

September 20, 2013

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WP-09-20-13

PMAA TO HOST SOUTHERN CALIFORNIA DINNER AND GOLF EVENT

Look for event registration and sponsor materials in your e-mail next week. PMAA is hosting a dinner and golf event on **Wednesday, November 20th** and **Thursday, November 21st** at the Omni La Costa Resort and Spa in Carlsbad, CA.

La Costa Resort & Spa is Southern California's ultimate luxury retreat with a top-ranked spa, 36-hole San Diego golf course and luxuriously appointed rooms. A room rate of \$209 per room has been arranged for event attendees, and is good three days before and after the event if you wish to stay longer.

The PMAA event will begin Wednesday evening, November 20th with a cocktail reception from 6 . 7 pm and dinner immediately to follow at the resort (details TBA). On Thursday, November 21st, former two-time PGA Championship winner Dave Stockton will give golf lessons to attendees from 8 - 11am, followed by 18 holes of golf on La Costa's Championship Golf Course. For every \$1,500 donated to the event, each Sponsor will get one free round of golf and a lesson from Dave Stockton. Wednesday's reception sponsorship is \$4,500; the dinner sponsorship is \$6,000, and the beverage cart sponsorship is \$3,000.

Please invest in PMAA through one or more sponsorships.

NATIONAL UST CONFERENCE REPORT

PMAA Regulatory Counsel Mark Morgan was in Denver, Colorado this week for the 24th National Tanks Conference and Expo. The annual UST conference sponsored in part by the U.S. EPA, draws state and federal UST program officials from across the country to exchange ideas and attend seminars on a wide range of topics from compliance and enforcement issues to emerging trends in equipment and fuel formulations. This year, several of the well-attended seminars and discussion groups looked into the compatibility of UST systems with alternative fuels, a growing concern for state regulators.

Two presentations at the conference discussed results of new compatibility studies . one by the National Institute of Standards and Technology (NIST), and one by the National Oak Ridge Laboratory. The NIST study found that water intrusion of ethanol blends can create corrosive bacteria in the dry headspace of sump areas causing significant and rapid corrosion to steel sump casings. The same study found that copper pipe in sump areas showed minimal corrosion but corrosive pitting made the piping susceptible to stress fracture. The Oak Ridge Laboratory study found that the elastomers in seals, o-rings, gaskets and hoses break down over time due to a cycle of swelling and shrinking when exposed to ethanol blended fuel. Polymers (plastics) are not significantly affected by exposure to ethanol blends, according to the study, though certain types of adhesives holding plastic pipes together are vulnerable.

In light of the two studies, state regulators were urged to develop compatibility checklists for UST equipment, create a notification and permit process for tanks storing alternative fuel blends, require periodic monitoring for water intrusion and create a database to track the type of fuels held in tanks. Meanwhile, the U.S. Department of Energy used the conference to roll out a new alternative fuel handling and storage guidebook.

The Handbook for Storing and Handling E-85 and Other Ethanol-Gasoline Blends can be downloaded from <http://www.nrel.gov/docs/fy13osti/57590.pdf>

BUSINESSES URGE GOVERNMENT TO PROTECT ECONOMY

This week PMAA joined other members of the U.S. Chamber of Commerce in a letter urging Congress to protect the economy by addressing the debt limit, passing a continuing resolution to ensure uninterrupted funding of the government, and to re-establish fiscal discipline and implement fundamental tax reform for the long haul. To view a copy of the letter, please go to <http://www.pmaa.org/weeklyreview/attachments/CRDebtCeilingCoalitionLetter092013.pdf>.

A Congressional Budget Office Report released this week shows that the federal debt is in danger of reaching 100 percent of GDP by 2038 under current fiscal policy. Further, that the government recorded the largest budget deficit between 2009 and 2012 relative to the economy in more than five decades.

MARKETERS DEMONSTRATE GENEROSITY

With 48 PMAA member petroleum marketer associations keeping us updated on their programs and priorities, we share in their challenges and successes. Here at PMAA we are proud to be associated with petroleum marketer funded college scholarships for deserving youth and programs like Camp Courageous supported by marketers in Iowa. Special kudo's this week go to West Virginia marketers who raised \$161,466 in 2013 for "Make a Wish Foundation" to help grant the wishes of children diagnosed with life-threatening conditions. Petroleum marketers prove time and again that they care about their customers and their communities.

E-CIGARETTES UNDER CONGRESSIONAL SCRUTINY

This week, House Energy and Commerce (E&C) Ranking Member Henry Waxman (D-CA) along with E&C members Diane DeGette (D-CO), Frank Pallone (D-NJ) and John Dingell (D-MI) sent a letter to the FDA urging the agency to assert its jurisdiction over the growing electronic-cigarette (e-cigarette) market. Citing a report from the Centers for Disease Control and Prevention (CDC), lawmakers are concerned that a growing number of teens are smoking e-cigarettes which could lead to increased nicotine addiction, the letter suggests. Some researchers believe e-cigarettes are inherently safer than traditional cigarettes, and e-cigarette sales are expected to rise from two billion dollars by the end of 2013 to \$10 billion by 2017.

NEW EPA DATA SYSTEM ESTABLISHED

This week, the Environmental Council of the States (ECOS) endorsed an EPA web-based portal system, known as E-Enterprise, to allow regulated entities to apply for permits, check their compliance status, report air emissions and find out more information about new regulations. The portal will allow states and the EPA to share environmental data electronically while reducing paperwork and regulatory reporting burdens. EPA estimates it will save the government \$75 million annually.

HOUSE PASSES FARM BILL SNAP TITLE

On Thursday, the House passed a measure that would cut \$39 billion from the Supplemental Nutrition Assistance Program (SNAP) title of the Farm Bill by a slim margin, 217-210. The Senate has already passed its Farm Bill which included farm policy and cuts four billion dollars from SNAP. House passage of SNAP will now allow both chambers to move closer to a Farm Bill Conference Committee as Speaker Boehner (R-OH) has indicated he will announce House conferees soon.

The Senate SNAP version includes harmful language which could unfairly restrict some c-store owners from accepting SNAP benefits. The Senate has announced conferees, and PMAA has already initiated a targeted grassroots campaign to prevent the Senate version from becoming law. Senate conferees include -- Senate Agriculture Committee Chairwoman Debbie Stabenow, (D-MI); Patrick Leahy, (D-VT); Tom Harkin, (D-IA); Max Baucus, (D-MT); Sherrod Brown, (D-OH); Amy Klobuchar, (D-MN); Michael Bennet, (D-CO); Senate Agriculture Ranking Member Thad Cochran, (R-MS) Pat Roberts, (R-KS); Saxby Chambliss, (R-GA); John Boozman, (R-AK); and John Hoeven, (R-ND).

HPMA RECOMMENDS PETRO CLASSROOM FOR CLASS A, B AND C OPERATORS

The Hawaii regulations that went into effect August 27, 2013 for Class A, B and C operators state the following:

§11-281-46 Operator training. (a) Operator designation and notice. (1) No later than one hundred twenty days after the effective date of these rules, owners and operators must designate for each UST or tank system that is in use or temporarily out of use a class A, class B, and class C operator trained and certified in accordance with the requirements of this section.

The Hawaii Petroleum Marketers Association has recommended Petro Classroom for those looking for Class A, B, or C Operator Certification Training, as required by the Energy Policy Act of 2005. Petro Classroom offers affordable and convenient compliance training that not only meets, but exceeds the training requirements and guidelines established by the EPA. We currently offer Classroom and Online Training for Class A and B Operators and Online Training for Class C Operators.

To register go to: <http://www.wpma.com/hawaii>

Hawaii Training Classes

October 2, 2013 . Honolulu, HI
Doubletree by Hilton Alana Waikiki
1956 Ala Moana Blvd
Nanu Room
Honolulu, HI 96815

October 3, 2013 . Kahului-Maui, HI
Maui Beach Hotel
170 Kaahumanu Avenue
Maui Room . Located on the 2nd Floor
Kahului-Maui, HI 96732

OCTOBER EMPLOYER NOTICE DEADLINE

Business owners are receiving reminders from their insurance companies that there are notices for new and current employees required under the Fair Labor Standards Act (FLSA) Section 1512 of the Patient Protection and Affordable Care Act provides that an employer must provide each employee at the time of hiring (or with respect to current employees not later than October 1, 2013), a written notice about the healthcare marketplace. Employers must provide this information whether they provide health insurance or not and regardless if you will be required to or not.

The notice must include:

- Informing the employee of the existence of the Marketplace (referred to in statute as the Exchange) including a description of the services provided by the Marketplace, and the manner in which the employee may contact the Marketplace to request assistance;
- If the employer plan's share of the total allowed costs of benefits provided under the plan is less than 60 percent of such costs, that the employee may be eligible for a premium tax credit under section 36B of the Internal Revenue Code (the Code) if the employee purchases a qualified health plan through the Marketplace; and
- If the employee purchases a qualified health plan through the Marketplace, the employee may lose the employer contribution (if any) to any health benefits plan offered by the employer and that all or a portion of such contribution may be excludable from income for Federal income tax purposes.

Model notices provided by the government that can be used are available for those that do offer a plan:

<http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf>.

For those that do not offer a plan: <http://www.dol.gov/ebsa/pdf/FLSAwithoutplans.pdf>

FBI ISSUES TIPS TO IDENTIFY POTENTIAL TERRORIST ACTIVITIES INVOLVING PETROLEUM BULK PLANTS

The FBI has issued a tip sheet to petroleum bulk plant operators to help them identify potential terrorist activities involving bulk plants. The FBI is concerned about terrorists attempting to purchase or steal fuel from a bulk plant to use in a weapon of mass destruction. Petroleum marketers should take notice of the following people and activities:

People Who:

- Are new customers and not from the area.
- Are unauthorized individuals in fuel storage areas.
- Exhibit unfamiliarity with vehicle operations and U.S. DOT HAZMAT requirements.
- Drive vehicles without HAZMAT placards or without U.S. DOT numbers.
- Are surveilling the facility.
- Are testing security measures.
- Exhibit unfamiliarity with fuel handling and storage regulations.
- Store fuel in unusual locations or containers.
- Make unusual inquiries about acquiring cargo tank vehicles.
- Attempt to acquire official vehicles, uniforms and badges, identification and access cards.
- Use a rental vehicle or a vehicle with an out-of-state temporary license plate to transport fuel.

Purchase Activities Including:

- Using cash for large transactions or a credit card in someone else's name.
- Driver is unable to provide proper commercial vehicle license, verify vehicle ownership, or provide proper lease agreement.
- Acting nervous or vague about reasons for purchasing fuel.
- Requesting delivery without an account.
- Making unusually large purchases of fuel.
- Requesting fuel to be shipped to an unusual location.

Further Action:

The FBI recommends that the following actions should be taken to reduce the risk of potential terrorist activities involving bulk plants

- Require a valid I.D. for all purchases.
- Keep records of purchases.
- Report any stolen fuel, missing equipment or vehicles to law enforcement officials.
- If something seems wrong notify law enforcement officials.

FBI Contacts:

- FBI Terrorist Tip Website: <https://tips.fbi.gov/>
- Your Local FBI Office: <http://www.fbi.gov/contact-us/field>
- Imminent Emergency: Call 911.

INTERFAITH GATHERING AT NACS SHOW

A member of the Minnesota Petroleum Marketers Association (MPMA), Tom Severson, has organized an Interfaith Gathering to be held Sunday morning, October 13 from 7:30am-8:30am in A402 of the Georgia World Congress Center. All are welcome to join.

JOIN PMAA IN ATLANTA THIS OCTOBER

PMAA will hold its Fall Meeting on October 11-12 at the Hyatt Regency Atlanta. Please view current information at <http://www.pmaa.org/pmaameetings/upcomingmeetings.asp>.

2014 WESTERN PETROLEUM MARKETERS CONVENTION & CONVENIENCE STORE EXPO LAS VEGAS, NEVADA

Start planning now to attend the 2014 WPMA Convention and Convenience Store Expo. It will be held at the Mirage in Las Vegas, Nevada. Mark your calendars for **February 18-20, 2014**.

MARK YOUR CALENDARS FOR UPCOMING EVENTS IN 2013 AND 2014

October 4, 2013 . HPGA Golf Tournament . Mauna Lani Resort, South Course. Kohala Coast, Big Island, HI

May 8-9, 2014 – NPM&CSA Big Dog³ event . Red Rock Hotel & Casino Las Vegas, Nevada,

June 3-5, 2014 – MPMCSA Convention . Hilton Garden Inn . Missoula, Montana

June 16-19, 2014 - WOMA Convention . Suncadia Lodge . Cle Elum, Washington

August 6-8, 2014 . IPM&CSA Convention . Coeur d'Alene Resort . Coeur d'Alene, Idaho

August 19-20, 2014 . NMPMA Convention . Marriott Pyramid North . Albuquerque, New Mexico

Petro Pete: *"The only member in my family with a personal trainer is the dog."*

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