

December 21, 2012

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WP-12-21-12

*Merry Christmas*

The WPMA office will be closed December 24-25, 2012 for the Christmas holiday.

TIME IS RUNNING OUT - SUPPORT THE SCHOLARSHIP FOUNDATION FOR CONVENTION RECOGNITION!

Included at the end of this Weekly Update is a copy of the Scholarship Foundation Donation Form. There are a variety of ways to support the Scholarship Foundation. You can choose from cash donations to the foundation, convention golf sponsorships or silent auction donations. Please consider making a donation to this great cause. Support our leaders for tomorrow through your scholarship donations today!

BOEHNER THROWS TAX NEGOTIATIONS TO SENATE

Yesterday, House Speaker John Boehner (R-OH) found out that he could not whip enough votes for a "fiscal cliff" tax measure so he told House members to head home for Christmas and challenged the Senate to pass a bill that could pass the House.

"The House did not take up the tax measure today because it did not have sufficient support from our members to pass," Boehner said in a Thursday night statement. "Now it is up to the President to work with Senator Reid on legislation to avert the fiscal cliff. The House has already passed legislation to stop all of the January 1 tax rate increases and replace the sequester with responsible spending cuts that will begin to address our nation's crippling debt. The Senate must now act."

At press time, Senator Majority Leader Harry Reid (D-NV) and President Obama had not commented on their next steps.

EPA HITS BULK PLANT OWNER WITH HUGE FINE FOR LACK OF SPILL PLAN

A Massachusetts bulk plant operator has been fined \$177,500 for alleged failure to keep and maintain an oil spill response plan as required under the federal Clean Water Act. EPA recently filed a complaint against the company for failing to properly prepare for possible oil spills at its waterside facility in violation of federal Facility Response Plan ("FRP") requirements. An FRP is required when it is determined that the bulk storage facility could reasonably be expected to cause "substantial harm" to the environment by discharging oil into or on navigable waters or expected to cause "significant and substantial harm" to wildlife, marine life or public drinking water systems. Not all bulk plants are required to have an FRP. Only those bulk plants operators whose facilities pose a threat to navigable waterways are required to have one in place, and be prepared to adequately implement a contingency plan for containing and cleaning up oil spills.

FRP's are in addition to required Spill Prevention, Countermeasure and Control (SPCC) plans for facilities that meet the harm requirements. EPA's action stems from a March 2012 unannounced exercise carried out by EPA, the U.S. Coast Guard and state environmental authorities at the facility. The objective of the exercise—a simulated oil spill—is to determine whether a facility can successfully respond to an oil release. As a result of the March exercise, EPA determined that the company could not properly carry out the facility's FRP and its personnel were not adequately trained, resulting in an "unsuccessful" overall rating for the exercise.

Bulk plant operators can determine if their facility is required to have an FRP by going to <http://www.epa.gov/emergencies/content/frps/index.htm> and looking at the "substantial harm" and "significant and substantial harm" criteria.

BIODIESEL COMPANY PLEADS GUILTY FOR FAKING

On Monday, the owner of Absolute Fuels, Jeffrey David Gunselman, pleaded guilty for selling fraudulent biodiesel renewable identification numbers (RINs) worth \$41.7 million without actually producing the fuel. From September 2010 to October 2011, Gunselman generated the fake biodiesel RINs on his computer and then sold them to several refining companies (obligated parties). The companies then wired payments to Gunselman's bank account. This is the first guilty plea from the RINs trading fraud scheme where an EPA investigation into another fraudulent renewable fuels company is still pending.

Earlier this year, legislation was introduced to address the issue. Reps. Pete Olson (R-TX) and Marsha Blackburn (R-TN) introduced the "Stop RIN Fraud Act of 2012," (H.R. 6444) which would protect obligated parties such as refiners and importers who unknowingly buy fraudulent RINs in the open market from being subject to monetary fines and replacement costs. The new legislation would require EPA to ensure the validity of RINs before they are traded on the market. Additionally, the National Biodiesel Board (NBB) launched a RINs Integrity Task Force to prevent future fraudulent transactions. PMAA Second Vice Chairman, Sam Bell, is currently a member of the task force.

THE CLINTON BUILDING

The next time PMAA members travel to Washington, DC to meet with EPA at their headquarters on Pennsylvania Avenue, they will likely be meeting in the William Jefferson Clinton Federal Building. The Senate has passed a measure to rename the building after the 42nd President and it is likely to be signed by President Obama next week. The measure was sponsored by Senator Barbara Boxer (D-CA) who chairs the Senate Environment and Public Works Committee.

EPA ISSUES NEW AIR POLLUTION STANDARD FOR FINE PARTICULATE MATTER

In response to a court order, the U.S. Environmental Protection Agency (EPA) today finalized an update to its national air quality standards for fine particle pollution (PM_{2.5}), including soot, setting the annual health standard at 12 micrograms per cubic meter. According to the EPA, dust is the primary source of 2.5 particulate emissions, followed by coal combustion and diesel powered engines. The EPA estimates that by 2020, ninety-nine percent of U.S. counties are projected to meet revised health standard without any additional actions.

A federal court ruling required EPA to update the standard based on best available science. It is expected that fewer than 10 counties out of the more than 3,000 counties in the United States, will need to consider any local actions to reduce fine particle pollution in order to meet the new standard by 2020, as required by the Clean Air Act. The remaining counties can rely on air quality improvements from federal rules already in place to meet the new standard. A map of non-compliant counties can be found at <http://www.epa.gov/pm/2012/2020map.pdf>.

Refiners opposed the new standard because if they maintain it will increase the cost of refining diesel fuel – a cost they say will be passed down to the consumer.

COMPLIMENTARY AND DISCOUNTED SAFETY TRAINING FROM FEDERATED INSURANCE

Time is running out for Federated Insurance clients to take advantage of complimentary and discounted safety training.

Through December 31, 2012, clients can request one of more than 300 safety training DVDs and streaming videos at no cost other than DVD shipping charges. Provided by Summit Training Web® via Federated's Shield NetworkSM, these films are available for 30 days.

Clients can also register for computer-based training courses free of charge through December 31, 2012. There are more than 150 training courses available and each course comes with access to a learning management system that helps you assign, track, and document course completion. Classes must be registered for by December 31, but can be taken in 2013.

As one of the most efficient and easy-to-use means of obtaining a DOL/OSHA course completion card, Summit's online OSHA 10- and 30-hour training courses have proven valuable to many businesses. Through December 31, Federated clients can register their employees for these training courses at a reduced cost.

There has never been a better time to bolster training at your business. To learn more, contact your local Federated marketing representative or call 1-888-333-4949 and ask to speak with the Risk Management Resource Center. Act now, because this offer ends on January 1!

PMAA PARTNER SPOTLIGHT FEATURING: MATRIX CAPITAL MARKETS GROUP, INC.

Matrix Capital Markets Group, Inc. announced last week the successful sale of substantially all of the assets of Red Eagle Oil, Inc., et al, Debtor-in-Possession (the "Debtor") in Case No. 11-20857 of the United States Bankruptcy Court for the District of Wyoming (the "Court") and its affiliates (collectively, the "Companies"). The assets were sold pursuant to a Court Order approving the sale to Brad Hall & Associates, Inc. under an Order of the Court dated September 12, 2012.

The Companies' assets sold consist of sixteen (16) fee-owned convenience stores that also offer motor fuels, several bulk plants, and transportation equipment. Fifteen (15) of the convenience stores are located throughout Wyoming with another store in Hardin, Montana. Eight (8) of the stores offer Exxon motor fuels with the remaining stores selling unbranded fuels.

Cedric Fortemps, Senior Vice President at Matrix, said "this closing is the culmination of a successful sale process which required a tremendous amount of hard work on the part of the Debtor, the creditors and all of the professionals employed by various constituents. It was a pleasure to work with all of the individuals involved and the successful result would not have been possible without the Hinze family's determination to continue to operate the Companies under difficult circumstances."

For information on Matrix Capital Markets, please visit <http://www.matrixenergyandretail.com/home.php>.

PMAA MEMBER SERVICES SPOTLIGHT FEATURING: STAPLES ADVANTAGE

The PMAA / Staples Advantage program brings many benefits to all PMAA members: great prices on office supplies and technology items, and a wide variety of products and services to help you consolidate vendors, streamline processes and cut down on ordering costs.

-**Fast and Free Shipping** on all orders. Offer ends December 29, 2012.

-**Holiday Deliveries:** Staples Advantage® won't be delivering orders on December 25, 26, 31 and January 1.

-**Cleaning & Break Room** (<http://www.staplesadvantage.com/facility-solutions/index.html>): All of the snacks, beverages, paper products, and cleaning supplies you need to keep your break room fully stocked.

-**Copy & Print** (<http://www.staples.com/sbd/cre/programs/copyandprint/>): With a wide range of services from business cards and signs & banners to invitations, calendars and more, you'll find great quality and low prices in every category.

To find out more about making Staples your one source for all of your business needs, please contact PMAA's National Account Manager [Rod Thomasson](#) or 888.224.3784 extension 4512. You can also call Staples Customer Service at 877.826.7755 or Order.StaplesAdvantage.com.

WPMA 2013 NATIONAL CONVENTION & CONVENIENCE STORE EXPO SPONSORS February 19-21, 2013 • Mirage • Las Vegas, Nevada



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.

Access the WPMA National Convention page by scanning the QR code on the left with your smart device.

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: "For it is good to be children sometimes, and never better than at Christmas, when its mighty Founder was a child Himself. – [Charles Dickens, A Christmas Carol.](#)"

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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.





Scholarship Program



DONATION LEVELS ✦ An elite **Premier Donors Reception** will be held **Monday, February 18**, to honor all those who have donated at the \$1,000 Platinum Level or above. This lavish reception will be attended by WPMA members, exhibitors, board members and past presidents. Your tax deductible donation of \$1,000 or more entitles you to two tickets to this first-class reception!

✦ **Corporate Member**
– \$25,000 or more donation in lump sum or accumulated

✦ **Lifetime Column Club Member**
– \$10,000 or more donation in lump sum or accumulated.

✦ **Sustaining Charter Column Club Member**
– \$1,000 or more donation as continuing support for a Charter Column Club Member* (includes 2 tickets to Premier Donors Reception)

✦ **Platinum** – \$1,000 or more donation (includes 2 tickets to Premier Donors Reception)

Gold – \$500-\$999 / year

Silver – \$250-\$499 / year

Century – \$100-\$249 / year

*See list of Charter Column Club Members in 2012 Expo Program and updates in Summer 2012 WPM News Magazine

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SILENT AUCTION

Please support the WPMA Scholarship Program by donating generously to the Scholarship Foundation Silent Auction at the WPMA National Convention and Expo in Las Vegas, **February 19 - 21, 2013**. Your company will also receive name recognition and exposure! Your name will be listed:

- ❖ **In the 2013 Convention Program**
- ❖ **On scholarship signage** at the WPMA convention and Expo
- ❖ **In the Silent Auction brochure** that is distributed in all convention attendee packets (*if donation is received before February 1*)
- ❖ **On Silent Auction sign** next to the item donated

- ❖ In the 2013 Post Convention Western Petroleum Marketers News (**WPM News**) Magazine

The WPMA Scholarship Foundation has been designated a 501 (c) (3) charitable foundation by the Internal Revenue Service. Donations are tax deductible.

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GOLF SPONSORSHIP

The proceeds from the Scholarship Golf Tournament are donated to the WPMA Scholarship Foundation, to help finance eight \$4,000 scholarships awarded each April to graduating high school seniors who are the sons and daughters of full-time employees of WPMA member and associate member companies.

GOLF PLATINUM

- Banner on display at the golf course with your company name and logo
- Signs on each of the golf carts
- Your company logo flown on a pin flag
- Your company name listed in the WPMA Convention Expo Program as a Platinum Sponsor

BEVERAGE CART

Sign on beverage cart

GOLF BREAKFAST

Sign in breakfast area

GOLF BALLS

(with your imprinted logo)
– 36 doz.

MAGNETIC DIVOT REPAIR & BALL MARKER

(with your company name or logo) - qty. 144

GOLF TOWELS

(with your embroidered logo)
– qty. 144

GOLF HATS

(with your embroidered logo)
– qty. 144

GOLF HOLE-IN-ONE

Sign at Tee-box

BRONZE (HOLE SPONSOR)

- Sign with your company name located at one tee on the golf course
- Your company name listed in the WPMA Convention Expo Program as a Bronze Sponsor

GOLF PRIZES

- Cash contributions go toward all golf awards and prizes

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LOGO ITEMS MUST BE COMMITTED BY JANUARY 11, 2013

Please check a scholarship commitment box in one or all categories below. Send your company logo to the WPMA office for promotion and recognition. See page 1 for sponsorship and donation details.

DONATION LEVELS: I would like to support the Scholarship Foundation

Please accept my contribution to the Scholarship Foundation as indicated in box checked below.

Includes **Two Premier Donors Reception Tickets**

\$25,000 or more

Corporate Member

\$10,000 or more

Lifetime Column Club Member

\$1,000+ / year

Sustaining Charter Column Club Member

\$1,000+ / year

Platinum Level

\$500-\$999 / year **Gold Level**

\$250-\$499 / year **Silver Level**

\$100-\$249 / year **Century Level**

SILENT AUCTION: I would like to donate \$ _____ CASH directly to the Scholarship Foundation

An item for the Silent Auction (if box is checked please fill in 1-3)

2. Description of item (details for silent auction brochure - style, make, etc.):

1. Item to be donated: _____

3. Approximate market/retail value of item: _____

GOLF SPONSORSHIP: I would like to Sponsor

\$5,000+ GOLF PLATINUM

\$2,000+ BEVERAGE CART

\$1,500+ GOLF BREAKFAST

\$1,500+ GOLF BALLS

\$1,500+ MAGNETIC DIVOT REPAIR & BALL MARKER

\$1,500+ GOLF TOWELS

\$1,500+ GOLF HATS

\$800 GOLF HOLE-IN-ONE

\$350 BRONZE (HOLE SPONSOR)

\$100 GOLF PRIZES

SCHOLARSHIP COMMITMENT FORM



WPMA
SCHOLARSHIP FOUNDATION

Please print, sign, make checks payable to WPMA SCHOLARSHIP FOUNDATION and return to:
Western Petroleum Marketers Association, PO Box 571500
Murray, Utah 84157-1500

Fax: (801) 262-9413

Website: www.wpma.com

Please invoice our company at the address below for the above sponsorship.

X
(Print Company Name) would like to participate with sponsorship as checked above.

Name: _____
(Please check box if individual name is to be listed **instead** of company name in Silent Auction brochure and/or on signs)

Address: _____

City: _____ **State:** _____ **ZIP:** _____

E-mail: _____

Phone: (____) _____ **Fax:** (____) _____

Check Enclosed: or Invoice me at above address in: (Month) _____
before convention (Year) 2012 / 2013

or Charge My: MasterCard Visa American Express Discover

Account # _____ Exp. Date _____ Signature _____ Date _____

Questions on Sponsorships contact **Jamie Wood** at (801) 263-9762, toll-free at (888) 252-5550 or jamiew@wpma.com.