

December 15, 2017

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WP-12-15-17

TODAY IS THE LAST DAY TO BOOK YOUR ROOM AT THE EARLY BIRD RATE FOR THE 2018 WPMAEXPO

Our hotel block for the 2018 WPMAEXPO is open and available at \$149/night and has been extended through today, December 15, 2017.

You have two ways to book rooms:

- Through our website here: <http://www.wpma.com/national-convention/hotel>
- Or call The Mirage directly at 800-627-6667 using WPM18A for the early bird rate.

We do not have a company representing us for room booking. Please do not book hotel rooms with a third-party company. Booking with a third-party company is at your own risk. You should only book your room through the WPMA web site or by calling the Mirage directly using the WPMA code above.

PMAA URGES TRUMP ADMINISTRATION TO DELAY THE UST EQUIPMENT TESTING COMPLIANCE DEADLINE

Today, PMAA sent a letter to EPA Administrator Scott Pruitt asking the EPA to delay the compliance deadline in the 2015 underground storage tank (UST) amendments for containment sump, spill bucket and overflow prevention equipment operability testing. Specifically, PMAA is asking the Trump Administration to delay the compliance deadline until October 13, 2024 which will allow tank owners and operators time to acquire the capital needed to pay for the compliance costs associated with initial testing. It will also allow tank owners and operators the opportunity to extend the useful life of their existing equipment while preparing for the equipment upgrades needed to comply with the 2015 UST testing and inspection requirements.

Click [here](http://www.pmaa.org/weeklyreview/attachments/PMAA_EPA_USTDelay_Dec2017_final.pdf) (http://www.pmaa.org/weeklyreview/attachments/PMAA_EPA_USTDelay_Dec2017_final.pdf) to read the letter.

Conference Committees Reach Tentative Deal on Final Tax Bill

On Wednesday, conference committees in the House and Senate reached a tentative deal on a final tax bill. Some important details are that there will likely be a 21 percent corporate rate, a 37 percent top individual rate, a repeal of the corporate alternative minimum tax, a 20 percent deduction on pass-through income, a State and Local tax deduction expansion beyond just property taxes that will include income tax and will be capped at \$10,000, and a doubling of the estate tax exemption, although it will not be fully repealed. The final details of the tax bill will be released later today.

Some Republicans have come out publicly saying they are undecided on whether to vote for the final tax bill or not. Sen. Marco Rubio (R-FL) says he will not vote for the bill if it does not include a child tax credit. Sen. Bob Corker (R-TN), the only Republican who voted no against the Senate's tax bill two weeks ago, says he is still undecided after saying that his concerns about tax cuts adding to the deficit haven't been addressed at all. Lastly, it remains to be seen whether Sen. John McCain (R-AZ) will be able to make the vote due to his ailing health, although Republican leadership has said that he will make the vote. All Democrats have said they will oppose the final tax bill regardless of what details are released today. Republicans can only afford to lose two votes in order to pass the tax bill.

Yesterday, the Small Business Legislative Council (SBLC) released a summary chart of what is thought to be in the final tax bill. Click [here](http://www.pmaa.org/weeklyreview/attachments/Tax%20Reform%20Summary%20Chart.XLSX) (<http://www.pmaa.org/weeklyreview/attachments/Tax%20Reform%20Summary%20Chart.XLSX>) to read the analysis. PMAA sits on the SBLC Board of Directors and provides input on tax related issues facing petroleum marketers.

AX ANNOUNCES PLAN TO STOP REQUIRING SIGNATURES

Stating that fraud detection capabilities have advanced so that signatures are no longer necessary to fight fraud, American Express Co. joined MasterCard Inc. and Discover Financial Services in announcing an end to the action that does nothing to prevent fraud. Amex plans to put an end to the practice of requiring customers to verify card purchases by signing a receipt by April.

PMAA and the Merchants Payments Coalition, one of the largest groups of retailers in the world, applaud American Express for joining MasterCard and Discover in taking a step to improve card-payment security by no longer requiring customers to engage in the useless act of signing receipts. The credit card companies can cut down on fraud immediately by requiring PIN technology. According to the Federal Reserve, this technology is 700 percent safer than signatures.

PMAA and the MPC are committed to achieving full swipe fee reform. American retailers pay the highest swipe fees of all

the developed countries—up to 4 percent in credit-card swipe fees. That's a 10,000 percent profit margin, since the transaction costs the bank only a few cents. For petroleum marketers, swipe fees are the highest expense other than payroll.

NLRB OVERTURNS JOINT EMPLOYER RULING

Last night, the new conservative majority on the National Labor Relations Board (NLRB) overturned the 2015 decision that made it easier to hold companies liable for labor violations committed by their franchisees or contractors.

In a 3-2 decision by the Board's Republican majority, the NLRB ruled that to be classified a "joint employer," a business must have a direct and immediate control over the employees in question. Browning-Ferris, issued under President Obama, said a business could be classified a joint employer even if its relationship to the employees in question were indirect.

On another front, fewer companies would be liable for labor violations committed by their franchisees or contractors under H.R. 3441 which was passed by the House on November 7. The "Save Local Business Act" would also reverse the National Labor Relations Board's (NLRB) 2015 Browning-Ferris decision by narrowing the circumstances under which businesses can be classified a joint employer. Under Browning-Ferris, companies that exert only "indirect" control over franchisees may still be joint employers. The bill would revert to a standard of "direct" control.

It is still important to enact the legislation as a future Democratic NLRB could switch the ruling back sometime in the future. The Senate hasn't taken up the House bill yet, and the odds for passage are unclear.

Furthermore, in June, Labor Secretary Alexander Acosta announced that the Department of Labor (DOL) was withdrawing the Obama Administration's "Administrator's Interpretation" that was issued after the original NLRB ruling in the Browning-Ferris Industries case that broadened a business's potential liability for the labor practices of third-party business partners. The DOL Wage and Hour Division's January 2016 interpretation attempted to expand the concept of joint employer liability under federal wage and hour laws as well.

PMAA applauds the new NLRB ruling, we applaud Congress for moving forward to change the law, and we applaud Secretary Acosta for withdrawing the guidance. Now the harder part, moving the bill through the Senate, which is expected to be difficult, but not entirely out of reach. PMAA will continue to monitor the latest.

QUICK SUMMARY OF THE EPA APPROPRIATIONS BILL

The bill that will serve as the Senate's starting point for a FY 2018 omnibus spending bill would provide EPA with \$7.91 billion which is \$2.25 billion more than the Administration requested and \$149.5 million less than the FY 2017 level.

Further, the Senate Appropriations Committee's draft spending measure would provide \$91 million for FY 2018 Leaking Underground Storage Tank (LUST) trust fund activities, which is equal to the FY 2017 enacted amount, and approximately \$44 million more than what was in the 2017 budget request.

The measure would also authorize the EPA and the Army Corps of Engineers to withdraw the Waters of the U.S. Rule (WOTUS) without going through the usual regulatory process. A new proposed version of the WOTUS Rule will likely be unveiled the first quarter of 2018.

The rule is important to petroleum marketers because it defines how far federal clean water regulations extend into local land use and permitting decisions including the construction of new gasoline stations and surface water runoff from parking and fueling areas. Further, the Obama Administration's 2015 WOTUS rule could adversely affect many petroleum marketers with bulk storage.

The bill also includes language stating that the Committee remains concerned that the ozone standard of 70 ppb is likely to bring additional areas of the country into non-attainment, which may have harmful economic consequences.

The current continuing resolution (CR) expires December 22.

ELECTRIC VEHICLES HAVE A LONG WAY TO GO

Based upon an annual survey of consumers, the latest Fuels Institute report, "Consumers and Alternative Fuels 2017," finds a strong disconnect between what potential car buyers say they will do and what they actually do when it comes to purchasing electric vehicles. What keeps consumers from purchasing alternative fuel vehicles are low gas prices, lack of battery charging infrastructure, range anxiety and battery replacement costs.

The House version of the "Tax Cuts and Jobs Act" eliminates the electric vehicle (EV) tax credit (worth up to \$7,500 per vehicle), while the Senate bill would not repeal this tax credit. Repeal could have a substantial impact, just as it did when the state of Georgia repealed a \$5,000 electric vehicle tax credit and simultaneously imposed a \$200 registration fee on electric vehicles. EV sales declined by 80 percent since. Reports have surfaced that the credit is likely in the Conference Report that House and Senate tax negotiators have agreed to.

Although electric vehicles have a long way to go, consumers aged 18-34, could reflect a growing trend as they are significantly more interested in electric vehicles than older drivers. Click [here](https://www.fuelsinstitute.org/forms/reportdownload.aspx?rid=Consumers-and-Alternative-Fuels-2017) (<https://www.fuelsinstitute.org/forms/reportdownload.aspx?rid=Consumers-and-Alternative-Fuels-2017>) to read the report.

HOUSE SUBCOMMITTEES HOLD JOINT HEARING ON CAFE STANDARDS AND GHG EMISSIONS

On Tuesday, the House Energy and Commerce Subcommittee on Environment and Digital Commerce and Consumer Protection and the Subcommittee on Environment held a joint hearing on corporate average fuel economy (CAFE) and greenhouse gas (GHG) emission standards for motor vehicles.

In his opening statement, House Energy and Commerce Committee Chairman Greg Walden (R-OR) stated that “We want to know how these different regulatory schemes impact consumers, and learn more about better ways to ensure the federal fuel economy standards are met, without creating unnecessary paperwork or administrative burdens that serve only to drive up costs for American families. As currently constructed, it has been estimated that these programs will raise the average price of a new vehicle by almost \$3,000 – that is no small amount and one that will undoubtedly price many Americans out of the new car market. Although the goals of these varying programs are important, we must never forget that what we do in Washington has a real impact on consumers across the country.”

Many of the witnesses echoed these sentiments. For instance, Honda and Acura dealer Forrest McConnell, testifying on behalf of NADA, explained why President Obama’s “One National Program” for regulating new-car fuel economy is actually three separate programs. He stated, that the different fuel economy programs are administered by three different agencies—the National Highway Traffic Safety Administration (NHTSA), the Environmental Protection Agency (EPA), and the California Air Resources Board (CARB)—under three different sets of rules, issued pursuant to three different laws, potentially resulting in three different standards, all of which must be separately complied with. “These duplicative and sometimes contrary regulations were labelled by the Obama Administration as “One National Program,” but in reality, they are three separate programs.”

FEDERATED INSURANCE NAMES SZYMANSKI DIRECTOR OF ASSOCIATION RISK MANAGEMENT SERVICES

Federated Insurance is pleased to announce David Szymanski as the Director of Association Risk Management Services effective January 1, 2018. David will lead the ARMS function in addition to his current role as Director of Home Marketing Services.

Szymanski brings a wealth of experience to the Director of ARMS position. He joined Federated Insurance in 1989 as a marketing representative in West Virginia. In subsequent years, he served as a district marketing manager, regional marketing manager, and director of home office marketing services.

In April 2015, Szymanski was appointed a Vice President of Federated Insurance and most recently, he has served as First Vice President.

“Dave has had tremendous success in every role he’s been assigned,” Federated Insurance Senior Vice President, Director of Insurance Operations Nick Lower stated. “He is focused on Federated’s core values and disciplines; and, also has a deep sense of belief in our mission of helping our clients achieve success.”

FEDERATED INSURANCE APPOINTS NEW PRESIDENT

Federated Insurance Companies’ Chairman and Chief Executive Officer Jeff Fetters announced Wednesday the appointment of Michael G. Kerr to the role of President of the Companies effective December 1, 2017. Kerr will add these responsibilities to his current role as Chief Operating Officer.

As President, Kerr will assume greater responsibility and authority for the operational functions that drive the Companies’ financial results. He will continue to be a member of Federated’s Operations Team and will work directly with Life Company operations; Property and Casualty Underwriting, Claims, Field Services, Marketing, and Marketing Services and Support; Special Accounts; and Granite Re, Inc.

“Positioning the organization with the next generation of leadership is one of my most critical duties,” said Fetters, who had held the role of president until this appointment. “Mike Kerr, whom I have known and worked with for over 35 years, is exceptionally qualified for these new responsibilities and is supported by an outstanding executive leadership group.”

FEDERATED INSURANCE SPONSORED WEBINAR ON DECEMBER 19 AT 2:00PM ET

Hidden Dangers of Good Deeds

The discussion will focus on the unexpected ways employment-related claims can rise when your company is involved in doing the “right thing.” The discussion will focus on the unexpected ways employment-related claims can rise when your company is involved in doing the “right thing.” Wellness Programs, volunteer events, and community fundraising can create unintended pressure points and misunderstandings that lead to these claims. We will help you recognize the risks to avoid surprise, and will give you practical tips to minimize claims. We also will identify the Federated resources you can turn to for help and walk you through some real-life examples.

Advanced Registration is required for this one-hour webinar.

For additional information or to discuss this in further detail, please contact your Federated regional representative or PMAA's National Account Executive Jerry Leemkuil at 800.533.0472. Federated is a PMAA Corporate Platinum Partner.

PMAA'S WASHINGTON CONFERENCE 2018 HOTEL RESERVATIONS ARE OPEN

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

The meeting will begin with an Opening Session / Issues Briefing and Region meetings in the afternoon of May 16. Our welcome reception, including our fun and popular PAC silent auction fundraiser, concludes the day! On the morning of May 17, marketers will head to Capitol Hill for visits with their Congressional delegations after a buffet breakfast and issues briefing for those who were not able to attend the opening session. It is not too early to make your Congressional appointments. There will be a hospitality suite and luncheon on the Hill. On the evening of May 17, we will honor our 2018 PMAA Chair Mark McBride. Our conference will conclude after the PMAA Board of Directors meet on May 18 following a buffet breakfast and committee meetings.

You can find all available details for Washington Conference and Day on the Hill [here](http://www.pmaa.org/meetings/upcomingmeetings/) (<http://www.pmaa.org/meetings/upcomingmeetings/>). We will be creating our Cvent website for this meeting over the coming months. Registration will open in early 2018 and will be posted on this page and announced in this Weekly Review.

Please make your plans now to attend this important and productive forum to meet with your members of Congress and network with other marketers from across the country! See you in DC in the spring!

FEDERATED INSURANCE IT'S YOUR LIFE: PLANNING FOR THE UNEXPECTED

As a business owner, you know there are things that can disrupt and possibly cripple the success of your business. You have to focus on, plan for, and address many diverse issues, such as what your competition is doing; federal, state, and local laws; employee issues; etc. All of these and more can threaten your financial well-being.

Have you also considered the impact on your business, on your family, and on your employees if you became disabled? A long-term disability can have far-reaching implications: Not only are you providing for your family, but you also are providing for the well-being of your employees and their families. If disability strikes, you need time to react and hold things together until plans can be worked out. The success of your business is dependent on your being an active owner. A disability can put this success in danger. What steps have you taken to protect yourself and the people who count on you from an unexpected loss of income?

For additional information or to discuss this in further detail, please contact your [Federated](#) regional representative or PMAA's National Account Executive [Jerry Leemkuil](#) at 800.533.0472.

PLAN TO ATTEND THE 2018 WPMAEXPO

The logo for WPMAEXPO features the letters 'WPMA' in a bold, dark green, sans-serif font, followed by 'EXPO' in a white, outlined, sans-serif font. The 'O' in 'EXPO' is a circle with a horizontal line through it.

Mark your calendars for February 20-22, 2018. Make plans now to attend the 2018 WPMAEXPO. It will be held once again at the Mirage in Las Vegas, Nevada.

[#wpmaexpo18](#)

Thank You **WPMA EXPO 2018 TOP SPONSORS**

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MARK YOUR CALENDARS FOR UPCOMING EVENTS

February 20-22, 2018 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada

May 3-4, 2018 – NPM&CSA Big Dogs – Red Rock Casino – Las Vegas, Nevada

June 5-7, 2018 – MPMCSA Convention & Expo – Fairmont, MT

June 18-21, 2018 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

August 8-10, 2018 – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, Idaho

August 20-22, 2018 – New Mexico (NMPMA) Convention – Sandia Resort & Casino, Albuquerque, NM

September 12-14, 2018 – Utah (UPMRA) Convention – Doubletree by Hilton, Park City, UT

WPMA MEMBER SERVICES



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Petro Pete: "According to my kids' Christmas lists, they think this parenting gig pays pretty well."

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