

January 16, 2009

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WP-01-16-09

ROOM BLOCK FILLING UP FAST FOR 2009 WPMA CONVENTION AND CONVENIENCE STORE EXPO

Make your reservations soon at The Mirage Hotel for the upcoming 2009 WPMA Convention and Convenience Store Expo. The room block is filling up fast, so act now! The room block cut-off date is January 19, 2009. You may call The Mirage at 1-800-499-6311 and **ask for the WPMA rate**. The room rate is \$195.00.

ENTER TO WIN A 2009 ARCTIC CAT ATV AND SUPPORT THE SCHOLARSHIP FOUNDATION!

The WPMA Scholarship Foundation will be giving away a 2009 Arctic Cat ATV at the upcoming WPMA Convention in Las Vegas! The ATV is a limited edition sport utility model with a beefy 550 HI EFI engine. A 3000-pound winch, hand warmers, machined aluminum rims, and a 2" ball receiver hitch sweeten what is already an incredible package. To get a look at this stunning ATV, go to the Arctic Cat Web site: <http://www.arctic-cat.com/atv/dirt.asp?category=UTILITY&model=550H1EFILE>.

Raffle tickets for this ATV cost \$100 each. Only 250 tickets will be sold, so your chances of winning are great! Buy one or buy 10 to increase your chances! But hurry - tickets are expected to sell out. For more information on how you can purchase raffle tickets, contact the WPMA office: 801-263-9762, or toll-free (888) 252-5550.

Void where prohibited. Must be 21 or older to participate. You need not be present to win. Taxes and licensing not included. Shipping within the continental US will be provided.

ATC RELATED CHANGES WILL BE A VOTING ITEM AT NCWM JULY 2009 MEETING

On Wednesday, members of the NCWM Laws and Regulations (L&R) Committee decided to keep automatic temperature compensation provisions as a voting item on their agenda for the July 12-16, 2009 meeting in San Antonio, Texas. It is possible, but not likely, that the committee could change its mind and keep the matter informational rather than voting. Specifically, two provisions are scheduled for a vote this summer including: model provisions that would regulate ATC if it was authorized by a state, and model provisions that would provide a roll-in if a state wanted to mandate ATC. WPMA opposes the new provisions because it will promote disunity in motor fuels measurement throughout the U.S. A stated purpose of NCWM is to promote uniformity in weights and measures among states and we will be urging delegates to vote "No" on the changes.

Earlier this week, members of the National Conference on Weights and Measures (NCWM) were provided copies of an important expert economic analysis revealing the ATC mandates will harm consumers pocketbooks. The study highlighted several important factors regarding ATC including: consumers would pay more for temperature compensated fuel; retail prices already reflect the volumetric effects of temperature on motor fuel; the use of ATC device will not provide consumers with additional fuel at unchanged prices – consumers will pay the same amount for the same quantity of fuel regardless of unit size; and consumer fuel expenditures will increase because they will pay for the costs associated with installation, maintenance and regulation of ATC equipment. PMAA is asking NCWM officials to give full consideration to the facts outlined in the study.

ACTING CHAIRMAN LUKKEN STEPS DOWN AT CFTC; COMMISSIONER DUNN TO SERVE AS ACTING CHAIRMAN

Commissioner Michael Dunn, a Democrat who has been a member of the CFTC since 2004, has been elected acting chairman of the CFTC, effective January 20. Acting Chairman Walter Lukken announced his resignation January 15, although he will remain a commissioner. His term expires in 2010. Last month, President-elect Barack Obama nominated Gary Gensler to be CFTC Chairman. A confirmation hearing for Gensler in the Senate Agriculture Committee has yet to be scheduled.

In other futures trading news, Senate Agriculture Committee Chairman Tom Harkin (D-IA) introduced legislation yesterday that would bring all over-the-counter financial derivatives onto fully regulated exchanges. The legislation, which was also introduced in November, known as the "Derivatives Trading Integrity Act, would force all futures contracts trade on a designated contract market or a derivatives transaction execution facility. A staffer for Agriculture Committee Ranking Member Saxby Chambliss (R-GA) said that the bill is "a non-starter" among Republicans.

PMAA met with Agriculture Committee staff about this yesterday and PMAA will continue to provide feedback about the Senate legislative proposal.

HOUSE LEADERSHIP UNVEIL ECONOMIC STIMULUS PACKAGE WITH ENERGY AND ENVIRONMENT-RELATED PROVISIONS INCLUDED

Yesterday, House leadership unveiled the draft economic stimulus package totaling \$825 billion to fund numerous infrastructure projects and wide-ranging tax cuts. Included in the package is \$6.2 billion for the Weatherization Assistance Program, \$2.4 billion for carbon capture and sequestration technology demonstration projects at coal-fired power plants, \$200 million for leaking underground storage tank funding, and \$20 billion in energy tax incentives (the tax language has not been released yet).

Also included is one billion for the Low Income Home Energy Assistance Program, which shall become available on October 1, 2009; \$3.5 billion in Energy Efficiency and Conservation Block Grant funding to conduct residential and commercial building energy audits as well as other grant funding, and the long-term extension of the renewable energy production tax credits that were only extended a year in last year's Wall Street bailout legislation.

House and Senate leadership hope to have the economic stimulus package ready for President-elect Barack Obama to sign before President's Day. PMAA will continue to monitor the economic stimulus package and more details will be forthcoming.

TOBACCO TAX LEGISLATION PASSES HOUSE; SENATE TO TAKE UP TOBACCO TAX LEGISLATION NEXT WEEK

Earlier this week, the House passed legislation that would expand the State Children's Health Insurance Program (SCHIP) by \$34.3 billion. The Children's Health Insurance Program Reauthorization Act of 2009 (H.R. 2) passed by a vote of 289 – 139 which would raise the cigarette tax by 61 cents-per-pack to pay for the expansion of SCHIP. Some Republicans called the cigarette tax regressive, saying that it would amount to an additional tax on the poor. The House bill includes a floor stocks tax which would require retailers to pay the increased excise tax on cigarettes in inventory by August 2009.

Yesterday, the Senate Finance Committee approved its own version for the expansion of SCHIP by a vote of 12 – 7. The bill would expand the SCHIP program by \$31.5 billion which would be funded by a 61 cent increase in the federal tax on cigarettes. Provisions in the bill would strengthen regulatory and enforcement authority on tobacco and tighten reporting and recordkeeping requirements for permits and inventory. The Senate bill also includes a floor stocks tax which would require retailers to pay the increased excise tax on all cigarettes in inventory by August 2009. The full Senate will take up the SCHIP expansion legislation next week.

OBAMA'S ENERGY AND ENVIRONMENT PICKS COULD BE HEADED FOR EARLY CONFIRMATIONS

According to several key Democratic senators, EPA Administrator nominee Lisa Jackson, Energy Secretary nominee Steven Chu, Interior Secretary nominee Ken Salazar, Agriculture Secretary nominee Tom Vilsack and White House Council on Economic Quality Chairwoman nominee Nancy Sutley could be headed for immediate confirmations. All nominees have cruised through the nominations process and Republican committee leaders are expected to sign off on a discharge petition which clears the way for Senate confirmation on Jackson and Sutley as early as Tuesday, January 20. It is customary for the full Senate to confirm non-controversial cabinet nominations by unanimous consent immediately following the inaugural ceremony.

Some of Obama's other cabinet nominees including Transportation Secretary nominee Ray LaHood have yet to have a confirmation hearing. As expected, the Democratic majority will raise more questions about LaHood, a Republican.

2009 PETROLEUM MARKETERS LEADERSHIP INSTITUTE (PMLI) SEEKS NOMINATIONS

PMAA's Petroleum Marketers Education Foundation (PMEF) is currently seeking nominations from state associations and past PMLI graduates for the March 15-17, 2009 PMLI in Portland, OR. Since its inception in 2001, over 100 petroleum marketers from around the country have graduated from the highly acclaimed Institute, whose goal is to build leaders for the petroleum marketing industry. Graduates are immediately able to apply the skills that are presented in the highly interactive retreat to leading their own businesses, as well as to the work they do on behalf of the industry at their state associations.

Generously supported by Valero Energy Corporation and Federated Insurance, as well as by state associations and PMLI Graduates themselves, the fast-paced, highly interactive sessions look at the leader within, leading others, and leading your company and your association. A recent graduate writes, "If you could measure personal growth, I feel I would be off the meter as a result of PMLI. I now have a better understanding of how I am perceived, and feel I am communicating better than ever with employees, suppliers and customers..."

The Institute begins Sunday afternoon and concludes before lunch on Tuesday to minimize time away from the office. PMLI's \$395.00 registration fee includes all materials/curriculum, as well as meals during the Institute itself. Space is limited and nominations are being accepted at PMAA. For more information or to nominate an emerging leader from your company or your state association, contact Arlene Bellfield by email at abellfield@pmaa.org.

U.S. EPA ANNOUNCES EXTENSION OF SPCC DEADLINE FOR PETROLEUM BULK PLANTS

The U.S. Environmental Protection Agency is extending the compliance dates for all bulk plant facilities subject to the Spill Prevention, Control, and Countermeasure (SPCC) rule for petroleum bulk plants. PMAA first reported on the deadline

extension last December when the agency announced its intention to give bulk plant operators more time to revise and implement SPCC plans. While the deadline extension was never in doubt, the EPA was required to make it "official" through the rulemaking process.

Specifically, this amendment extends the dates by which the owner or operator of an SPCC regulated bulk plant facility must revise and implement its SPCC plan. The SPCC compliance deadline has been extended from July 1, 2009 to November 20, 2009.

These amendments do not remove any regulatory requirement for owners or operators of facilities in operation before August 16, 2002, to develop, implement and maintain an SPCC plan in accordance with the SPCC regulations then in effect. Such facilities continue to be required to maintain their plans during the interim until the applicable date for revising and implementing their plans under the new amendments.

More information on the rule go to <http://www.epa.gov/oem/content/spcc/index.htm>.

REGULATORY REPORTS FOR THE WEEK

PMAA published two Regulatory Reports this week. The first addressed the deadline extension for complying with the DOT's Shipping Paper rule for ethanol blends above E10. The second report addressed marketers concerns regarding the sale of dyed fuel to privately owned school bus operators. For copies of those reports, please contact Brandon Wright at 703-351-8000.

PLEASE SUPPORT THE WPMA SCHOLARSHIP FOUNDATION SILENT AUCTION

In 2009, the WPMA Scholarship Foundation will award \$32,000 in scholarships to graduating high school seniors. The Foundation receives a large portion of its working capital through income from the annual Scholarship Silent Auction held at the WPMA convention in February. Please support the Scholarship Foundation by donating an item to the 2009 Scholarship Silent Auction.

Past Silent Auction donations have included tickets to sporting events, vacation packages, decorator items, electronics, sports equipment, logo clothing, jewelry, tools, accessories, etc. If you would like to donate an item, please contact Kathy Michaelis at the WPMA office: 888-252-5550, or e-mail kathym@wpma.com.

EIGHT \$4,000 SCHOLARSHIPS AVAILABLE FOR 2009 GRADUATING SENIORS!

Do you or your full-time employees have graduating high school seniors in your homes? All children of full-time employees of WPMA member companies are eligible to apply for the 2009 WPMA Scholarships. Eight \$4,000.00 scholarships are awarded each year – one in each of the WPMA states, and one to a student from an associate member company.

With such a select group applying for the scholarships, your students' chances are greatly enhanced. Please take the time to inform your employees about this great benefit of WPMA membership! For more information, contact Kathy Michaelis at the WPMA office at 801-263-9762, e-mail kathym@wpma.com, or download an application from the WPMA Web site: www.wpma.com, under the Scholarship link. **Application deadline is March 1, 2009.**

2009 WESTERN PETROLEUM MARKETERS CONVENTION & CONVENIENCE STORE EXPO LAS VEGAS, NEVADA

Start planning now for the 2009 WPMA Convention and Convenience Store Expo. It will once again be held at the Mirage in Las Vegas, Nevada. Mark your calendars for February 17-19, 2009.

SAVE THE DATES FOR THESE UPCOMING EVENTS IN 2009

June 9-11, 2009 – MPMCSA Convention, Trade Show & Golf – Hilton Garden Inn, Missoula, MT

June 18, 2009 – UPMRA Golf Classic – Wasatch Mountain State Park, Midway, UT

June 23-25, 2009 – WOMA Convention and Golf Tournament – Suncadia Resort, Cle Elum, WA

July 29-30, 2009 – IPM&CSA Convention and Golf Tournament – Sun Valley Resort, Sun Valley, ID

August 30-31, 2009 – NMPMA Convention and Golf Tournament – Embassy Suites, Albuquerque, NM

September 20-22, 2009 – UPMRA Convention and Golf Tournament – Courtyard Marriott, St. George, UT

Petro Pete: "Abraham Lincoln was once talking with a woman about how the North must treat the South. She disagreed with him, and said that she felt that we must destroy our enemies.

Lincoln replied, "What, madam? Do I not destroy them when I make them my friends?"

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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.

CLASSIFIED ADS

BOBTAIL FOR SALE

Polk Oil Company is selling a 2007 Kenworth T 300 Bobtail truck.

- 9282.3 miles
- 515.3 hours
- 2500 gallon aluminum tank with 4 compartments of 800, 700, 500 and 500 gallons that is designed for top loading.
- Blackmer pump and 150 feet of hose.
- 250 horse Caterpillar engine.

Let us know if you want us to send you a detailed breakdown of the entire package.
Contact JW Sellers at 505-660-3791 or Don McTeigue at 505-603-7611.