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### **PMAA ASKS EPA TO WITHDRAW CONTROVERSIAL PROPOSED UST RULE**

PMAA sent a letter to the U.S. EPA's Office of Underground Storage Tanks (OUST) this week requesting withdrawal of a proposed rule that would add dozens of costly new requirements to the federal underground tank regulations. PMAA made the request because the EPA significantly miscalculated the annual compliance costs the proposed rule would impose on petroleum marketers.

The agency estimated that marketers would pay \$900 in annual compliance costs under the proposed rule while PMAA's own data shows costs would amount to at least \$6,100 per year. Two of the provisions in the proposed rule: integrity testing of interstitial spaces in secondarily contained sumps and piping; and a 30-day UST walkthrough inspection are largely driving the high cost of compliance for marketers.

The PMAA UST Task Force has been working on the rule since it was first proposed in 2011. That work has included submission of written comments, face to face meetings with EPA/OUST and efforts to have the Small Business Administration's Office of Advocacy review the EPA's flawed economic impact analysis. Federal law requires the EPA to accurately assess the economic impact of proposed rules on small business entities and find alternative less costly requirements when a regulatory approach would have a "significant" economic impact on a "substantial" number of small business entities.

In its letter to the EPA, PMAA said the agency incorrectly calculated compliance costs imposed by the rule and used the estimate to justify its mistaken determination that the rule did not have a significant economic impact on small business petroleum marketers. PMAA wants the EPA to withdraw the rule and redraft it, this time with greater input from marketers. The EPA has not responded to PMAA's letter at press time.

### **ENVIRONMENTAL GROUPS URGE PRESIDENT TO REQUIRE TIER 3 GASOLINE**

This week, a coalition of environmental, union and emission control system manufacturers urged President Obama to finalize Tier 3 gasoline regulations by the end of the year. The current proposal pending at the EPA would require refiners to lower sulfur in gasoline from 30 ppm to 10 ppm. Currently, California requires 10 ppm sulfur gasoline. Last month, 13 Democratic Senators led by Sen. Kirsten Gillibrand (D-NY) sent a similar Tier 3 gasoline letter to the Obama Administration to move forward with the stringent gasoline regulation.

PMAA and many other industry associations are concerned that a Tier 3 gasoline mandate would shut down refineries, raise prices at the pump and provide little to no health benefit. EPA indicated last year that producing Tier 3 gasoline standards would cost a penny per gallon to produce. The American Petroleum Institute (API) contends that the regulation would cost nine cents-per-gallon while actually increasing CO2 emissions by 0.5 percent. Unfortunately, environmental groups and companies who stand to benefit from manufacturing emission control systems will continue to push the rule in 2013.

PMAA is opposed to Tier 3 gasoline and will be participating with industry groups and consumer groups opposed to the rule.

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**MARK YOUR CALENDARS FOR UPCOMING EVENTS IN 2013**

**February 27, 2013** – Utah (UPMRA) Day on Capitol Hill - Utah Capitol Building - Salt Lake City, Utah

**May 9-10, 2013** – NPM&CSA Big Dogs' Shootout – Red Rock Hotel & Casino – Las Vegas, Nevada

**June 4-6, 2013** - Montana (MPMCSA) Convention - Holiday Inn Grand - Billings, Montana

**June 17-20, 2013** - Washington (WOMA) Convention - Suncadia Lodge - Cle Elum, Washington

**July 31-August 2, 2013** - Idaho (IPM&CSA) Convention - Sun Valley Resort - Sun Valley, Idaho

**August 27-28, 2013** – New Mexico (NMPMA) Convention – Albuquerque Marriott Pyramid North, Albuquerque, NM

**September 12-13, 2013** - Utah (UPMRA) Convention - Zermatt Resort - Midway, UT

Petro Pete: "If the Mayans have taught us anything, it is that if you don't finish something, it's not the end of the world."

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