Western U.S.; Tina Johnson, sales for Eastern U.S.; Toddie Rollins, business manager; Nick Rollins, fleet/DOT; Eva Ryan, customer service; Tabitha Ryan, safety/advertising; Shawn Cruz, valving manager; Cy Smith, painting manager; and Ignacio Guzman, logistics manager.

BLT Tanks LLC
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BLT TANKS

WE PURCHASE GOOD & JUNK TANKS IN LOAD LOTS NATIONWIDE

Blue Peak Resources

The right solutions are within your reach

Blue Peak Resources is a full-service consulting firm specializing in propane gas and fuel oil mergers and acquisitions. Clients engage Blue Peak Resources to sell their business or advise them on increasing the value of the company they have worked so many years to build. The company's mission is simple: Blue Peak Resources connects the right businesses with the right people at the right time. Selling a family business can be an emotional and life-changing experience. The team of professionals at Blue Peak Resources will keep the process simple, yet effective, so you can receive maximum earning potential.



History

Blue Peak Resources was created by John Armentano and Mike Gioffre, who grasped the opportunity to help independent propane and fuel oil business owners more effectively navigate the process of selling their business. When planning an exit strategy, where do you begin? Mergers and acquisitions are a complicated process, and each client's set of circumstances is unique. The right partner needs to have a clear understanding of your expectations and goals. You may need a few more years to get things in order, or you might be ready now. Regardless of which stage you're in, you want the best possible guidance and resources.

With over 100 years of combined industry experience successfully growing its own companies, the trustworthy leadership team at Blue Peak Resources has unparalleled knowledge of the propane and fuel oil industry. Each team member has the expertise to deliver the exceptional service you require because they know what you need and are here to guide you each step of the way.

Company Services

The team of industry leaders at Blue Peak Resources can help your business prepare for the next steps in propane gas and fuel oil mergers and acquisitions. Additionally, while maintaining confidentiality, Blue Peak Resources qualifies all potential buyers through its extensive network as the company ensures the best match for your business. The team can provide you with:

- Consulting in propane gas and fuel oil
- Seller representation
- Business analysis and valuations
- Buyer qualification
- Due diligence evaluations
- Contract preparation and execution
- Transitional support
- Value-added offerings
- Marketing support and tools
- Margin and profitability trending

Industry Affiliations

Keeping up to date with industry changes and providing consistent value to clients require that the leadership team stays active in associations. Blue Peak Resources is proud to be affiliated with the following organizations:

- Michigan Propane Gas Association
- National Propane Gas Association
- New York Propane Gas Association
- Pennsylvania Propane Gas Association
- Propane Education & Research Council
- Propane Gas Association of New England
- Southeast Propane Alliance
- Virginia Propane Gas Association

Blue Peak Resources is based in West Palm Beach, Florida, with team members across the country. The company's vision is to be your trusted and valued resource when exit planning is your next step. So, if you're looking for a trustworthy partner that understands the energy industry's complexity, you've found your match.

Blue Peak Resources
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Your next adventure awaits!

It can all begin with a free consultation to understand the value of your business. At Blue Peak Resources, we know that selling a family business can be an emotional and life-changing experience. Our team of professionals will keep the process simple yet effective, so you can gain maximum earning potential.

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JOHN ARMENTANO
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Cavagna North America

Wherever gas is used, Cavagna is there

Founded — and still operated — as a family-run business, the Cavagna Group has been in operation since 1949, carrying the mechanical excellence of the "Made in Italy" essence and authenticity around all continents of the globe.

The Cavagna Group is a key industrial partner and leader for regulators, metering, valves and controls used in all types of gases in every step of different supply chains with a continued "big picture" view of the global market. This includes energy gases like propane and natural gas, compressed gases, medical gases, specialty gases, alternative fuels systems and metering. All products are designed and developed with social conscience and responsibility to provide dependable quality and safety for all the industries served.

With more than 70 years of experience and a progressive vision of the future energy marketplace, the Cavagna Group continues to drive meaningful innovations in the fields of Internet of Things (IoT) and digitization, while keeping a consistent focus on its core products and remaining devoted to its mission: "Wherever gas is used, we are there."

The Cavagna Group manufactures 15 million regulators and 35 million valves per year. Many of these are used in the medical industry for oxygen therapy and required extraordinary manufacturing and logistical actions through the current pandemic to provide lifesaving material where and when it was needed. The Cavagna Group's close ties with the medical industry and ability to respond to the additional needs contributed to the success in emergency treatment of patients during this crisis.

In 2021, the Cavagna Group invested millions in research and development (R&D) with its team of engineers. R&D provides increased product competitiveness with a focus on new product performance, quality and innovative IoT technology to connect devices to the gas industry. A few notable recent developments for the United States market include the design and testing of an ultrasonic smart meter to enhance and improve tank monitoring systems, expansions in the truck and plant line of products, an added pressure tap option to tank and cylinder valves, and the introduction of a slam-shut regulator with over and under pressure protection to the LP market.

In North America, Cavagna Group's products are recognized by AGA, ASME, CGA, IAS and UL as conforming to ANSI, NFPA and other recognized standards. As part of the Cavagna Group, Cavagna North America also adheres to the UN Global Compact. The Cavagna Group invests heavily in personnel, individual training and robotic technology to meet the quality standards required by its customers and the 150 countries it serves.

With 90 active patents and a global network of nine manufacturing facilities in northern Italy and an additional eight across five continents, the Cavagna Group truly is an international supplier with an Italian heart.

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Crestwood Services

Connections for America's energy

Best-in-Class Midstream Network

Crestwood connects supply with demand across North America, providing reliable, responsive service for your propane and natural gas liquid (NGL) needs. Crestwood's best-in-class midstream network — sourcing premier United States producing regions and local storage — is moving more NGLs than ever. You get assurance of supply, risk management and great customer service for all your needs.

Serving Your Propane & NGL Needs

Crestwood Services provides complete marketing, supply logistics and risk management solutions to propane and NGL marketers, no matter your size or location. Crestwood's experienced NGL professionals — who have a proven track record and a combined 150-plus years of experience — are committed to assuring your supply. And given a significant expansion of its NGL storage, pipeline, terminal and marketing capabilities, Crestwood can deliver. Plus, Crestwood has shipper status on all common carrier pipelines, a flexible rail car fleet and one of the largest tractor/trailer fleets in the industry.

The result? Crestwood is positioned better than ever to meet your supply and logistics needs.

Crestwood Will Help You Develop a Supply Plan

Propane marketers breathe easier with a solid supply plan in place heading into winter. Crestwood's team of NGL professionals will help you create a plan that takes an in-depth look at your customer base, considers factors like expected weather and economic situations, and encompasses the likelihood of any potential industrywide supply or transportation challenges.

More than ever, it's critical to have a supply plan that is flexible to adapt to changes and is resilient to assure reliable flow of propane. Getting this right makes the difference between meeting your customer needs and earning a good profit, especially in challenging times during peak winter months.

Extensive Capabilities

With its strategically located assets, Crestwood is well-positioned to meet your supply and logistic needs. Crestwood's capabilities include:

- 13 LPG terminals across the Central and Eastern U.S.
- 25-plus throughput terminals
- 10 million barrels of NGL and LPG storage
- 43 states served
- Flexible railcar fleet
- Extensive tractor/trailer fleet to accommodate your schedule

Look to Crestwood

When it comes to the partner of choice for your NGL needs, look to Crestwood. For more information, please contact:

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- Bryon Muchow, Central NGL Marketing, 816-329-5311
- Pete Kowalewich, Heavies & Y-Grade Marketing, 816-329-5333

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Connections for America's Energy

Positioned Better Than Ever to Meet Your Supply and Logistic Needs



Thanks to our strategically located assets — including NGL storage, pipeline and rail supply terminals — and our marketing capabilities, Crestwood is well-positioned to meet your supply and logistics needs.

13 LPG terminals across the Central and Eastern US

10 million barrels of NGL and LPG storage

Flexible rail car fleet

Extensive tractor/trailer fleet to better accommodate your schedule

Plus, regardless of your size or location, you can count on our experienced team of propane industry professionals to help you create a supply plan tailored to your business needs.

Want to know more? Call Crestwood today:

Chris Roth	Eastern NGL Marketing 816.714.5417
Bryon Muchow	Central NGL Marketing 816.329.5311
Pete Kowalewich	Heavies NGL Marketing 816.329.5333

Crestwood™
Connections for America's Energy
2440 Pershing Road, Suite 600
Kansas City, MO 64108

Energy Distribution Partners

A propane marketer with a long-term view

Are You Thinking About Selling?

If you're considering selling your business — and if preserving your legacy is important to you — talk with Energy Distribution Partners (EDP). Since its founding in 2012, EDP has closed on more than 30 companies of varying sizes, and is pleased to report that sellers who chose EDP are its biggest advocates.

Who Is EDP?

Energy Distribution Partners' retail operations stretch from the West Coast to the Northeast and are directed by a leadership team of propane industry veterans with a deep understanding of retail and commercial propane sales, operations and finance.

Today, EDP is recognized as one of the top 10 propane marketers, serving customers in 16 states with further expansion on the horizon.

Preserving the Legacy for Propane Business Owners

Energy Distribution Partners takes a long-term view of the propane industry, acquiring quality businesses to operate for the long haul. Since its inception, EDP has built a track record of excellence in partnering with owners and further enhancing their companies' performance.

EDP offers business owners peace of mind. When EDP acquires an operation, local management and leadership are preserved. Most operating decisions are made locally, allowing everyone to perform at a higher level. Customers appreciate the continuity. When you choose EDP, rest assured that it will:

- Invest in the ongoing growth of the local business
- Continue to be active members of the local community
- Provide your customers with an unwavering commitment to safety and quality of operations
- Provide a workplace that embraces fairness, respect and opportunity for your employees
- Ensure a continued commitment to excellent customer service



Satisfied Sellers

Jeff Hynes with Kent Oil & Propane in Nashville, Michigan, is just one example of a satisfied seller. Hynes said, "It was only a few weeks into the process when EDP became the company that stood out. EDP was just a good fit."

Dean Korbelik with Ebbetts Pass Gas Service in Arnold, California, is another satisfied seller. Korbelik commented, "EDP was one of the few bigger companies willing to retain our name and keep our key employees intact, and that went a long way with us. We especially appreciated the exceptionally responsive and helpful assistance provided by the EDP team throughout the process."

See what other sellers have to say at edplp.net/testimonials.

EDP Welcomes the Opportunity to Talk to You

The EDP team seeks quality operators who understand the business, have good people on board and have the know-how to serve propane customers.

Energy Distribution Partners
312-254-5954
dstroupe@edplp.net
edplp.net

National footprint.
Local commitment.



As EDP continues to expand across the U.S., we remain committed to the local values that made each of our companies successful. When it's time to transition your business, you can be confident we'll preserve your legacy, foster the culture you've created, and take exceptional care of your customers.



For a confidential conversation about your high-quality propane operation, contact David Stroupe, 312.254.5954 or dstroupe@edplp.net.

ENERGY DISTRIBUTION PARTNERS
EDPLP.NET

Fisk Tank Carrier Inc.

Truck bodies & trailers that stand the test of time

Fisk Tank Carrier Inc. has a strong history of manufacturing tank-setting equipment in the propane industry. Fisk, founded in 1954, was purchased by G.D. Roberts & Co. Inc. in 1984. While growing, the focus has been on quality, versatility and innovative design to allow for the single-person operation of all Fisk Tank Carrier equipment. Fisk combines cutting-edge technology with the personalized customer service that you would expect of years past.

The Fisk Tank Carrier trailer was an original design that has undergone improvements associated with various trends in the propane truck industry. Since the beginning, Fisk Tank Carrier has added a revolutionary truck line. Whether you are looking for a telescoping or knuckle boom, Fisk trucks are fully customizable and professionally designed to fit your propane setting needs.

The engineering team at Fisk Tank Carrier has decades of experience and has implemented groundbreaking designs. The TX-2 boom truck offers versatility with a stick boom that will allow for the easy placement of a 1,000- or 500-gallon tank. The TX-1 model truck uses a knuckle boom capable of hauling two 1,000-gallon tanks side by side on the truck bed. This saves time and money as drivers set tanks throughout the day.

The Fisk Tank Carrier team knows that your truck is not just a tank setter. It's your mobile shop, your workbench, your components warehouse, your field office and your company's billboard. All of Fisk's trucks can be custom built to suit each company's daily needs. Simple things like the LED light bars in the toolboxes and EZ-up staircases are what set Fisk Tank Carrier apart and make it stand out.



Fisk Tank Carrier's focus on quality is unmatched in the propane industry. The company uses aluminum beds and toolboxes for lightweight and sturdy construction. Fisk's powder-coat process allows for the longest-lasting finish and minimizes wear and tear. Each truck is loaded with the latest in technology, with a completely customizable storage space for the way you work.

In addition to the customizable truck line, Fisk Tank Carrier offers one-man operation trailers for servicing or installing propane tanks. With multiple customization options, a Fisk trailer will be designed to meet the needs of your team for more efficient operations.

Fisk designs and builds propane tank trucks and trailers to meet the needs of its customers. The company listens to your needs and works with you to produce a truck or trailer that will enhance your team's process. To Fisk, innovation is constant, and the team will continue to strive to meet its customers' needs with groundbreaking quality.

Fisk's Mission

Fisk Tank Carrier is a tank-setting equipment manufacturer. The team is committed to quality, innovation, engineering excellence and outstanding customer service. Fisk treats its clients and staff like family.

Visit Fisk's website to see its full product line and online store. Contact a sales rep today to see how Fisk Tank Carrier can save you time and increase your productivity.

Fisk Tank Carrier Inc.
920-383-3419
info@fiskinc.net
fiskinc.net

FISK OWNERS

EXPECT MORE



- More Flexibility for the Hard-To-Reach Jobs
- More Multifunctional Purposes = Opportunities
- More Storage Options
- More Safety Features
- More Benefits for your Business
- More Options for Customizing your Propane Truck
- More Time Savings

THIS IS YOUR TX-2

The ***FISK TX-2*** packs over 60 years of tank setting knowledge into a propane tank service and delivery machine. Use it for storage, advertisement, transport and more. This truck is your mobile shop, work bench, components warehouse, field office, and your company's brand image.

FISK TANK CARRIER

FISK

CUSTOM PROPANE TANK SERVICE AND INSTALLATION TRUCKS AND TRAILERS

CONTACT US TODAY

920-477-0334 ▪ www.fiskinc.net

H&H Sales Company Inc.

Your source for all gas handling needs since 1951

H&H Sales Company Inc. is conveniently located in Huntertown, Indiana. From trailers and custom truck bodies to gas cylinder storage cabinets and custom steel fabrications, H&H Sales Company can equip your business needs.

Since 1951, H&H has been a specialist in fabricating everything from service and delivery bodies to storage and in-plant materials handling equipment. All of the company's truck bodies are designed with many work-saving options so you can customize your work truck to suit your exact needs.

H&H has worked extensively with the commercial construction, propane and welding gas industries in helping dealers get the best quality equipment for the money. H&H designs and builds products that save you money, labor and time.

H&H Sales Company offers a variety of products and services to its customers. The company also provides low-cost bank financing and leasing programs.

H&H Sales Company is a repair center for many types of 12VDC vehicle components, hydraulic cranes, liftgates, snowplows and other truck equipment. The company is authorized by both Donlen Fleet Maintenance and PHH Fleet Experts to make repairs on their respective vehicles.

H&H also provides custom fabrication with services, such as:

- Steel and aluminum cutting and forming
- MIG and TIG welding
- Sandblasting and painting capabilities for production of multiple parts, as well as for "one-of-a-kind" custom parts

Free quoting is standard and design assistance is available.

No matter what industry you are in, call today and put H&H's custom truck bodies and equipment to work for your business. H&H is dedicated and determined to provide its customers with the best in durable and dependable custom truck bodies and equipment.

H&H Sales Company Inc.
800-551-9341
info@hhsalescompany.com
hhsalescompany.com



H&H has worked extensively with the commercial construction, propane & welding gas industries in helping dealers get the best quality equipment for the money. H&H designs & builds products that save you money, labor & time.

1951-2022 ★ 71 Years Strong









FOR ALL OF YOUR GAS HANDLING NEEDS

Trucks, trailers, tank storage cabinets

H&H can meet all of your gas handling needs. We build our gas handling equipment knowing you need and expect quality and performance. H&H builds it all in. You'll reduce labor, increase safety, and save time and money.

Truck Bodies — We design our truck bodies with your field service work in mind. Transport, service or deliver cylinders and other awkward loads anywhere. Large or small, custom or standard, steel or aluminum. H&H offers a large choice of options, including in-bed lift platforms, electric or hydraulic cranes, grated or diamond plated flooring, and more.

Trailers — Our Smooth-Rider™ bulk tank trailers are built to make moving tanks a breeze. They cushion the load with rubber torsion axles. One person can operate these trailers with your choice of options: hydraulic hoist, dual-cable top-mount or side mount electric winch, or hand winch.

Tank storage cabinets — Our rugged Cylinder-Stor cabinets are built for secure outside storage of cylinders, giving you better inventory control and bigger profits. Single- and double-section models are furnished with keyed padlocks, tamper-proof padlock hasps, reinforced back panels, and bolt-down features for complete security and safety.

H&H™ SALES COMPANY, INC.
CUSTOM TRUCK BODIES AND MANUFACTURING
16339 Lima Rd., P.O. Box 686 • Huntertown, IN 46748-0686
Phone: 260-637-3177 • 800-551-9341 • FAX: 260-637-6880
E-mail: info@hhsalescompany.com • Web: www.hhsalescompany.com

Call: 800-551-9341
E-mail: info@hhsalescompany.com

MEMBER NPGA National PROPANE GAS Association
MVP
NTEA THE ASSOCIATION FOR THE WORK TRUCK INDUSTRY MEMBER

Marshall Excelsior Company

Innovation made simple



Superior Quality & Innovation

Marshall Excelsior Company (MEC), a full-line manufacturer of world-class liquefied petroleum gas (LPG) equipment, is continuously striving to improve product functionality while taking the industry standards to a higher level of quality and performance.

MEC With the Power of BASE

Together with BASE Engineering — an MEC company and a leader in radio remote technology — MEC has been able to integrate MEC equipment functionality into the BASE ProControl3, offering the most efficient way to read and understand every aspect of your delivery truck. This includes pump and PTO readout, Accu-max+ digital dial readout, interlock status display, and Excela-Wynd hose reel control.

Expanding Product Lines & Systems

Excela-Wynd Hose Reel

The latest groundbreaking MEC product is the ME9000 Series Excela-Wynd Hose Reel. It's designed to provide increased delivery efficiency and safety while reducing downtime, comp claim injuries and driver fatigue.

This new product is fully compatible with the PC3 to control reel-in and reel-out functions and utilizes a variable speed controller to maintain a comfortable and consistent walking speed.

MEC Explosion-Proof Junction Box

The ME9000-JBA High-Capacity Junction Box Assembly is QPS certified Class I for use in explosive environments. The junction box is designed with a 35-cubic-inch internal capacity to allow more room for wire connections within the junction box. A custom-designed wire seal boot is included with the assembly to prevent moisture intrusion below the bottom wire connection.

Accu-Max+ Series Digital Dial System

Compatible with all MEC Accu-Max series float gauges, the new Accu-Max+ digital dial allows for easy plug-and-play installation and is fully programmable with the use of the MEC Accu-Max+ configuration kit. Rigorously tested and highly certified, this Class I/Div. I digital dial system features a bright, easy-to-read positive LCD and is available with 10 selectable backlight colors. It is fully compatible with the BASE ProControl3 Universal remote and capable of pushing display information to the back office through the BASE Hub. Other features include tilt compensation, estimated gallon or liter display, and a sealed, easily accessible dial connection.

These are just a few examples of MEC's continued drive and commitment to new technology and product innovation. MEC is "innovation made simple."

Marshall Excelsior Company
269-789-6700
sales@marshallexcelsior.com

Excela-Wynd



- **Auto-Wynd**
  increased delivery efficiency & safety
- **Adjustable Speed**
  to suit driver preference and seasonal conditions
- **Auto-Push Feature**
  takes the starting hose pull effort off of the driver
- **Reduced Pull Effort**
  the gimbal roller assembly makes even tough side pulls painless
- **Remote Control**
  with BASE PC3 & ASK technology
- **Minimal Maintenance**
  designed for ease of serviceability

THIS IS WHAT INNOVATION LOOKS LIKE

Learn how the **MEC Excela-Wynd Hose Reel** can increase your bobtail driver's productivity while also reducing comp claim injuries and fatigue by scanning the QR code below.

VIEW PRODUCT BROCHURE

www.marshallexcelsior.com
www.baseng.com

MEC™ with the POWER of BASE ENGINEERING INC.

PLANT | **TRANSPORTATION** | DOMESTIC | RECREATIONAL | INDUSTRIAL

Metsa Tanks

Direct service, premium quality

Metsa is a family-owned tank manufacturing company that has worked for the past 40 years to bring ASME-certified propane tanks ranging from 120 gallons to 2,000 gallons to its customers and help them grow their business. Metsa aims to accomplish this goal by making the process of equipment acquisition as easy and cost-effective as possible while also guaranteeing that customers are receiving the best quality product available.

Metsa manufactures tanks for aboveground, underground and AGUG use to cover all its customer needs. Metsa strives for quality and only uses top-of-the-line valves, gauges and powder-coated paint, offering the best finish in the market and even going a step further to offer a prime coated option for high-risk areas, such as the far north and coastal areas.

Metsa goes to where you are, and the company is ready and fully capable of delivering products quickly to the entire continental United States and Canada through its in-house transportation fleet, which Metsa will continue to invest in and grow. Metsa has highly trained, professional drivers that deliver and safely unload your propane tanks with a crane truck right where you need them. Metsa's unique tank design will allow it to continue to lead in transportation efficiency by being able to carry a larger number of tanks per truckload and offering easier handling for its customers.

Metsa is constantly researching, improving and investing in its process, workforce and equipment to deliver its customers the best product in the market. That is why Metsa developed and invested in an automated paint booth, which the company has been running for more than two years now with excellent quality on its products. This equipment consists of 14 automated paint guns, powerful powder extraction and a climate-controlled environment that will provide Metsa increased output and controlled paint thickness, resulting in the best finish in the market.

Metsa is celebrating two years since entering the autogas infrastructure sector by offering its customers fully customizable dispenser model tanks developed specifically for the needs of this application. Metsa's tanks range from 1,000 gallons to 1,990 gallons. These tanks are designed to minimize materials required for skid installation, as well as the risks involved with installation, such as pressure loss and leaks due to over connections.



Metsa has established a commercial partnership with Gas Equipment Company to deliver turnkey products that have the highest quality builds to ensure performance and safety. Where most tank manufacturers offer "cookie cutter" solutions, Metsa is able to customize where needed for specific applications and increased safety.

Lastly, Metsa's top-quality sales team is growing by the end of this year to improve its regional coverage and ensure its clients are getting the proper attention and support they deserve. Always striving for the best customer service, Metsa is sure its team will take good care of you and provide the best solution for your needs. You can meet Metsa's sales executives at many events throughout the year, such as the Texas Propane Gas Association, National Propane Gas Association and Western Propane Gas Association expos.

Metsa thanks all of its customers for their valuable feedback through service calls and emailed surveys. Metsa takes every detail into account to improve and be the tank manufacturer you deserve. Be sure to call your sales representative today to learn more about Metsa!

Metsa Tanks
800-609-8265
sales@metsa.com
metsa.com



NEW ASME PROPANE TANKS

Get to know more about our tanks

- We have diverse sizes from **120 to 2000 gallons** for all your needs
- All our tanks **are thoroughly powder coated** with our in-house automated paint booth
- Not only do we make AG tanks but also **AGUG and UG**

Call us and get a quote now!

1-800-609-TANK. / www.metsa.com

Metsa Tanks

METSA

One-Tank

The single solution for field storage & monitoring

One-Tank is the industry's first field storage and monitoring solution for propane marketers. Designed to help leverage unused storage in existing field tanks, the One-Tank system enables propane marketers to fill tanks when prices are low, avoid dramatic winter price spikes and protect their business and customers from unexpected supply interruptions.

Innovations in Propane Storage

There's never enough bulk-tank propane storage when you need it, and when you do have it, the fuel still must be delivered to the customer. This business model takes away the freedom for marketers to choose when they can buy fuel and forces them into stressful, reactive relationships with customers triggered by dangerous weather conditions, dramatic price spikes, unexpected outages and recurring service issues. It's expensive, wasteful and risky.

One-Tank, an innovative solution for field propane storage and monitoring, was developed by industry experts to eliminate the costs, inefficiencies and risks of traditional bulk-tank propane storage and help marketers secure and grow their businesses. One-Tank gives marketers the power to be proactive and get ahead of issues before they occur.

Combining the traditional benefits of remote tank monitoring with a new field storage management solution, One-Tank allows for fewer emergency callouts and better planned delivery routes that are safer and more efficient, which provides better customer service — resulting in long-term, loyal customers.

Efficient field storage helps get the most from underutilized tanks:

- Use One-Tank satellite and cellular tank monitors to view available tank capacity that can be used as field storage
- Access the One-Tank dashboard using any web-enabled device from any location
- Get automatic alerts when a problem or unusual tank activity is detected



No more seasonal price spikes:

- One-Tank enables low, consistent pricing and reduced overhead
- Avoid winter price spikes by filling tanks during warm weather when prices are low
- Significantly increase ROI over degree-day delivery
- Generate long-term, consistent monthly revenue
- Increase assets with customer contracts and retain ownership of fuel until it is used, which can improve banking options and acquisition value

Retain loyal customers while you grow and future-proof your business:

- Ensure that customers never run out of fuel during peak winter use
- Charge customers only for fuel used each month with metered billing, which they can track via mobile app — available on iOS and Android
- Drastically reduce emergency calls and driver overtime
- Improve pipeline ratios by delivering in the off-season to further guarantee your customers never run out of gas

"Nobody likes out-of-gas calls, delivery delays or paying high seasonal prices in winter. Our team has lived through those events firsthand and decided to make those problems a thing of the past. One-Tank is an easy and affordable way to add storage, make more profit per gallon and ensure that your customers will never run out of gas," said Brian Humphrey, CEO, One-Tank.

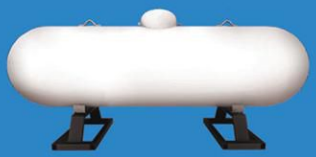
One-Tank
314-910-0839
bhumphrey@one-tank.com
one-tank.com

TWO TYPES OF MARKETERS

ADD 100,000 GALLONS OF STORAGE

BULK-TANK BOB

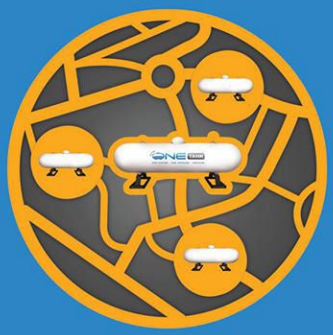




- Must apply and wait for permits
- Buys multiple 30-90K gallon tanks
- Has real estate preparation costs
- Pays more for liability insurance
- **Will spend $500,000 - $1M**

TERTIARY TOM





- Utilizes the 500 tanks he services
- Fills tanks when costs are low and roads are clear
- Gains 100,000 gallons of field storage with One-Tank
- **Only spends about $125,000**

Bob delivers to his customers during peak demand and pays the premium for winter propane. His employees work overtime and he's always behind schedule.

It could take a year or more to complete construction on a bulk plant site.

Tertiary Tom uses his customers' tanks as storage in the offseason. He has control over his schedule.

Opens up new storage immediately.

Tertiary Tom is smart. Be like Tom.

Ready to stop paying double for propane in the winter?

ONE TANK
ONE SYSTEM - ONE STORAGE - ONETANK

info@one-tank.com

314.910.0839

www.One-Tank.com

Otodata Tank Monitors

North America's most accurate & affordable tank level monitor

Otodata is revolutionizing the industry by making your remote tank level monitoring (RTLM) integration more affordable.

Stop Relying on Predictions

The team at Otodata knows that getting accurate tank level information is critical for your business. It can substantially reduce your operating expenses while significantly improving your service level. Otodata's award-winning tank monitors are extremely reliable, precise and compatible with all tanks and software.

Free Integration Support Into Your Existing Software

Otodata understands that some customers have heavily invested in their management software, and the company has made sure to create a very flexible and dynamic data sharing platform. Otodata solutions can integrate with virtually any existing software using its documented APIs.

Easily Manage Your Tank Monitors With Otodata's Free Online Portal

Otodata's online portal was designed to streamline your process, diminishing your drop frequency and increasing drop sizes. The portal does this by helping you increase route efficiencies and reducing overall delivery costs by as much as 30%.

Remember, optimizing routes and drops can even double your driver performance!

Through the portal, you can also send notifications to customers, export data to spreadsheets for analysis (CVS), manage the list of recipients for notifications and reports, set four customizable notifications per tank monitor and much more.



Let Your Clients View Their Tanks Anywhere, Anytime With Otodata's Free Mobile App

Nee-Vo is designed to let your clients view their tank levels in real time, consult usage history, be alerted when their tanks are low on fuel, request refills and contact you directly. Additionally, Otodata brands your app with your logo and colors at no additional cost. With Nee-Vo, you can generate business by creating in-app marketing campaigns and push messages to your customers. The app is a great way to increase your customer retention and loyalty by increasing your interactions and visibility. Otodata also offers free support to help you create marketing campaigns whenever you need it.

See How Otodata Is Revolutionizing the Industry:

- Robust industrial design
- Industry-leading battery life (up to 20-plus years)
- Works with all tanks and software
- GPS positioning
- The only dual SIM with CATM and NBIOT cellular technology
- Five-year-plus "no questions asked" warranty
- Quick and easy installation
- No internet or gateway needed
- Free branded app and promotional materials

Otodata's New Pittsburgh Facility at Your Service

As a leader in the tank level monitoring industry, Otodata knows supporting its customers is the key to its success, and the team is dedicated to helping you every step of the way. With Otodata's new United States-based, state-of-the-art facility and growing sales team, you are in good hands. Otodata will continue to ensure you get the highest return on investment from its tank monitoring solution. Visit Otodata's website today at otodatatankmonitors.com and reserve your free starter kit.

Otodata Tank Monitors
844-763-3344
info@otodatatankmonitors.com
otodatatankmonitors.com



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TOPICS

5 Major Mistakes to Avoid With Insurance & Risk Management

Sponsored by PT Risk Management

Live From the Field

Do We Need a Different Approach to Transforming Consumer Perception?

Sponsored by Anova

Key Insights Into Propane Mergers & Acquisitions

Sponsored by Blue Peak Resources

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Propane Education & Research Council

Promoting the safe, efficient use of odorized propane as a preferred energy resource

The Propane Education & Research Council (PERC) makes life better for propane professionals and their customers. How?

PERC educates consumers about safety. PERC helps train the propane workforce. PERC develops new and improved equipment that drives demand for propane. And PERC inspires Americans to choose propane at home, at work, on the road and on the farm — anywhere they need energy for everyone. It all starts at propane.com.

Keeping Consumers Safe

PERC's consumer safety products include its bestselling brochure, "Important Safety Information for You and Your Family"; a new safety brochure for commercial and industrial propane users; videos that help customers understand the safety features of their propane systems; and much more. Keep the safety conversation going at propane.com/safety.

Training the Propane Workforce

The new Learning Center at propane.com connects you with all of PERC's online training materials through your personal computer or mobile device. That includes new task-based Certified Employee Training Program training modules that allow you to tailor the training to your job duties.

Explore classes, get enrolled and take charge of your training today at propane.com/propane-learning-center.

Developing Propane-Fueled Products

PERC's investments in new technology have resulted in hundreds of millions of new gallons to the industry. How does PERC do it?



By supporting the research, development and demonstration of innovative, propane-powered appliances, equipment and vehicles that reduce emissions and save money for homeowners, businesses, farms and fleets.

Winning New Propane Users

PERC's nationwide marketing programs show users and prospective users how affordable, reliable propane can satisfy their energy needs while meeting their emissions goals with an American-made fuel. PERC is committed to strengthening propane's voice in the national energy conversation through data-driven, provocative and assertive messaging.

Want help talking with homeowners and business owners about propane benefits? Start at propane.com in the Resource Center.

> PERC inspires Americans to choose propane ... anywhere they need energy for everyone.

Propane Education & Research Council
202-452-8975
propane.com

ENERGY FOR EVERYONE
propane

With Propane, Performance Is Always in Season

FROM BUILDING HEAT TO IRRIGATION, PROPANE EQUIPMENT IS BUILT FOR EFFICIENCY

Now through the end of the year, ag producers will be making major purchase decisions, whether upgrading equipment or expanding operations. That makes it the right time to talk to them about why more than 800,000 farms choose propane to power grain dryers, irrigation engines, water heating, power generation, and more. Propane is a reliable, environmentally friendly energy source that can handle almost any job on the farm. Plus, it delivers significant savings over other fuels, helping farms boost profits while significantly lowering emissions.

Learn more about the performance of propane at **propane.com/agriculture**



Propane Education & Research Council

Quality Steel Corporation

Propane storage made simple

Quality Steel is a leading United States manufacturer of ASME steel tanks ranging in size from 120 gallons to 2000 gallons, built for both aboveground and underground applications. The manufacturer specializes in domestic propane tanks, anhydrous ammonia tanks for agriculture use and autogas dispensers, and also completes its product lines through its sister companies, Buckeye Fabricating (custom vessels) and LP Cylinder Service (refurbishing).

Quality Steel has three strategic facilities across the U.S. dedicated to the manufacturing, servicing and delivery of propane tanks. Its sales team works with customers through the entire process, and the company takes pride in consistently having the best lead times in the industry while providing world-class customer service. Quality Steel's dedicated customer service manager and seasoned team of regional sales managers will work closely with its customers and distributor partners to ensure the tank buying process is easy.

Quality Steel's success comes from the pursuit of unrivaled quality. Quality Steel is the market leader for ASME tanks in the propane industry for the U.S. and throughout Canada. The additions of LP Cylinder (Shohola, Pennsylvania) and Buckeye Fabricating Company (Springboro, Ohio) to the LT Corp Family of Companies help make the company's value to the industry clear: "We give propane companies peace of mind and make storage simple so they can focus on their business!"

Visit Quality Steel's website, propanetank.com, to view a list of sales managers by state, valuable distributor partners and information on strategically placed consignment yards throughout North America. You can also quickly find detailed product information on all Quality Steel products and links to the LT Corp Family of Companies.

Quality Steel Corporation has been serving the propane industry since 1957, and it has been a proud, active member of NPGA since 1984 (38 years). The entire team looks forward to continuing its support of the propane industry well into the future!

Thank you, again, for supporting U.S. manufacturers!

Quality Steel Corporation
800-345-2495
propanetank.com



STEEL ASSETS, WE'RE YOUR SOLUTION!

Made in the USA

QUALITY STEEL

Because Quality Steel Means Quality Tanks

propanetank.com

Quality Steel has manufactured and delivered aboveground and underground propane, ammonia and dispenser tanks and pressure vessels since 1957. **We take pride in our three U.S. manufacturing locations consistently providing the best lead times and the highest quality tanks** in the industry for residential, commercial, small industrial, and agricultural use.

LP CYLINDER SERVICE INC.

lpcylinder.com

Proprietary process produces **top quality results, standing above the competition in tank and cylinder refurbishing**. Automated processing using the most advanced technology and equipment in the industry. 100% USA made parts and components installed.

BUCKEYE FABRICATING

buckeyefabricating.com

High-quality engineering and production of custom fabricated ASME pressure vessels and process tanks. Primarily serve custom equipment providers (OEMs) and various other product manufacturers who require pressure vessels and process tanks to operate their businesses.

Corporation

Family of Companies

RegO

The highest quality materials for the best quality products

RegO Products is a North Carolina-based company with 100-plus years of advanced manufacturing technologies, innovative product development and global sales network capabilities.

For more than a century, RegO has been manufacturing a complete line of expertly designed, long-lasting gas flow and control solutions that are 100% tested and backed by the industry's best technical and sales support. RegO designs and tests its products in the United States for supply around the world with regional customization.

RegO is now a part of OPW Clean Energy Solutions Business Unit, which is committed to helping create and deliver precision-engineered products that make clean cryogenic and industrial gases and liquids like propane, liquefied natural gas (LNG) and hydrogen more accessible and safer for use across a variety of industries. This helps RegO's customers meet their sustainability goals with clean and alternative fuel solutions.

RegO is a big part of making cleaner energy accessible in tough-to-meet areas — not only here in the U.S., being able to deliver propane to the countryside, but in many emerging markets around the world where they are still using coal and wood for cooking and heating homes. RegO is able to deliver cleaner solutions like propane to those very remote areas.

Only the highest quality materials go into RegO products. The machining operation utilizes robotics, CNC machining and computer-integrated manufacturing to achieve exacting standards. After passing stringent quality controls, components go to one of two assembly facilities.

At a 7,000-square-meter machining facility, brass and ductile iron castings are crafted into product components. A 9,300-square-meter facility houses both assembly operations and the company's corporate headquarters. That facility also has an in-house test laboratory, complete with a working tank farm and high-pressure lines, allowing engineers to complete design and performance tests on-site. A third North Carolina automated facility is dedicated solely to the production of regulators.



Following assembly, all products receive 100% testing for reliable performance, and most RegO products feature an industry-leading, 10-year warranty. All facilities are certified to ISO9001 by UL.

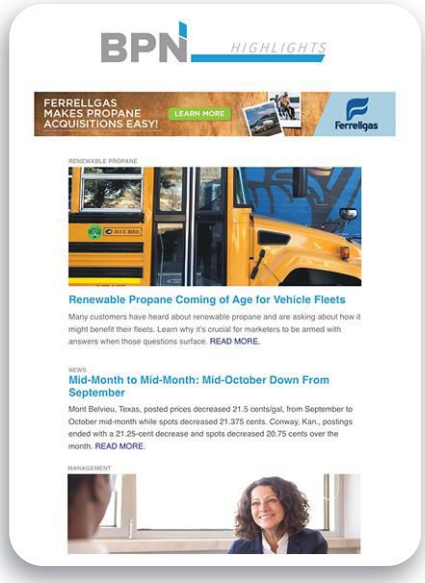
The mission of RegO is to build upon its 100-plus-year legacy of success, creating the highest-quality gas and liquid control solutions, and continually earning the trust of its customers, employees, suppliers and investors. RegO does this through customer focus, open and honest communication and continuous improvement.

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TRIARC TANK

High-performance innovation

In 1933, on the banks of the Trinity River in Dallas, Texas, Trinity Steel was founded. In a humble mule barn, propane and butane tanks were the first products made by Trinity Steel. And 85 years later, that company would become the diversified manufacturing powerhouse, Trinity Industries.

By 2018, Trinity moved to focus on its core business of railcar manufacturing and leasing. In November 2018, the non-rail businesses of Trinity Industries separated to form a new company, Arcosa Inc. The legacy propane tank business, Trinity Containers, went with the new company and became Arcosa Tank.

As Arcosa Inc. developed its identity over the intervening four years, an opportunity to divest the tank business in support of the new corporate strategy developed. On Oct. 3, 2022, the sale of Arcosa Tank to Black Diamond Capital Management closed. With a nod to its predecessors, Trinity and Arcosa are now TRIARC TANK.

TRIARC TANK provides high-quality steel pressure vessels, serving energy and agricultural markets. TRIARC's innovation continues to impact and change the industry. From cylinders to large-scale storage systems, TRIARC provides the superior products and service you value and trust. The company's coatings, quality components and manufacturing craftsmanship combine to deliver the best tanks in the industry. TRIARC has the best coatings in the industry with the No. 1 rated underground tank coating and its superior ArcClad primer and topcoat system for aboveground tanks.

At TRIARC TANK, its quality process measures more than product defects. The company grades its performance throughout the entire value chain. From acceptance of raw material and components, through manufacturing and product delivery to its customers, Arcosa Tank applies lean processes and principles to gauge performance. The continuous improvement process reflects TRIARC's commitment to providing you the best products and experience in the industry.



TRIARC TANK strives to provide an incomparable customer experience through exceptional products and service. It has a talented sales and customer service team that is always ready to serve and find the solution you need. From consulting with you on your business needs, confirming your orders, updating the status of your order, to final delivery and beyond, TRIARC is investing in its people, technology, systems and processes to better serve its customers.

TRIARC TANK's lean journey, "The Arc to Excellence," began years ago. From the manufacturing floor to its offices in Dallas, TRIARC applies lean principles and processes to drive continuous improvement with the goal of providing high-value, innovative products and exceptional service.

TRIARC TANK is consistently the innovative pioneer and a leading manufacturer of steel pressure vessels. Its list of industry firsts is impressive and growing. The list includes: first to vacuum purge; first to install anode bolts; first to provide duplicate underground tank nameplates; first to install dual lifting lugs; first to develop tanks designed specifically for underground use; and first to develop tapered polyethylene underground dome.

The goal of TRIARC's innovation has always been to provide a high-value product and improve its customers' experiences. TRIARC TANK will continue to build on this legacy with new product improvement. It is investing in all phases of the value chain, which will make TRIARC the clear choice in the industry.

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Worthington Industries Inc.

A legacy of driving progress

Worthington Industries is a leading United States-based manufacturer of liquefied petroleum gas (LPG) cylinders and tanks. With over 65 years of manufacturing experience, Worthington has a relentless dedication to customer success and advancing the propane industry.

Your Premium Pressure Cylinders & Tanks Manufacturer

Worthington specializes in manufacturing propane cylinders and tanks used to heat, power and cook, providing a convenient and safe containment solution for any propane gas application. Worthington's quality tanks and cylinders are available in a variety of sizes, from small portables to large system tanks, and are manufactured to meet or exceed industry standards.

Every Worthington cylinder for the LPG industry is manufactured in domestic facilities that have won awards for proactive safety practices and stringent regulations. Worthington's cylinders are produced to DOT, TC, ASME, CRN and National Board Certified specifications.

SmartLid: The Universal LPG Tank Monitor

The Worthington Industries SmartLid is revolutionizing remote tank monitoring. Designed with the fuel technician in mind, SmartLid is the only integrated lid and monitor solution for both vertical and horizontal tanks in the industry. SmartLid ensures consistent and accurate placement of the monitor, easy installation, durable protection and optimal coverage while concealing and protecting all components from external factors in the field.

Each SmartLid is powered by Otodata's industry-leading tank monitoring technology, featuring dual SIM and cellular technologies for a broader and more reliable coverage, the longest battery life in the industry and a user-friendly app delivering real-time data.

Transform Tanks Across Your Fleet

SmartLid is compatible with most tanks already in your fleet. Worthington has solutions for 200- and 420-pound heating and system tanks manufactured by the company, 420-pound heating and system tanks from other manufacturers, and horizontal (aboveground and underground) heating and system tanks.

Hardware-as-a-Service Program

Introducing Worthington's Hardware-as-a-Service (HaaS) program for SmartLid monitors. The HaaS program was designed to enable customers to easily scale up their fleet monitoring operations:

- No upfront costs: Pay for the bracket/lid now. Finance the monitor over 84 months.
- No need to wait: Only pay for the brackets/lids and install more timesaving monitors right away.
- No need to worry: SmartLid monitors are covered by a five-year warranty.

Working With Customers

Partnering with customers to continue to drive the industry forward is Worthington's obsession. By leveraging deeply rooted relationships in the LPG space, the company is developing new and innovative products to solve even the most unique customer needs. Partnering with Worthington doesn't just secure a supply of high-quality, domestically produced cylinders and tanks. It means having a partner dedicated to working alongside you, focused on improving your operations and continually advocating for the industry.



Worthington Industries Inc.
866-928-2657
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ADD Systems is a provider of back-office and mobile software for the propane industry. With nearly 50 years of dedicated service, ADD Systems offers a complete solution, rich with options, to meet your needs. Gain efficiencies and improve profitability every step of the way with the company's accounts receivable, delivery and service scheduling and dispatching, mobile solutions for drivers and techs, BI reporting, financials, web services to interface with partner products, and hardware and cloud solutions.

Focused on Excellent Support

Your business relies on its technology partner for consistent, outstanding support to keep you up and running. ADD Systems takes that responsibility seriously. Its nationwide staff, made up of industry veterans, has a true understanding of your specific needs and a dedication to your success. From its extensive support staff to its president, ADD Systems is here for you.

Constant Research & Development

ADD Systems is driven to stay on the cutting edge of technology, so it invests heavily in research and development driven by industry needs and its user group. With a programming team that is more than half of the company, ADD Systems' technology empowers its clients to turn challenges into opportunities at a moment's notice.

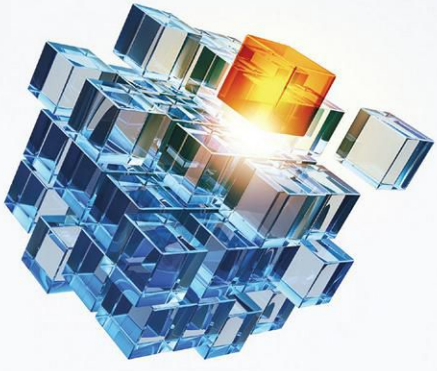
Learn More

ADD Systems' continuously evolving solutions come from a partnership with its clients and a commitment to the success of 20,000-plus users. Learn more at addsys.com or call 800-922-0972.

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AmeriGas

Propane that's pro-you

Founded in 1959, AmeriGas is the largest retail propane distributor in the United States. AmeriGas is headquartered in King of Prussia, Pennsylvania, and is a subsidiary of the UGI Corporation.

As of Sept. 30, 2021, AmeriGas serves nearly 1.4 million residential and commercial customers in all 50 states. The company distributes over 1.1 billion gallons of propane annually with over 6 million deliveries made to its customers safely and reliably from approximately 1,600 distribution locations. AmeriGas' capabilities span nationally, with over 5,500 delivery and service trucks. The company's Propane Transport International (PTI) is the largest propane transportation fleet in the country.

AmeriGas is an industry leader in safety. The company not only follows best practices, it defines them. AmeriGas is staffed with over 1,000 dedicated, on-call employees to assist its customers, including 24/7 emergency customer service.

AmeriGas is dedicated to the communities it serves. In 2021, AmeriGas and UGI employees pledged nearly $600,000 to United Way. AmeriGas is investing in its employees with programs like the Women's Impact Network and Veteran Employee Team.

AmeriGas is expanding its acquisitions program with propane distributors interested in selling their business. AmeriGas treats its sellers with the utmost respect, keeping their interests in the forefront. The company will provide a fair value estimate for your business, delivered with simplicity and confidentiality. AmeriGas is proud to offer competitive salaries, excellent benefits and career development paths for its employees, present and future.

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The AmeriGas Acquisition Program

Considering to sell your company is an important decision. Selling your company to the right partner is essential. With the exceptional financial, personnel, and distribution resources of America's largest propane company, AmeriGas provides unmatched advantages for owners considering this decision.

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- **For Your Customers** – AmeriGas offers customer friendly online account management and a nationwide supply and service network.
- **For Your Employees** – We offer your employees competitive benefits and opportunities for growth.

For a confidential, no obligation consultation contact:



Amy Heuer,
Group Director Business Development
925-588-8282 • Amy.Heuer@amerigas.com



Warren Patterson,
VP Commercial Business Development
610-768-3874 • Warren.Patterson@amerigas.com

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Cetane Associates

M&A advisory, valuations & transition planning for the propane & heating oil industry

Cetane Associates is a leading provider of financial advisory services to business owners in the retail energy distribution industry. Clients engage Cetane to advise on sales, spinoffs and acquisitions, as well as to perform valuation and ad hoc corporate finance assignments.

Cetane has closed more transactions for propane and heating oil companies throughout the United States than any M&A firm in the country. Cetane Associates knows all the buyers, how to position your company for maximum interest and value, and how to get the deal done.

Cetane Associates has developed a highly successful process that greatly enhances its ability to help its propane and heating oil clients. But Cetane's greatest strength is a team of experienced industry and financial professionals who work together to support you with exceptional focus, commitment and responsiveness.

5.8
AVERAGE # OF OFFERS

550+
DEALS DONE

600+
VALUATIONS DONE

The team at Cetane includes propane and heating oil experts who have spent years in operations and acquisitions. They have either sold fuel businesses themselves, done acquisitions for large companies or worked in M&A closing complex transactions. By working as a team, Cetane Associates brings exactly the right expertise to your transaction to get you the best possible outcome.

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Industrial Propane Service & IPS Equipment

A family of solutions for the propane industry

Industrial Propane Service was founded in 1968 by Charles and Helen Vandemark. From the beginning, the company focused on propane plant construction and service.

Robert and Brenda Vandemark ran the company from 1988 to 2008, during which time the company was divided into two, with IPS Equipment serving as the wholesale distribution arm of the company. In 2008, the third generation of Vandemarks took over and continue to manage the company today.

Jeff Vandemark, Rob Vandemark and Kim Godlewski (all siblings) have become experts in their own areas of the business. Jeff oversees the bulk plant construction and autogas dispensing systems. Rob handles all truck work and on-site truck testing and service. Kim runs IPS Equipment and manages the office for both companies. IPS is headquartered in Byron, Michigan, with distribution centers in Lucasville, Ohio, and Waupaca, Wisconsin.

IPS Equipment is a full-line equipment distributor featuring preferred name brands: RegO, Blackmer, Worthington, LC, Neptune, Quality Steel, Empire and a complete line of dispensing cabinets. Industrial Propane Service is a full-service company offering the following:

- Bulk plant construction and service specialists (LPG/NH3 plant design and engineering; storage tank sales; plant service work)
- Truck specialists (new units; re-chassis; testing and inspections)
- Autogas specialists (complete line of autogas dispensers and systems; UL- and NTEP-approved)



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Jomar Valve

Dedicated to quality, innovation & service



Founded in 1966 by former United States Navy Commander Joseph Martin, Jomar Valve set out to change the way the valve industry thought about valves. Innovation was paramount in Martin's quest, and as a result, several of his valve designs are now industry standards. Jomar was also the first manufacturer to offer one valve platform certified to UL, CSA, FM and NSF — one valve for any application.

Today, Jomar Valve continues to provide customers with high-quality, innovative products to meet the demands of any project. Jomar's diverse product line supports plumbing, industrial, actuation, HVAC and gas applications.

Its parent company, Fratelli Pettinaroli, is an ISO 9001 Italian manufacturer based in northern Italy. Together with its long-standing reputation for excellence and innovation, Jomar Valve has redefined the standard of quality in the industry.

At Jomar, every valve is made with the highest quality alloy and material, ensuring optimum product performance and longevity. Jomar's extended product warranties are the result of 100% testing every product. The company is proud to offer a wide variety of valve solutions to support the gas/propane industry, including gas ball valves, lockwings, propane truck valves and more.

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Warm Front Heat

Innovative, propane-powered window heating system

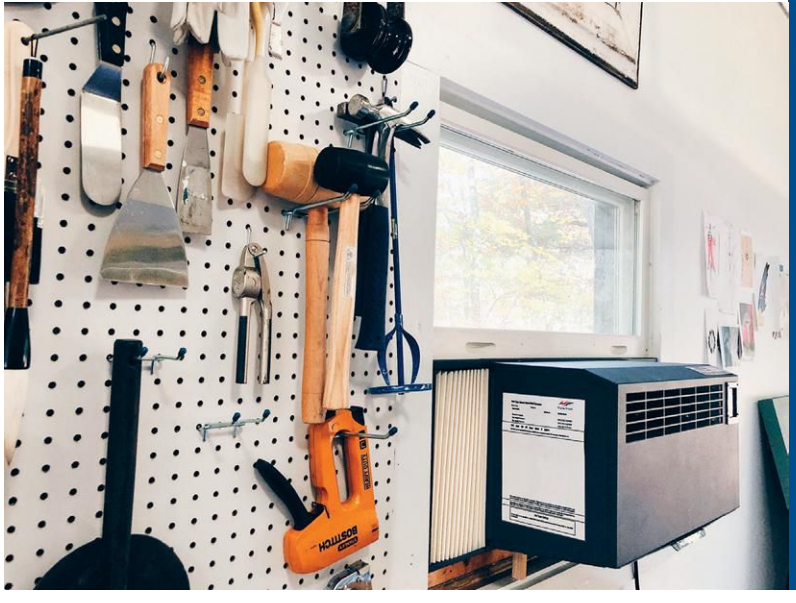


The Warm Front window heater is the most powerful window heating unit on the market today, providing 20,000 BTUs of heat. This innovative, propane-powered system only requires simple do-it-yourself installation with basic tools and is similar to a window air conditioning unit. Perfect for shops, garages, remodeled residential spaces, hunting camps, tiny homes and more, the Warm Front heater can easily heat up to 1,000 square feet of space. The unit can be connected to an existing propane tank or to a portable 20-pound cylinder and installed in any standard window or framed opening. With its touchscreen thermostat and sleek design, the Warm Front Window Heater is easily the most efficient and convenient portable heating unit on the market today, scoring an 82% efficiency rating in third-party testing.

All Warm Front window heaters come equipped with a one-year warranty. To become a dealer of the Warm Front Window Heater, contact info@warmfrontheat.com. For more information, to purchase online or to see a video, visit warmfrontheat.com. Proudly made in the United States.

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The Fill Valve Lock and POLock are both easy to install (no tools needed) and are keyed exclusively to each company. Each company's key code is registered, and duplicates can only be ordered by designated personnel. Both locks feature tamper- and weather-resistant keyways and heavy-duty tubular keys.

Lock America has more than four decades of experience developing and marketing high-security locks and hardware for a wide range of industries, including amusement, ATMs, petroleum distribution, self-storage and vending.

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Qualpay

A better way to manage payments

Qualpay is the next generation in energy payments. Qualpay simplifies cash reconciliation and operational expenses with its fully integrated payments platform. The company also offers a consultative approach to payments combined with advanced technology, reporting and cash flow management.

Qualpay was started by experienced payments professionals and seasoned programmers who had been individually working at the forefront of new developments and changes to the industry. In 2014, they joined forces to bring the next generation of payment processing solutions to the market.

Qualpay began this journey focusing on the customer experience and helping to answer the simple question of, "Where is my money?" All of Qualpay's reporting and the way the company designed its products aim to help answer this question.

In 2018, Qualpay launched the energy division. The company expanded its team with individuals who have a deep understanding of energy payments and knowledge of the unique way fuel marketers run their businesses. Qualpay enhanced its products and developed new technology, solving some of the toughest challenges in energy payments.

In a promise to the fuel industry, Qualpay is committed to continuously developing its products and payments platform to meet the evolving needs of fuel marketers. Learn more about Qualpay solutions by visiting qualpay.com/industry/utility-and-energy.

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- Equipment, parts and used tanks

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- Blending

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- PRO-Vend 2000 is a fully integrated, customizable, web-based dispenser that operates from a built-in PC and tracks key data and reports at the click of a button.
- PRO-Vend 3000 is simple to use and ideal for small fleets that don't require fuel tracking or monitoring. The unit includes a mechanical temperature compensated meter or can be configured with an alternate meter.
- Superior custom designs and manufactures complete propane autogas refueling systems which include one or multiple dispensers, skid mounted tanks of various sizes and all the necessary components.

In addition to providing all equipment for any propane project, Superior can provide turnkey management and construction oversight, serving as the general contractor for any size project. Superior is in the unique position to handle your entire job from start to finish — from planning and installing to service and maintenance. High-quality materials, customization, superior craftsmanship and responsive management go into every job.



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Nixon & Lindstrom Insurance

Full service; client-focused



Nixon & Lindstrom Insurance has been actively insuring propane distributors for more than 30 years and insures hundreds of dealers throughout the United States.

Nixon & Lindstrom Insurance is a three-generation, family-owned company founded in 1955. Located in Springfield, Missouri, the agency enjoys a centralized location with national reach. With 48 employees and over $80 million in written premium, Nixon & Lindstrom has the expertise and resources to design insurance programs for propane distributors of any size. The company's dedicated propane department staff only works with propane-related accounts, and therefore, has the experience required to handle complicated insurance situations specific to the liquefied petroleum gas (LPG) industry.

Because not all propane distributors are alike, Nixon & Lindstrom partners with the nation's leading propane insurance carriers to offer a broad portfolio of options for its clients. The company offers a full range of insurance packages, including liability, workers' compensation, auto, umbrella and excess liability, property and cyber liability.

Nixon & Lindstrom understands the insurance requirement demands set forth by terminals, suppliers and state regulatory bodies. The Nixon & Lindstrom team speaks your language and understands how to navigate the complex processes required to keep your propane company in compliance.

Understanding the propane industry requires being actively involved with state propane marketer associations and attending industry events. Nixon & Lindstrom has agency personnel invited to participate in state association board of directors and committee positions.

The company conducts insurance- and safety-related seminars at various trade shows and association meetings, participates in regional and national trade shows, and supports propane industry initiatives and charitable causes. As a company, Nixon & Lindstrom Insurance is committed to understanding and serving the LPG industry.

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Growing, learning & supporting the propane gas industry since 1964

Looking back over the last 57 years, it's hard for the Renaldo team to believe how far it has come. What started as a small, local steel fabricating and job shop has grown into a short-line manufacturer of equipment for the agricultural and propane gas industries distributed worldwide. A few of Renaldo's accomplishments include the first manual and motorized propane tank dollies; building of propane-specific utility trailers; and being the chassis upfitters of full-size and mini bobtails, crane trucks and service trucks. Renaldo offers bobtail and transport repair services in addition to MC331 cargo tank Department of Transportation inspections. If it involves propane, Renaldo is the company to call in Western New York.

Renaldo Sales & Service Inc.
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RENALDO

PRODUCT RECALLS IN THE AMAZON ERA

Navigating the waters of self-reporting propane equipment hazards or defects in the age of the internet

BY THOMAS H. DAVIS



Several years ago, I decided I wanted to buy some liquefied petroleum gas (LPG) equipment to use as exhibits for one of my propane explosion cases. Specifically, I wanted to acquire an excess flow valve and adapter valve like you would use for liquid withdrawal at a motor fuel dispensing station. I looked on the internet and found that I could not easily purchase such equipment online.

I called my local LPG equipment dealer and asked about purchasing these items, but I was immediately asked if I had an account and what propane company I worked for. I told the salesman I was a lawyer, and he replied, "We don't sell to lawyers" — or words to that effect — and hung up on me. So, I called one of

the expert consultants I use from time to time, and he acquired the parts for me.

Why am I telling this story? It's because now you can find these parts online with only a modest amount of effort, especially if you have an account at some of the big box hardware or home supply stores. Finding LPG parts online for RVs, grills, camping and other uses around the home and/or farm is even easier.

So, what if the adapter valve I wanted to buy was defective and needed to be recalled? Would this need to be reported to the Consumer Product Safety Commission (CPSC)?

Surely not, you say: It's not a consumer product; it's a piece of industrial equipment that does not fall under CPSC jurisdiction. But not so fast — especially now that you can find such parts with much more ease online.

Moreover, the CPSC, after historic lows in enforcement during President Trump's administration, has expressed a commitment to supporting higher civil penalties, criminal penalties and the potential use of injunctive measures. In early August 2022, for example, CPSC announced an agreement by TJX Companies Inc. to pay a $13 million civil penalty, mostly due to continued sales of recalled children's products in brick-and-mortar stores and online.

When dealing with "substantial product hazards," the CPSC can act with respect to almost anyone in the chain of distribution, which includes manufacturers, retailers and distributors. (See 15 U.S.C. § 2064(b)–(d).) Amazon recently attempted to obtain summary judgment with the argument that it was not really a "distributor," but instead a "third-party logistics provider." The presiding administrative law judge rejected this argument (CPSC Docket No. 21-2, Jan. 19, 2022). Thus, LPG products can face extra scrutiny if sold to consumers via online platforms.

CPSC Jurisdiction

The CPSC website states generally those products under its jurisdiction are "consumer products," but that some consumer products fall under the jurisdiction of other agencies. For example, industrial/commercial/farm

> When dealing with 'substantial product hazards,' the [CPSC] can act with respect to almost anyone in the chain of distribution.



products fall under the Occupational Safety & Health Administration (OSHA), while cars, trucks and motorcycles fall under the National Highway Traffic Safety Administration (NHTSA). There is not a categorical list of products regulated by CPSC, and it's sometimes easier to determine what is not regulated by CPSC — for example, cosmetics (Food and Drug Administration, or FDA), cars (NHTSA), firearms (Bureau of Alcohol, Tobacco, Firearms and Explosives) or medicines (FDA).

The Consumer Product Safety Act (CPSA) defines a consumer product as "any article, or component … (i) for sale to a consumer for use in or around a … household or residence, a school, in recreation or otherwise, or (ii) for personal use, consumption or enjoyment of a consumer in or around a … household or residence, a school, in recreation or otherwise." This is obviously broad.

Even if a product is sold primarily to industrial or occupational buyers, it can still be a "consumer product" if it is distributed for ultimate consumer use or advertised and marketed for consumer use. Where the line is becoming harder to draw is in products once almost exclusively sold through specialized distributors to certain occupations — such as construction safety equipment — but which can now be found at big box stores or online and can be purchased by anyone, even if the buyer has little-to-no training on the use of such products.

This not only poses the risk that the CPSC might come calling if the product is defective and ends up in homes or is used recreationally, but it raises the question about whether manufacturers and sellers of such products need to consider revising their warnings and instructions, as less sophisticated users without the benefit of any occupational training may end up purchasing them.

Any doubts will be resolved in favor of finding jurisdiction in favor of the CPSC, and the burden will be on the manufacturer or distributor to show industrial or institutional distribution. Questions like, "Was it foreseeable that this product would end up in a household — possibly one with young children — rather than just at an industrial jobsite?" may come into play.

The Obligation to Self-Report

Using the example about the defective adapter valve, let's say that a farmer decided to construct his own motor fuel dispensing station at his home and bought the adapter valve online. Assume further that the excess flow valve did not work, so there was a gas leak which resulted in a small fire and minor injuries. The farmer calls the manufacturer to report the incident. What is the manufacturer's obligation, if any, to self-report to CPSC?



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If this were unquestionably a consumer product, there would likely be no choice but to file a so-called Section 15(b) report with the CPSC. The obligation to report "immediately" occurs with:

- A defective product that could create a substantial risk of injury to consumers
- A product that creates an unreasonable risk of serious injury or death
- A product that fails to comply with an applicable consumer product safety rule or with any other rule, regulation, standard or ban under the CPSA or any other statute enforced by the CPSC
- An incident in which a child (regardless of age) chokes on a marble, small ball, latex balloon or other small part contained in a toy or game and that, because of the incident, the child dies, suffers serious injury, ceases breathing for any length of time or is treated by a medical professional
- Certain types of lawsuits (This applies to manufacturers and importers only and is subject to the time periods detailed in Sec. 37 of the CPSA.)

CPSC urges product manufacturers to self-report. Its mantra is: "When in doubt, report." There are potentially very substantial civil or criminal penalties for failing to do so. Indeed, some of the largest settlements obtained by CPSC involve a failure to report.

For example, early this year, CPSC announced a $6.5 million civil penalty on Core Health & Fitness LLC for failure to immediately report a defect on its exercise equipment. Effective Jan. 1, 2022, the maximum civil penalty is $120,000 for each violation and an aggregate maximum of $17.15 million for any related series of violations.

Recalls & Reporting Online Made Easier

The 2012 edition of the Recall Handbook is still available online at the CPSC and is a valuable resource for recalls. Ten years later, the recall and reporting process has become more streamlined, and there is a Fast Track Recall Program available at saferproducts.gov/business, which expedites the process. Starting Jan. 31, 2022, businesses that want to participate in the Fast Track Recall Program will be required to submit their Section 15(b) reports — the self-report — exclusively through the online portal.

It is also easy for consumers to report an unsafe product to CPSC online. Thus, while the risks are increased by more and more online sales to consumers of products that were previously sold in the industrial or occupational supply chain, this same technology can also be used to better manage the recall process itself. While it is beyond the scope of this article to fully describe the recall process, you can obtain a good idea from the Recall Handbook.

Many manufacturers and sellers can do their own Section 15(b) reports, sometimes with assistance of legal



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PREPARING FOR A PRODUCT RECALL

In the 2012 edition of its "Recall Handbook," the CPSC advises companies and manufacturers to be prepared to answer or take action regarding potential issues that can arise. These issues include but are not limited to:

- What is the defect that causes the product hazard?
- What caused the product defect to occur in the first place?
- Where are the unsafe products? How many are there?
- Did the product fail to comply with government safety regulations?
- Was the government or the appropriate regulatory body informed about the defect or lack of compliance?
- Has the company discontinued production and shipments of these products to distributors?
- Has the company notified retailers to stop selling the product and asked them to help identify consumers who own the product?
- Has the company started reviewing existing databases to identify potential product owners?
- Has a press release been prepared announcing the recall? What other forms of public notice are needed?
- Has a toll-free telephone service been set up that will be able to handle the number of calls expected after the recall is announced?
- Has the firm's website been modified to announce the recall and accept email requests to participate?
- What is the company's estimate of the cost of the product recall campaign?
- Is the company prepared to deploy manpower and/or fund an effort to provide replacement parts for defective products or to exchange them for new products that do not have the problem?

counsel. Many manufacturers and sellers are also able to conduct recalls themselves, and there are vendors available to assist as necessary in the nuts and bolts of the recall process, including the tracking and required reporting to the CPSC.

When to Call a Lawyer

Legal counsel is still often necessary to help determine whether self-reporting is actually required — for example, whether the situation really involves a "substantial product hazard" or to help determine the scope of the recall. In some instances involving products that are sold to consumers online, depending on the nature of the defect, a recall can be targeted toward those online consumers and would not necessarily involve variants sold through more traditional channels exclusively for industrial use by trained personnel.

Legal counsel is always recommended if a manufacturer or seller is cited by the CPSC and for any enforcement action involving the Consumer Protection Branch of the Department of Justice. However, proactive management involving potential recall situations and the use of the online resources and portal at the CPSC can usually help avoid a costly and risky situation posed by an enforcement action.

Thomas H. Davis is a partner at Stinson LLP in Kansas City, Missouri, where he leads the Product Liability Practice Group. He has represented various propane distributors, wholesalers, pipelines, equipment manufacturers and utilities for over 35 years. His practice focuses on serving and supporting clients in all levels of litigation, including product liability, business and commercial litigation. Davis can be reached at thomas.davis@stinson.com. Visit stinson.com.





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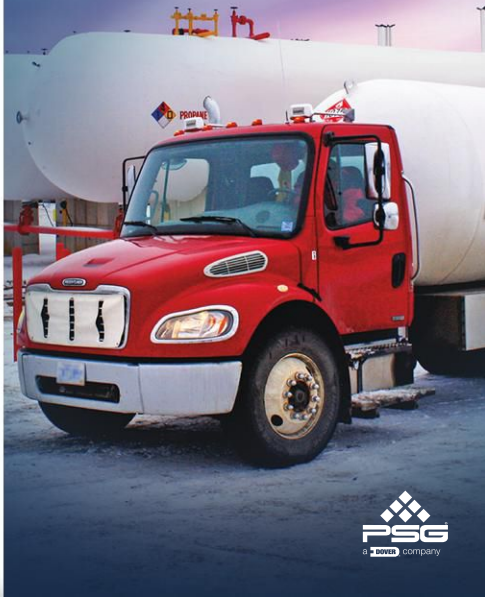
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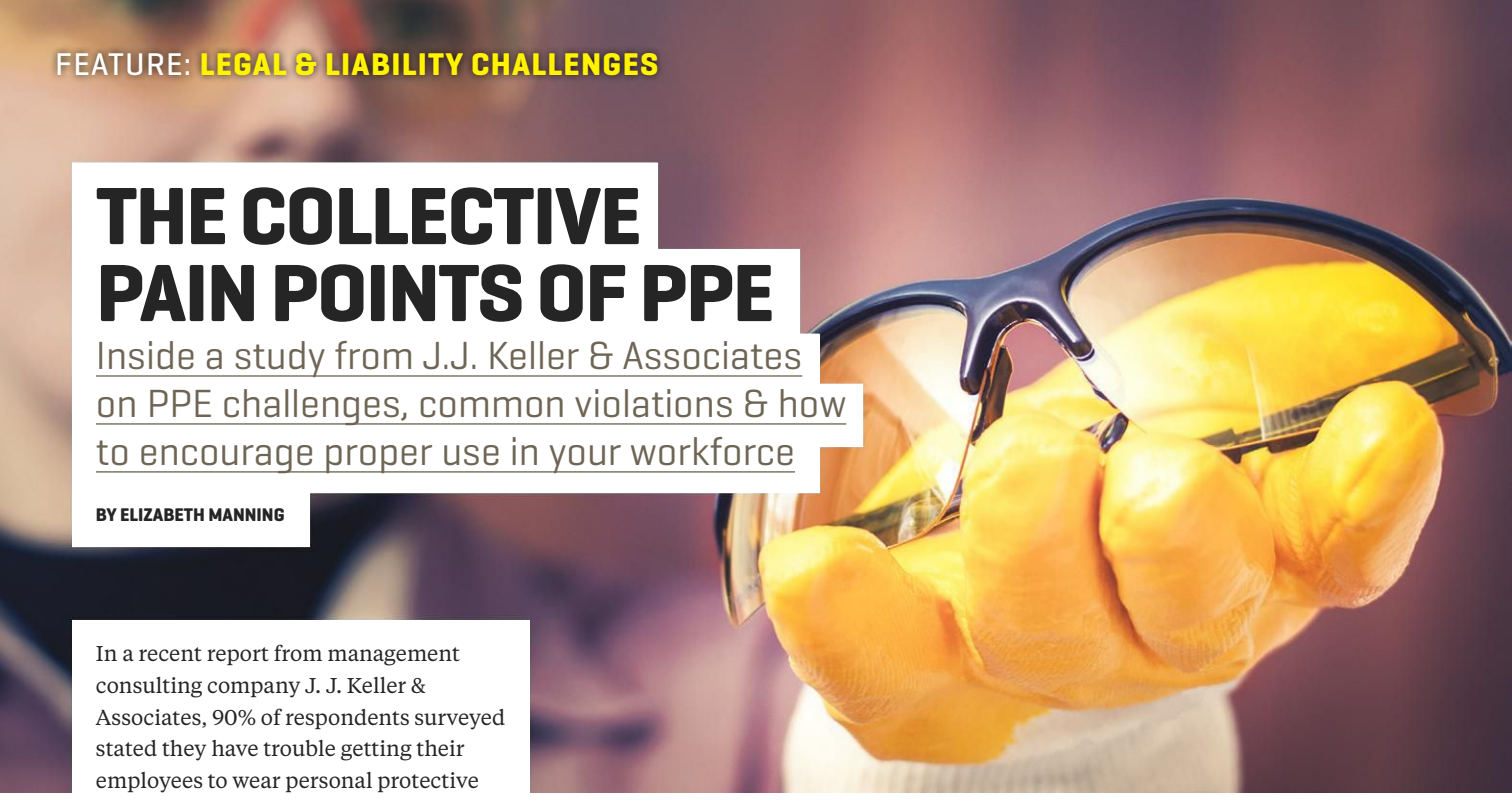
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THE COLLECTIVE PAIN POINTS OF PPE

Inside a study from J.J. Keller & Associates on PPE challenges, common violations & how to encourage proper use in your workforce

BY ELIZABETH MANNING

In a recent report from management consulting company J. J. Keller & Associates, 90% of respondents surveyed stated they have trouble getting their employees to wear personal protective equipment (PPE). The "PPE Pain Points Study" was distributed to over 12,000 contacts in a variety of industries.

Most survey respondents (89%) stated they were responsible for purchasing PPE and work for companies with less than 500 employees. With the hazardous environments propane employees are working in on a daily basis, proper and comprehensive use of PPE is paramount.

Among the open-ended comments from respondents, finding comfortable PPE for employees emerged as a common theme as well, with responses indicating the PPE needs to be comfortable enough for employees to wear all day.

Below, hear from the following experts at J. J. Keller & Associates about key report findings, how to improve proper use of PPE in your company and more:

- Robin Marth, EHS editor
- Stephanie Hallman, director of marketing
- Tom Bray, senior industry business advisor

To read the full report, visit jjkeller.com/ppepainpoints.

Can you discuss some of the key findings from the study?

Marth: When we fielded the PPE pain points study, we knew that many employers have a difficult time getting their employees to wear PPE. But what we were surprised to learn is the extremely large percentage — 90% of respondents said they have trouble getting their employees to wear their PPE. Other key study findings were:

- 34% said they had trouble buying PPE in the sizes they need
- 35% struggle to purchase PPE that fits their female employees
- 71% said they often or sometimes experienced supply chain delays in the past year

In addition to sizing and supply chain concerns, heat rose to the top as a PPE issue. Wearing PPE is necessary, of course, to keep workers safe. In extreme heat, however, the PPE itself can add to the risk of increased heat exposure.

How does J. J. Keller advise its clients to encourage PPE use on the job? Are there any strategies or incentives that your team has seen work well?

Marth: Common excuses given in the survey for not wearing proper PPE included "just didn't want to wear it" and "didn't think it was necessary," suggesting employees know they are supposed to wear PPE but choose not to. Employers need to get their employees to think about their reasons for choosing noncompliance and the potential consequences. If employees don't want to wear PPE or don't think it's necessary, they're choosing to accept the risk of not wearing it. However, employees don't have the authority to make that choice. The employer requires PPE not only because it prevents injuries, but because federal regulations require the employer to provide PPE and enforce its use.

To encourage the right choice, employers might want to try one or more of the following approaches:

- *Impact on others* — Point out that an injury has consequences for more than just the employee. It impacts the employee's family, the company itself and their coworkers.
- *Risk and reward* — Ask the employee to consider the potential injuries that can result from risky behavior and ask them to think of the life-changing impacts they may experience, such as losing an eye or permanent hearing loss. Wearing PPE may seem like a hassle, but the potential consequences of noncompliance will be far worse.
- *Address the objection* — Have the employee explain why they don't

wear PPE, such as comfort, fit, etc. Employers can often offer alternatives to mitigate or reduce those problems.

Do you expect supply chain challenges to subside in the coming year or become more plentiful? How should marketers plan to ensure their teams have the adequate PPE on the job?

Hallman: At J. J. Keller, we have started to get glimpses of light within our supply chain. So at this time we don't anticipate that supply chain challenges will increase — yet we're not expecting a complete return to "normal" in 2023. We continue to encourage those looking for PPE to work closely with their preferred PPE supplier to ensure the supplier understands what your needs are and what you expect them to be near term and longer term. If you have seasonal requirements, for example, start the conversation with your supplier now about your spring/summer 2023 needs.

Are there any PPE items that have been harder to get than others?

Hallman: Certainly items that are produced internationally experience delays. At J. J. Keller, we've diversified our sources so we have multiple ways to pinch-hit if any one supply chain source is delayed. This has helped to offset ongoing challenges.

In industries like propane where diversity is already a challenge, how do you advise clients to navigate a lack of access to properly fitting PPE for their employees?

Marth: Employers need to shift their mindset from offering universal fit and the generalities of small, medium and large as it relates to their female employees. By staying complacent, the employer risks exposing their female employees to additional hazards due to ill-fitting PPE.

A lack of access is a result of lack of planning. So, determine if a problem currently exists. Discuss with female employees the PPE issues they are experiencing and the best ways to mitigate those issues. Review injury and near miss reports for trends regarding PPE usage. And look for suppliers that offer PPE specifically sized for females.

What are some of the most common Department of Transportation (DOT) and Occupational Safety & Health Administration (OSHA) PPE violations that J. J. Keller observes?

Marth: The National Safety Council unveiled their newest list of "Top 10 Most Frequently Cited Standards" from OSHA for fiscal year 2022, and once again, PPE noncompliance was listed multiple times. Keep in mind, these are only violations that OSHA cited; they are not representative of the (obvious) bigger picture of potential violations and PPE noncompliance!

- No. 1: Fall Protection, general requirements — 5,260 violations
- No. 3: Respiratory Protection, general industry — 2,185 violations
- No. 9: Eye and Face Protection, construction — 1,401 violations

Bray: Regarding the DOT, drivers are still subject to PPE requirements when they are at a manufacturing, loading or unloading facility, jobsite, etc. In those cases, the violations are going to be based on the facilities requirements. The most common driver violations I have encountered in those areas include:

- Not wearing a hard hat (helmet) in an area with overhead hazards
- Not wearing safety glasses when required
- Not wearing close-toed or steel-toed shoes in areas where they are required (Drivers normally aren't allowed into areas that would require steel toes, but sometimes they are.)
- Not using fall protection when it is available at a facility (unique to flatbed and tanker drivers)
- Not wearing the proper PPE when handling hazardous material

As far as direct DOT requirements, the most common PPE violation involves a carrier sending its drivers to work on the roadway or the road right-of-way without having or using high-visibility clothing, which is a violation of a Federal Highway Administration (FHWA) regulation. Many carriers simply are not aware of the FHWA requirement, and some just don't enforce it.

One issue here is that most drivers are not assigned to work on the roadway (the facilities where they pick up and deliver to are normally off the roadway). However, if the driver needs to "tailgate" a load at the roadside (unload on the side of the road), make deliveries while parked on the road, etc., you are assigning the driver to work on the roadway, and the high-visibility regulation would apply.

Are there any important PPE-related training opportunities that business owners often overlook?

Marth: Employers are required to train their employees on the following:

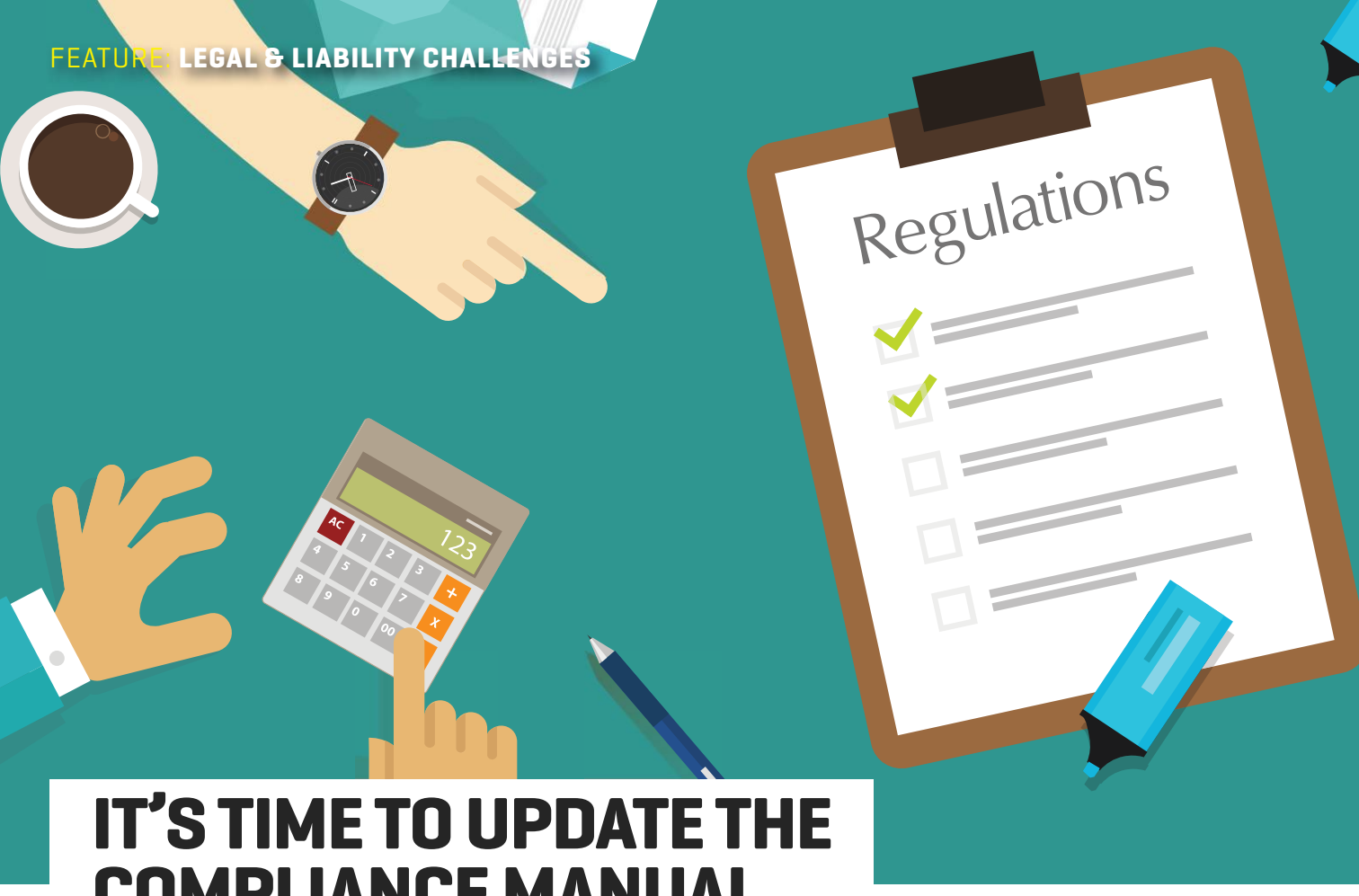
1. When PPE is necessary
2. What PPE is necessary
3. How to properly don, doff, adjust and wear PPE
4. The limitations of PPE
5. The proper care, maintenance, useful life and disposal of PPE

They also must ensure the employee has an understanding and ability to use the PPE, and they must retrain the employee if they are seen wearing the PPE incorrectly or not at all.

Effective training is crucial for PPE compliance. This can often include a mixture of lecture, hands-on demonstration, video, microlearning, five-minute talks, handouts and knowledge assessments. Not everyone learns the same way, so it's imperative to have a variety of learning techniques to reach your audience.

As an example, J. J. Keller Safety Management Suite offers a wide variety of training options related to PPE in several different circumstances, including electrical safety for construction PPE, fall protection for general industry PPE, hand and foot protection essentials, eye and face protection — just to name a few.

Elizabeth Manning is editor of Butane-Propane News.



IT'S TIME TO UPDATE THE COMPLIANCE MANUAL

Review policies annually to protect your business & your employees

BY JAN KELLY

The change of seasons brings light to the task of updating a propane company's compliance policies and procedure manual. Some still have not completed the task of creating a manual that is germane to the size and scope of its operation. Some companies have only one manual at the corporate office and not one at every location.

Procrastinating completion of the manual only invites federal audits and business disruptions, plus multiple fines. I have spoken to some who tell me that they have done great at the cash reporting audit or the Occupational Safety & Health Administration (OSHA) audit. How will you fair, though, in an audit that encompasses the Safeguards Rule, the Red Flags Rule, the Office of Foreign Asset Control (OFAC) rule, the disposal rule, and the fair risk-based pricing and privacy notice regulations, in addition to the adverse action notice portion of the Equal Credit Opportunity Act (Regulation B)?

All of these regulations require a written risk assessment, written policies and procedures for employees to follow, designated managers to have compliance duties incorporated within job descriptions and annual self-audits to test your policies and procedures.

Only the Facts

Your policies must be reviewed at least annually and be adjusted to reflect any changes in procedures and personnel, in addition to any breaches of security either electronically or physically. Document what happened, how you discovered it, what was done and the corrective measures taken. I refer to this as an incident report. Do you have an incident report? As Detective Friday on the old "Dragnet" series used to say, "Only the facts, Mr./Ms. ____."

Incident reports will be completed if they are only one page and easy to fill out. Make them electronic and place a printed copy inside the compliance manual. This will make annual reporting much easier.

The Red Flags Rule and the new Safeguards Rule require an annual report on the performance of the policies and procedures. This report must be signed by the propane company's president or CEO and placed into the corporate minutes. Are you doing this?

Many of you reading this article will think, "I have a small company; we are running under the federal auditor's radar. No need to worry. We will get around to doing something about this



later." Does this sound familiar to you? The problem is that nothing ever gets done. The propane company's personnel do not know where to start. The senior managers do not want the expense of having anyone come into the store and complete the documentation.

Then, one day, out of the blue, the Federal Trade Commission (FTC) agents arrive on the property and ask to chat with the compliance officer, and no one knows who they are asking for. Customer files are in a wall rack in the finance office or sales manager's office, and the doors are wide open with no one in the office.

The alphabet group — the FTC, IRS, FBI, CIA, NSA — can disrupt your business for months doing an audit, and if they find something — anything — they invite other agencies to join them. Audits can be spurred by an unhappy customer, an unhappy employee or any attorney walking around looking for anyone to sue for the good of humanity.

Think about the times we live in. The environment is ripe for audits, fines and added revenue for the federal government.

The new cybersecurity portion of the Safeguards Rule had a deadline of Oct. 31, 2022. Did you meet this deadline? Do you have your compliance manual updated and the cybersecurity protocols added to the list of compliance issues?

Do you have annual compliance meetings with your employees? These meetings should be documented. What was covered and who was in attendance? Also, the agenda and notes should go into the compliance manual under employee education.

Protect Your Business

Many hands make light work. All the managers have a role in the compliance web. Just as the propane company has a chain of command, so do the compliance protocols.

Take care of the documents in your company. What items might be found lying about the office that can be used to steal anyone's identity, such as credit applications, copies of driver's licenses or insurance policy numbers? I have seen credit card numbers written on worksheets used by the sales department in negotiating the figures for a sale. I have seen old employment applications thrown into the trash.

Some companies are still using ribbon shredders in lieu of confetti or have a secure recycle box with a shred service that does a mass shredding of files that are no longer required to maintain.

All these things are huge red flags for any auditor. The goal should never be to strangle business or make things so tight that employees are afraid to breathe and enjoy their job. But start with the minimum and tighten things up as you need to.

The goal is to be respectful of everyone's nonpublished information. While doing business with your customers and employees, do what you can to protect the information given and to prevent identity theft from occurring in your business.

The key is to document how you are going to achieve that goal. What protocols are you going to put into place? Do all the employees who work with sensitive information know what you expect from them in protecting the information?

Before you think "identity theft cannot occur here," realize that identity theft can and does happen everywhere. Hopefully, not at your place of business.

I am not an attorney, so this article is not meant as legal advice. It is meant solely for an educational purpose.

Jan Kelly is the president of Kelly Enterprises. She is an educator and consultant, convention speaker and writes frequently for industry publications. For information about educational venues or joining an F&I 20 group, call 800-336-4275 or visit jlkelly.com.



SUPPORTING INDIVIDUALITY IN THE PROPANE WORKPLACE

5 truths to keep leaders grounded in the humanity of their employees

BY GLENN LLOPIS



I just moved across the country into a house that has been under construction during the pandemic. It was a challenging time for the builders who were trying to make me feel connected to the process 2,500 miles away. And it's certainly been a challenging time to be the buyer, trying to follow the progress, understand my options and make decisions over Zoom.

Regardless of who your customers are, the region you're in or the area of the propane industry your company serves, everyone has had to adapt over the past few years in the ways they serve customers and lead teams of employees.

But if you don't already manage your business from a perspective of wanting to unleash the individuality of your customers or your employees, then those adaptions are too surface level to have a meaningful impact.

During the construction of my home, the builders held weekly updates with me over Zoom. Good start. But it was always about them giving me an update on what they were doing. They would list the decisions that needed to be made, and I would make them. It was friendly and professional, but the experience felt completely transactional. I was just choosing which Lego pieces to add to the mix or not.

The few times I visited the site while construction was in progress, I found things I would have decided differently if I had known a little more and had more context. When we had our weekly calls, someone could have brought a video camera into the house to help me see what I was deciding. They could have thought beyond, "Do you prefer this one or that one?" and gone deeper with questions like, "What matters to you? How do you like to live in your home? What do you want for your daughter?"

I wasn't paying for a completely custom-built house, so obviously, there's a limit to how much personalization I could expect. I get that. But the experience itself could have been managed in a way that would have made me feel like it was more personalized to me. I felt like my opinions only mattered as a way to move the process along, not as anything important to me as an individual. And that's a lost opportunity for anyone managing a business.

Donna Hicks, Ph.D., is an expert in human dignity and a specialist in conflict resolution. Through her work, she identified a major obstacle in human relationships: "Our failure to recognize how vulnerable humans are to be treated as if they didn't matter." (From her 2011 book, "Dignity: Its Essential Role in Resolving Conflict.") This applies to both your customers and to the people you lead and partner with.

WHERE THERE'S AN OBSTACLE, THERE'S AN OPPORTUNITY

Today's leaders are pulled in so many directions. There's overwhelming pressure to figure out hybrid remote teams and how to thrive in our perpetual state of uncertainty. Meanwhile, leaders are also trying to fulfill their promises of inclusion while elevating their commitment to personalizing well-being.

There are plenty of places you can find step-by-step guides for things like using technology with remote teams, what trends to watch to survive uncertainty, how to find more diverse candidate pools or what wellness benefits are most in demand. But those issues — while important — are secondary to our much deeper challenges stemming from our decades of suppressing individuality. And people are finished being



suppressed. Consider these trends:

- The No. 1 environmental, social and governance issue for Americans isn't climate change, it's treatment of workers.
- First on Harvard Business Review's list of trends for 2022 is an emphasis on fairness and equity (the authors said its frequency as a topic on earnings calls has increased by 658% since 2018).
- Helping people feel worthy is a skill leaders need to develop. According to Deloitte Digital Chief Experience Officer Amelia Dunlop, it matters to nine out of 10 people to feel worthy, but five out of 10 struggle to feel worthy, particularly at work.

But we suppress individuals without even knowing it. We inadvertently keep people functioning far below their full capacity. We fail to see and support each other's dignity. We don't know how to make sure people know that they matter.

PEOPLE MATTER

My opening example might seem small compared to the truly egregious ways humans oppress each other. But that's why I like it. It shows how insidious this problem is — the everyday ways we are made to feel like we don't matter.

As leaders, we make assumptions about people based on what we think we know about them. Or we don't take time to know them because we need to stick to our schedules, and that means adhering to our rigid protocols that may have been established for reasons that don't even exist anymore. From my work with thousands of people at some of the biggest organizations in the world, here are five truths I've identified that can help keep us grounded in the humanity of the people we're working with. I've also included questions that help us assess our own assumptions, perspectives and actions.

1. WE HAVE VALUE: WE WANT TO BE INCLUDED.

Who is invited to participate or contribute in this endeavor or decision? Who is missing? Why? Are those reasons valid, or are they simply accepted and unquestioned?

2. WE ARE WORTHY: WE WANT TO BE SEEN IN OUR FULL HUMANITY.

Do you have ways of knowing people as individuals? Or are you making assumptions about them based on their group, their role or their background?

3. WE ARE UNIQUE: WE WANT TO BE OURSELVES.

Do you pressure people to conform to an identity you care about, rather than letting them discover and share their own identity?

4. WE HAVE EXPERIENCE & INSIGHT: WE WANT TO DO MORE.

Do you make assumptions about someone's capabilities based on what you know about their education or work experience? Do you know what the people you lead are capable of? Do you know what challenges they are uniquely suited to solve, or which ones they are drawn to?

5. WE HAVE IDEAS: WE WANT TO EXPLORE OUR POSSIBILITY.

Do you let people challenge the accepted methods, expand beyond stale best practices, try new ideas and attack challenges in their own way? Do you make assumptions about how someone should perform a task based on how we've done it or seen it done in the past?

Why should you care about any of this? Because almost everyone is holding something back: a good idea, a new method, an informed opinion or the full extent of their abilities. Their reasons for holding back might be sound. Maybe, like me, they didn't realize in the moment that they could do more. Most often it's because they've been stifled by the status quo and treated as if they didn't matter.

But in a world where new technologies and business models can make our own products and services obsolete before we see what's coming, we can't afford to have organizations filled with people whose individual capacities are stifled in any way.

Consider how easy it would have been for the contractors building my home to make me feel like I mattered more than their own processes and protocols. It wouldn't have required big investments in new technology or equipment.

All it requires is a leader making an effort to understand the five truths above, to interrupt themselves or others when those truths are forgotten or ignored, and to pivot in the moment to acknowledge the individual in front of them.

Make sure people know they matter.

Glenn Llopis is a Cuban-American entrepreneur, bestselling author, speaker and senior advisor to Fortune 500 companies and organizations in health care, retail, consumer packaged goods and beyond. He is a former C-suite corporate executive and current chairman of the Glenn Llopis Group, a nationally recognized workforce development and human capital consulting firm. Visit glennllopis.com.



TAX SAVINGS START WITH PLANNING NOW

Get the most out of your tax deductions with these planning strategies

BY MARK E. BATTERSBY



Many dealers, distributors, marketers and others in the propane industry rely on professionals or software programs for tax savings. Substantial tax savings are, however, largely the result of moves that are undertaken before the close of the tax year.

The old income-shifting strategy of accelerating income to offset unusually high expenses or postponing income until a later year when the tax bill may be lower only works for those using the cash basis method of accounting. Fortunately, more businesses can now use the cash basis method of accounting.

INCOME NOW & LATER

When it comes to income, the general rule for cash-basis propane businesses is that income doesn't have to be reported until the year cash is received, or a check is in hand. Best of all, today most small businesses are allowed to use the cash method of accounting for tax purposes.

A business operating on a cash basis for tax purposes anticipating higher profits in 2023 than in previous years may want to defer revenue as a way of reducing taxable income for 2022. Consider billing late in December, or delaying the deliveries or providing services until January.

Alternatively, if the propane business is expected to be more profitable next year than in 2022, accelerating cash collection before Dec. 31 would allow those amounts to be taxed at a lower rate. And don't forget the income limits for pass-through businesses.

WRITE-OFFS & MORE WRITE-OFFS

Rare is a propane business that doesn't purchase computers, equipment, vehicles or other assets in a year. For those considering buying a new piece of equipment, upgrading technology, etc., the time to do so is before Dec. 31.

While the tax law offers the opportunity to depreciate those items over their useful life, faster write-offs are possible, allowing a 100% write-off for those with profits that require reduction. Of course, not all assets qualify for the faster depreciation write-offs.

Buildings and their structural components, for example, aren't eligible, nor is property that isn't "placed in service" and not actually used in 2022. On the plus side, propane dealers and distributors can now deduct or depreciate 100% of the cost of a vehicle or truck.

Remember, however, bonus depreciation is currently 100% but is scheduled to be gradually phased out by the end of the 2026 tax year. That means bonus depreciation will be only 80% of the cost of assets placed in service in the 2023 year.

ABANDON FOR A WRITE-OFF

If equipment or other assets have no value to the operation, the benefits of abandoning it rather than selling might be rewarding. Abandonment could generate an ordinary, fully deductible loss, rather than treating the loss as a capital loss, which is subject to



limitations. Of course, abandonment must be documented, and the property really abandoned.

REPAIR, DON'T CAPITALIZE

Rules created in 2013 and that came into effect in 2016 now allow some expenditures formerly labeled as improvements that must be capitalized and recoverable only via drawn-out depreciation deductions as materials and supplies for an immediate write-off. What's more, the so-called "de minimis" safe harbor deduction for materials and supplies has been increased from $500 to $2,500, at least for those businesses without an applicable financial statement.

It is not too late to update the operation's policy for differentiating repairs from capital expenditures to comply with the updated regulation.

BAD DEBT DEDUCTIONS ARE GOOD

While no one wants to write off accounts receivable as uncollectable, doing so creates a deduction for "bad debts." The tax rules allow businesses using the accrual method of accounting to deduct the bad debt from gross income. Of course, reasonable steps must have been taken to collect the debt with collection efforts occurring before the end of the tax year.

Using the final weeks of 2022 to attempt to collect all outstanding amounts, along with documenting those collection efforts, creates a bad debt deduction. After all, anything that feels like a lost cause can result in tax savings.

DON'T FORGET THOSE CARRYOVERS

Deductions for capital losses, net operating losses (NOLs), home office deductions and even large charitable donations that cannot be fully used in one year may be carried forward to future years. Because these items have a way of slipping through the cracks, make sure to track these deductions and note carryovers from the current tax year's return. NOL carrybacks, of course, are no longer permitted.

When a propane business's allowable deductions exceed its taxable income within a tax period, the result is an NOL. Most taxpayers no longer have the option to carryback an NOL, and although an NOL can now be carried forward indefinitely, NOLs carried forward to future tax years are limited to only 80% of the operation's taxable income.

PROVIDE A RETIREMENT PLAN

Offering a retirement plan can go a long way in keeping any propane business's employees happy while serving as a magnet for new workers in today's labor crunch. Not only can a retirement plan help retain talent, when the operation provides a qualified retirement plan or 401(k) plan, there are specific employer contributions and administrative fees that can be tax deductible.

As one example, eligible employers may be able to claim a tax credit — a dollar-for-dollar reduction of their tax bill, rather than a deduction — of up to $5,000 for three years for the ordinary and necessary costs of starting a Simplified Employee Pension (SEP), SIMPLE IRA or other qualified plan such as a 401(k) plan. But, while in some cases actual contributions to these plans can be made after the end of the year, they must be established prior to the end of the year.

REASONABLE COMPENSATION

Beware of how much owners and key employees will be paid this year. The IRS can, and all too often will, challenge salary amounts they deem to

be "unreasonable." While the factors used by the IRS and the courts to determine reasonable compensation vary, the IRS typically looks at training and experience, duties and responsibilities, time and effort devoted to the business and more. The courts generally look at amounts paid by comparable businesses for similar services, the use of a bonus formula and the importance of the role played by the compensated individual.

PLANNING BEFORE YEAR-END

As the end of the propane operation's tax year approaches, several general rules might help guide it to real tax savings — savings that will remain consistent year after year:

- Don't spend money simply to reduce that tax bill. After all, one dollar spent does not equal one dollar's worth of tax saved or create a one dollar deduction.
- Know thy accounting method. Most year-end tax strategies work best for cash-basis taxpayers. Accrual-basis businesses report all income in the year it is earned and all expenses in the year they are incurred. So, just because the propane business prepays a 2023 expense in 2022 doesn't always mean that it will result in an immediate deduction on the 2022 tax return.
- Worker classification matters. Every propane dealer, distributor and marketer must correctly determine whether workers are employees or independent contractors. Independent contractors are not, of course, subject to withholding, making them responsible for paying their own income taxes, plus Social Security and Medicare taxes.
- Don't overlook expenditures for education. With many dealers, distributors and others in the industry cross-training employees because of the shortage of drivers and technicians, costs can add up and should be included on the tax return. Now might also be the time to establish a formal education plan. With such a plan in place, up to $5,250 in a worker's educational expenses can be deducted. Best of all, no funds are necessary to fund the plan up front.
- Ensure that the operation will be taking every deduction available. Now is the time to keep abreast of our complex and fluid tax laws along with compiling the records that will be necessary to document all transactions, incoming or outgoing.

Above all, remember that the recently passed Inflation Reduction Act not only includes provisions impacting climate change and health care, but it also provides significant funding for the IRS to increase enforcement, create revenue and close the tax gap. In other words, every propane business, large and small, could see more audits.

PLANNING TO AVOID, NOT EVADE, IS LEGAL

No less a body than the U.S. Supreme Court has ruled that striving for the lowest possible tax bill is perfectly legal. Thus, planning to produce the lowest possible tax bill should be the goal of every dealer, distributor, marketer and others in the propane industry. Accomplishing that goal year after year usually involves shifting income and deductions around to tax years where they will be the most productive.

Once the work is done and the alternatives tested, make sure the business is actually spending money and not just moving it around. While it is almost always recommended, few in the industry seem to get their tax professionals involved well before the end of the tax. But how can anyone hope to know whether income deferral or accelerated write-offs will be of the most help in reducing this year's tax bill — and the tax bills in future years?

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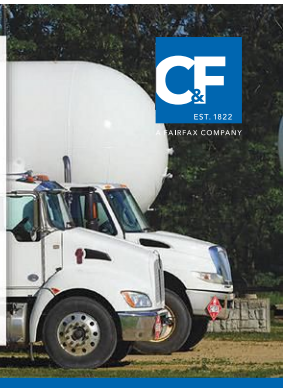
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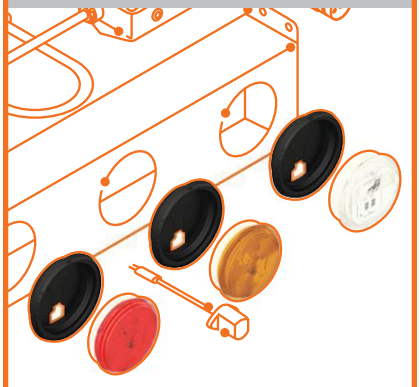
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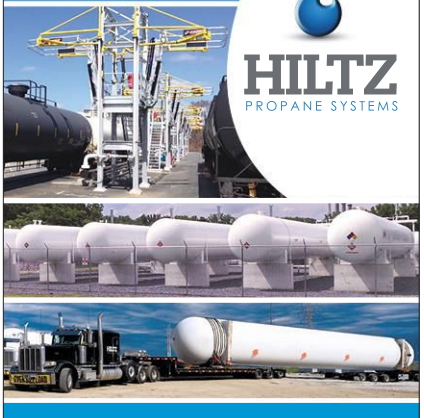
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Kimmie Guthrie

Director of Training
ThompsonGas

Describe your current role at your company. I lead the learning and development efforts for ThompsonGas. We are focused on developing our talent, investing in the next generation of leaders and developing curriculum that is easily accessible from any device, anywhere. We're creating safe places for our people in all positions within the company to be able to connect with each other and the company vision while learning new skills and honing the skills they already have. It's about cultivating a community where we have opportunities for every employee to invest in their growth, learn from each other, build relationships across the organization and across departments, and move the needle forward as we are chasing the vision of who we are and who we want to be for our customers.

What do you think would surprise someone about the job you do? As much as I foster environments for others to learn, I learn so much every day. Serving our team creates a hunger in me to be better, and so I learn just as much as — if not more than — the people in the training. Every time I facilitate or create curriculum, it's an opportunity for me to invest in myself as well as other people.

What's the most important lesson you have learned from a mentor? Relationships are the most important currency. In every situation, you can influence people positively or negatively, and you must be aware of your currency. You have to be aware of how you come to the table so that you're positioning yourself to build people up, build on their strengths, encourage and edify them, and challenge them. Everything else comes second to the relationships you build with people in the industry, internal relationships, external relationships and even the relationship with yourself.

Describe some of the biggest personal challenges you've experienced over your career. I've had to learn that while I extend grace to other people, I often don't extend grace to myself. And that's wasted energy, because we all make missteps; it's how we course correct that's most important. What we learn through that process is so valuable. Another challenge is knowing when to get in the weeds and when to stay out of the weeds, because time is so finite. To effectively influence others, you must find the right balance between getting into the trenches and setting your focus on the vision, learning not to stay in the moment all the time and remembering to look toward the future, too.

Why do you think it's important for the industry to seek out new ideas? Because the business climate is changing. Because employees want a new contract. They want to be developed, feel valued, have a voice and adopt new technologies. They don't want to do things the way we've always done them. And if we're going to serve the propane industry effectively, we have to serve the propane industry employees really well. We must create opportunities for them to create new talents, share ideas, bring new technology to the table, find more effective ways of doing things and welcome new ways of thinking, because the business and the employees are demanding it.

What do you do to empower and support ThompsonGas employees? First, you have to know your people. If you don't know your people, how can you really empower and support them? You must know what people need to be successful, who they are and how they want to be trained. Once you know your people, empowerment starts with creating a safe place, building trust, teaching them everything we know and connecting them across departments to remove roadblocks. That includes having an environment where healthy challenge exists, open questions are asked and ideas are polished through collaboration.

Describe the training techniques you feel are most effective. We use a hybrid approach to training with consistent e-learning on certain subjects, plus in-person groups and one-on-one sessions for others. What I find to be most effective is learning from others as they generate and collaborate on ideas and using open-ended questions to spur creative thinking. The greatest buy-in to change is coming up with the solution yourself!

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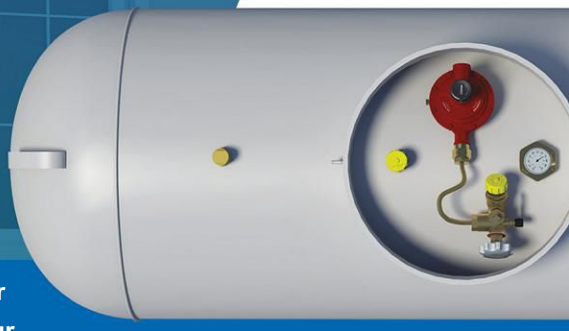
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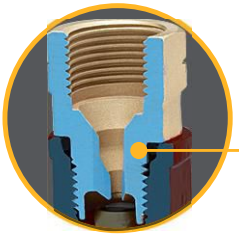
Easier to Secure

Our bonnet cap features a loop for a lanyard to help keep it secured, making it more tamper resistant.

UL LISTED



When you specify RegO, you get 100% tested products backed by our industry-leading 10-year warranty and our global support network. Our products are designed for fast and easy maintenance, to save you time and money—and give you peace of mind.

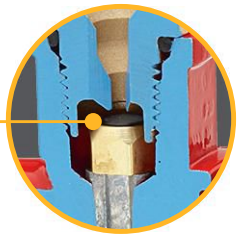


Easy to Service

The nozzle orifice is easily replaceable and precision machined to prevent scoring of the seat disc.

Reliable Service

Resilient seat disc construction gives sure closing at lock up pressure. Straight line seat disc to nozzle operation provides even seat disc wear and positive lock up.





Easy to Adjust

We redesigned our adjusting screw to be easily turned by hand.

MADE IN THE USA™

REGO 100% TESTED

REGO 10 YEAR WARRANTY

REGO 25 YEAR SILVER SERVICE LIFE

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