

March 9, 2012

Visit us online at www.wpma.com

WP-03-09-12

SENATE RESUMES CONSIDERATION OF HIGHWAY BILL**Rest Area Commercialization Amendment to be Considered Tuesday**

Late Wednesday, Senate Majority Leader Harry Reid (D-NV) and Minority Leader Mitch McConnell (R-KY) reached a deal to consider 30 amendments to the two year, \$109 billion highway reauthorization bill, known as the "Moving Ahead for Progress in the 21st Century Act of 2011" or "MAP-21 (S. 1813)". Among the amendments considered on Thursday was an amendment by Senator John Hoeven (R-ND), which would approve the Keystone XL pipeline, but the measure failed, largely along party lines, by a vote of 56 – 42. Senator David Vitter (R-LA) offered an amendment which would open the outer continental shelf for oil exploration but the amendment failed by a vote of 46 – 52. PMAA supported both these amendments which would bring much needed oil supplies to reduce prices at the pump.

The Senate was unable to consider all 30 amendments this week so the chamber will resume consideration Tuesday, March 13th which includes an amendment by Senator Rob Portman (R-OH) to allow states to commercialize rest areas. PMAA strongly opposes the amendment. The Portman amendment would kill small business jobs and would not bring states additional revenue if they were allowed to commercialize rest areas. Even if you have spoken with your Senators in the past about this issue, please make sure he or she understands this imminent threat and is prepared to oppose Amendment #1742.

Additionally, Senator Debbie Stabenow (D-MI) has an amendment which would renew for one year the one-dollar-per-gallon biodiesel tax credit. However, the amendment's chances of passing are slim because it also extends a number of energy tax credits that are not paid for. Overall, PMAA still has concerns with the Senate bill because it would remove three billion dollars from the Leaking Underground Storage Tank (LUST) trust fund to pay into the Highway Fund and it would also change the allocation of the \$.001 of the penny LUST tax. The change will permanently dedicate one third of the existing \$.001 LUST tax to the Highway Trust Fund and two thirds to the LUST Trust Fund. PMAA opposes this change and believes this is bad public policy. If the money is not being used for the LUST program, the LUST tax should be reduced or eliminated.

Meanwhile in the House, Speaker John Boehner (R-OH) indicated on Thursday that the House may take up the Senate highway bill when the House returns the week of March 19th through 23rd. There has been unwillingness among House conservatives to vote on the original House plan to pass a five-year \$260 billion highway bill due to the bill's cost projections. Included in the House bill, but not in the Senate bill, is PMAA supported wetlines language which would bar the Department of Transportation from moving forward with its proposed rule until a thorough cost-benefit analysis was completed.

EPA RELEASES FY 2011 UNDERGROUND STORAGE TANK CLEAN-UP AND COMPLIANCE REPORT

The U.S. EPA this week released its annual report on the federal underground storage tank program. The report provides an overview of UST release prevention, clean-up, and compliance rates nationwide as well as other important tank related data. According to the report, 11,169 cleanups were performed in fiscal year 2011, 42 of which were in Indian country. The cleanup backlog, which is the difference between the cumulative number of confirmed releases and cleanups completed, also continued to decline from 142,000 sites a decade ago to 87,983 sites at the end of FY 2011. The report also found that active UST compliance rates continue to increase with more than 70 percent of active USTs complying with requirements to prevent and detect leaks (exceeding EPA's goal of 66 percent compliance). The UST compliance rate in Indian country was 61 percent. The annual number of new UST releases also declined, with just under 6,000 new leaks reported in FY 2011 (meeting EPA's goal to reduce annual releases to fewer than 8,550). This represents a six percent drop in the number of new releases reported compared to FY 2010.

The LUST provision of the American Recovery and Reinvestment Act of 2009 provided \$200 million of LUST Trust Fund money to assess and clean-up releases of contamination from federally-regulated USTs. According to the EPA, states and territories made significant progress in assessing and cleaning up LUST releases with LUST Recovery Act money. As of September 2011, LUST Recovery Act money was spent at 2,818 sites. In addition, LUST Recovery Act money contributed to other assessments and clean-ups at 3,650 additional sites which did not begin as Recovery Act projects and are not yet completed. As of September 2011, 30 of the 54 states and territories that revived LUST Recovery Act money completed all scheduled work.

To view the complete EPA UST report, go to:

<http://www.epa.gov/OUST/pubs/2011annrpt.html>

HOUSE SUBCOMMITTEE HOLDS GASOLINE PRICE HEARING

The House Energy and Commerce Subcommittee on Energy and Power held a hearing March 7, 2012 to examine factors influencing gasoline prices. Chairman Ed Whitfield (R-KY) indicated he wanted to focus on areas that policymakers can control and influence. Industry representatives appearing before the committee were Charles Drevna, American Fuel & Petrochemical Manufacturers; John Eichberger, NACS; Daniel Weiss, Center for American Progress; Jack Gerard, API; Robert McNally, The Rapidan Group; Chris Milburn, CarbM Trucking; and Michael Breen, Truman National Security Project. Legislators learned from witnesses how increased global demand and political turmoil have constrained the world's crude oil supplies. They also called for an increase in domestic drilling, swift approval of the Keystone XL pipeline, and a reduction of excessive regulation.

WPMA OFFERS CONDOLENCES TO THE KELLERSTRASS FAMILY

The staff at WPMA was deeply saddened to hear of the death of Camile Dosch, the daughter of WPMA Past President Craig and Jacoy Kellerstrass of Kellerstrass Oil in Ogden, Utah. Camile was killed in an automobile accident on Sunday, March 4th, 2012. The WPMA staff sends our deepest sympathy to Craig and Jacoy and their family members at this difficult time. We will keep them in our thoughts and prayers.

An obituary for Camile is available on the Lindquist Mortuary web page:

http://www.meaningfulfunerals.net/fh/obituaries/obituary.cfm?o_id=1416605&fh_id=13348

REGISTRATION IS NOW OPEN FOR PMAA'S WASHINGTON CONFERENCE AND DAY ON THE HILL SCHEDULED FOR MAY

PMAA's 2012 annual Washington Conference and Day on the Hill will be held in Washington, DC from May 16-18. Our industry continues to have dozens of important legislative and regulatory issues to discuss with members of Congress and the Day on the Hill continues to be the primary focus of this conference.

The meeting will begin with an issues briefing and committee meetings on the afternoon of May 16th followed by a welcome reception including our PAC silent auction fundraiser. On the morning of May 17th, there will be another issues briefing if you did not arrive in time for the first one. Marketers and association executives will then head to Capitol Hill for visits with their Congressional delegations. Please be sure to make these appointments at your earliest convenience. There will be a hospitality suite and luncheon on the Hill. On the evening of May 18th, we will honor our new PMAA Chair, Stanley Roberts. Our conference will conclude after the PMAA Board of Directors meet on May 18th following regional meetings.

If you plan on attending PMAA's Annual Washington Conference and Day on the Hill, now is the time to make your room reservation as we are nearly sold out. We have two hundred members who have reserved rooms in our block on our peak night! Please note that we will have an overflow hotel option once we are completely sold out at The Washington Court.

2013 WESTERN PETROLEUM MARKETERS CONVENTION & CONVENIENCE STORE EXPO LAS VEGAS, NEVADA

Start planning now to attend the 2013 WPMA Convention and Convenience Store Expo. It will be held at the Mirage in Las Vegas, Nevada. Mark your calendars for February 19-21, 2013.

MARK YOUR CALENDARS FOR UPCOMING EVENTS IN 2012

May 10-11, 2012– Nevada - NPM&CSA Convention/Big Dogs Event – Las Vegas, Nevada

June 5-7, 2012 – Montana - MPMCSA Convention – Billings Hotel and Convention Center – Billings, Montana

June 18-21, 2012 – Washington - WOMA Convention – Suncadia Lodge – Cle Elum, Washington

June 19, 2012 – Idaho-IPM&CSA 1:30 pm Annual DEQ/UST Compliance and Informational Meeting with DEQ staff at DEQ

June 21, 2012 – Utah - UPMRA Summer Golf Classic – Old Mill Golf Course – Draper, UT

August 1-3, 2012 – Idaho - IPM&CSA Convention – Coeur d'Alene Resort, Coeur d'Alene, Idaho

August 15-16, 2012 – Utah - UPMRA Convention – Zermatt Resort (tentative), Midway, UT

August 27-29, 2012 – New Mexico - NMPMA Convention and Trade Show – Embassy Suites – Albuquerque, New Mexico

Petro Pete: “A conclusion is the place where you got tired of thinking.”

© 2011 Western Petroleum Marketers Association - All rights reserved. No part of this work may be reproduced or copied in any form or by any means - graphic, electronic, or mechanical, including photocopying, recording, or otherwise. The information herein is also intended for the sole purpose of members of the Western Petroleum Marketers Association (WPMA). Any other use is strictly prohibited without the express written consent of the WPMA.

If you do not wish to receive information via fax or e-mail, please contact WPMA at: (801) 263-9762, Fax: (801) 262-9413, or e-mail: janr@wpma.com. Thanks.

Classified Ads

FOR SALE

Refrigerated Walk in Box

- 9' 8" deep X 37' long
- 12 heated reach in doors
- 1- walk in door complete with racks and shelves

WANTED

Looking for late model 4500 gallon, 4 or 5 compartment truck tank with barrel boot, dual pumping system.

Contact:

ELLIS L PIERCE
PIERCE OIL COMPANY, INC.
PO BOX 792
332 WEST RAILROAD AVENUE
PRICE, UTAH 84501
435.637.3211
435.637.6628 FAX