



Thursday Educational Session

ROBERT BRYCE

Author, Journalist, Film Producer, and Podcaster

A Question of Power: Electricity and the Wealth of Nations

Bryce will discuss the fastest-growing sources of new electricity demand – Big Tech and Big Cannabis – and explain the factors that are needed to supply reliable and affordable electricity. He will also spotlight the fuels that will power the electric grids of the future and explain why, in the 21st century, power equals power.



**DON'T WAIT
REGISTER TODAY**

CLICK HERE TO REGISTER

Preregistration ends January 31, 2026

The following information provided by:
EMA-Energy Marketers of America



EMA Regulatory Alert: Energy Marketers of America Celebrates Major Regulatory Victory with PHMSA Final Rule on Placarding for Petroleum Distillate Fuels

Yesterday the Energy Marketers of America (EMA) hailed a significant win for the energy marketing industry following the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) issuance of a final rule that reinstates a key placarding exception for cargo tank vehicles transporting petroleum distillate fuels. This rule, effective upon publication in the Federal Register, allows energy marketers to display the identification number of the fuel with the lowest flash point transported during the current or previous business day, streamlining operations and reducing unnecessary compliance burdens. The placarding exception also applies to compartmented cargo tanks containing more than one petroleum distillate fuel.

The final rule addresses long-standing EMA advocacy efforts to restore flexibility in hazardous materials regulations (HMR) under 49 CFR 172.336. Previously, a 2015 PHMSA interpretation limited placarding options, forcing marketers to install costly flip or interchangeable systems or adjust load sequencing, which increased inefficiencies, costs, and safety risks for drivers. By reinstating the lowest flash point exception for split loads and alternating straight loads—including gasoline, diesel, heating oil, and ethanol blends up to E10—the rule acknowledges market realities and aligns with emergency response best practices, as all these fuels require similar emergency response in case of incidents.

"This victory is a testament to EMA's persistent advocacy on behalf of our members, who are the backbone of America's energy supply chain," said Rob Underwood, President of EMA. "By allowing placarding based on the lowest flash point over a business day, PHMSA has eliminated outdated barriers that hindered efficient fuel delivery without compromising safety. This change will save our industry millions in compliance costs and enable small businesses to better serve communities across the nation."

The rule is part of PHMSA's broader initiative to eliminate unnecessary regulatory burdens, projecting \$145.3 million in annualized cost savings across the transportation sector. Another cost-savings change made by PHMSA under 49 CFR 180.407(a)(7) is to allow the use of video cameras or video optics equipment for cargo tank inspections and tests in lieu of a human going inside the cargo tank.

EMA played a pivotal role throughout this reform by advocating before Congress for a legislative fix, submitting a petition urging the agency to initiate rulemaking, and actively engaging during the regulatory process. EMA provided critical information highlighting the operational realities faced by fuel marketers and underscored the importance of this reform to support efficient and reliable transportation of essential energy resources.

Please note that while PHMSA considered expanding the placarding exception to include E15, the agency ultimately did not include ethanol blends higher than 10% in the scope of the lowest flash point exemption.

Key Compliance Takeaways for EMA Marketers

- The rule will take effect upon publication in the *Federal Register* through a voluntary compliance mechanism. Although it has not yet been published, we estimate the agency will do so within the next 7–10 days. EMA will provide a timely update.
- Split loads (e.g., 4 compartments carrying diesel and 1 carrying gasoline) are subject to the lowest flashpoint exception. See the fifth-row exception below.
- Alternating loads (e.g., full gasoline haul followed by a full diesel haul) are also subject to the lowest flashpoint exception. See the sixth-row exception below.
- Neither the fifth (split loads) or sixth row (alternating loads) exception applies when fuel blends contain more than 10% of ethanol (E15). There are special rules for E15.

Packaging:	When:	Then the alternative marking requirement is:
On the ends of portable tanks, cargo tanks, or tank cars	They have more than one compartment and hazardous materials with different identification numbers are being transported therein	The identification numbers on the sides of the tank are displayed in the same sequence as the compartments containing the materials they identify.
On cargo tanks	They contain only gasoline	The tank is marked "Gasoline" on each side and rear in letters no less than 50 mm (2 inches) high or is placarded in accordance with § 172.542(c).
Packaging:	When:	Then the alternative marking requirement is:
On cargo tanks	They contain only fuel oil	The cargo tank is marked "Fuel Oil" on each side and rear in letters no less than 50 mm (2 inches) high, or is placarded in accordance with § 172.544(c).
On one end of nurse tanks if that end contains valves, fittings, regulators, or gauges when those appurtenances prevent the markings and placard from being properly placed and visible	They meet the provisions of § 173.315(m) of this subchapter	N/A
On each compartment of compartmented cargo tanks or compartmented tank cars	The cargo tank or tank car contains more than one petroleum distillate fuel	The identification number for the liquid petroleum distillate fuel having the lowest flash point in any one compartment is displayed. However, if a cargo tank or tank car compartment contains gasoline and alcohol fuel blends consisting of more than 10% ethanol the identification number "3475" or "1987," as appropriate, must also be displayed for that compartment.
On cargo tanks (including compartmented cargo tanks)	They transport more than one petroleum distillate fuel in different trips on the previous or current business day	The identification number for the liquid petroleum distillate fuel having the lowest flash point transported in that previous or current business day is displayed. If the cargo tank contains gasoline and alcohol fuel blends consisting of more than 10% ethanol, the identification number, "3475" or "1987," as appropriate, must also be displayed, and the identification numbers "3475" or "1987," may only be displayed if the material is present in the cargo tank during transportation.

Energy Conservation, Not Energy Substitution: EMA Testifies on CAFE Standards

Earlier this month, the National Highway Traffic Safety Administration (NHTSA) held a virtual public hearing on its proposed Corporate Average Fuel Economy (CAFE) standards for Model Years 2022–2031 for passenger cars and light trucks. Of particular importance to motor fuel marketers, the proposal would exclude electric vehicles (EVs) and electric-only performance from the CAFE standard-setting process.

Representing the interests of motor fuel distributors and retailers nationwide, the Energy Marketers of America (EMA) voiced support for the proposal, emphasizing that the CAFE program must be implemented as a technically feasible energy conservation regime, not an energy substitution scheme fostering EV penetration.

“Allowing CAFE standards to serve as a backdoor mechanism for regulating GHG emissions and forcing fleetwide electrification is contrary to both the plain language of the statute and its legislative intent,” said EMA President Rob Underwood.

[Click here](#) to read the testimony.

Inside the Beltway Update

Speaker Mike Johnson is moving forward with plans for a second party-line "megabill" utilizing the budget reconciliation process to bypass potential filibusters. While Johnson remains "bullish" on the bill's prospects and has the support of the Republican Study Committee, he faces internal resistance from several GOP committee chairs who are skeptical that such a measure is possible. The effort is complicated by a narrow House majority, ideological differences within the party, and the political pressures of an election year. Despite these hurdles, Johnson intends for the legislation to be "House-driven" and has already initiated discussions regarding the proposal with Senate leadership.

President Donald Trump's support of a proposal to impose a 10% cap on credit card interest rates and curb transaction fees has ignited a multimillion-dollar lobbying battle. Retailers view Trump's endorsement of the Marshall-Durbin legislation ([S.1838](#)) as a crucial boost for lowering transaction fees. The Credit Card Competition Act builds on previous efforts to promote competition in the credit card processing market and would require large banks to enable retailers to route transactions over at least two unaffiliated networks - beyond the dominant Visa and Mastercard duopoly.

Republican leadership is likely to table the Save Local Business Act, a bill designed to tighten the federal "joint employer" standard, following a revolt from the party's pro-labor flank. This legislative stall occurred after six Republicans joined Democrats to block separate legislation regarding overtime rules, leading to concerns that the joint employer measure would also fail if put to a floor vote. The proposed Save Local Business Act would narrow the joint employer standard, stipulating that a company is only responsible for another firm's employees if it exerts direct and immediate control over essential job terms such as hiring, pay, and scheduling. While supporters argue the bill protects the franchise industry from Biden-era regulations, the internal opposition has forced House Education and Workforce Chair Tim Walberg to potentially restart his labor agenda. Amidst this friction, lawmakers are considering a different measure, the American Franchise Act, which has garnered some Democratic support due to its specific focus on franchising.

The House of Representatives has passed a funding bill that would reduce the IRS budget by approximately 10% to \$11.2 billion, a move intended to help avert a looming government shutdown on January 30. As the legislation moves to the Senate, the Internal Revenue Service Advisory Council has criticized these fiscal maneuvers, noting that Congress has already clawed back more than half of the \$80 billion previously granted to the agency in 2022. The council warned that such inadequate funding undermines the agency's ability to collect revenue efficiently and will likely lead to an increase in scams, fraud, and misinformation on social media. Additionally, these cuts are expected to result in tepid tax enforcement, ultimately widening the tax gap and slowing the processing of legitimate tax returns.

On the hemp front, Representative Jim Baird (R-IN) and House Agriculture Committee Ranking Member Angie Craig (D-MN) introduced legislation that would delay for two years the ban on intoxicating hemp that was enacted in November as part of the agreement to reopen the federal government. Specifically, the spending bill hemp language was designed to close the "hemp loophole" by November 2026 thereby changing the definition of hemp from previous farm bill language to preclude all but naturally occurring derivatives of hemp products with lower than 0.3 percent THC content by dry weight. Under the legislation that was introduced by Reps. Baird and Craig, the ban would be delayed until 2028 to give time for industry stakeholders to come up with a compromise.

Additionally, the House Ways and Means Committee has approved a bipartisan bill requiring the IRS to add barcodes to paper tax returns to enable electronic scanning and faster processing. While the measure aims to modernize tax administration, it faces a complex political environment; though Democrats support the barcode mandate, they argue that Republican-led budget cuts undermine the agency's ability to operate efficiently. The legislation is now moving to the House floor for a final vote, despite similar efforts in the Senate remaining stalled.

Energy Marketers of America Applauds Reintroduction of Credit Card Competition Act, Thanks President Trump, and Urges Swift Passage to Ease Burden on Fuel Retailers

On Tuesday, the Energy Marketers of America (EMA) welcomed the reintroduction of the Credit Card Competition Act (CCCA) by Senators Roger Marshall (R-KS) Dick Durbin (D-IL) and along with Reps. Lance Gooden (R-TX) and Zoe Lofgren (D-CA) a bipartisan measure aimed at curbing skyrocketing credit card swipe fees that disproportionately impact small business fuel marketers and convenience store operators across the nation. The bill introduction follows President Donald's posted support

for the bill today on the X social media platform. EMA thanks the President for his monumental move to endorse passage of the CCCA.

The legislation, which builds on previous efforts to promote competition in the credit card processing market, would require large banks to enable retailers to route transactions over at least two unaffiliated networks - beyond the dominant Visa and Mastercard duopoly. This reform mirrors successful debit card routing rules in place for over a decade and could significantly reduce interchange fees, providing much-needed relief to EMA members who operate on razor-thin margins in a volatile energy market.

"Credit card swipe fees have become one of the largest operating expenses for our members, often exceeding utility costs and cutting deeply into profits that could otherwise support jobs, infrastructure upgrades, and competitive fuel pricing for consumers," said Rob Underwood, President of EMA. "We commend Senators Marshall and Durbin for their leadership in reintroducing this critical bill, and we applaud President Trump's endorsement as a strong signal of support for America's small businesses. It's time to level the playing field and end the unchecked dominance of big banks and card networks that siphon billions from Main Street retailers every year."

EMA members, who represent thousands of independent energy marketers, distributors, and convenience store owners, paid an estimated \$15 billion in swipe fees last year alone - fees that continue to rise unchecked. By fostering competition, the Credit Card Competition Act would empower retailers to choose lower-cost processing options without compromising transaction security or consumer rewards programs, ultimately benefiting drivers at the pump through potential savings.

EMA calls on Congress to prioritize and pass this legislation in the 119th session, ensuring that fuel retailers can thrive amid economic pressures like fluctuating energy prices and supply chain disruptions.

Weekend Reads

[Goldman warns oil prices may ease further in 2026 as oversupply deepens | MSN](#)

[Oil Prices Retreat After 5 Session Rebound | Rigzone](#)

Federated Insurance: Risk Management Corner *Risk Management Resolutions For Your Business*

Every workplace faces some degree of risk in their daily operations. Part of your role as a business owner is to communicate why risk management helps with employee safety. Equally as important is addressing how it can benefit everyone to support a culture of safety.



Setting a Risk Management Foundation

Consider creating strong [practices and policies](#) as a first step. This can help you identify, assess, and mitigate threats that could impact your bottom line and organization.

It can also reinforce the value of everyone participating to help prevent risks. Additionally, consider how to [educate and communicate](#) with your team. Explain that risk management can:

- Improve decision making when everyone understands potential risks.
- Enhance reputation by protecting your brand image.
- Increase efficiency by integrating risk management into daily operations.
- Equip your team with knowledge on how to act and react to various situations.
- Encourage growth and innovation.

Risk Management Resolutions

Resolve to make risk management a priority for your business to help minimize hazards, create efficiencies, and build trust. Consider the following tips:

- Create and implement a risk management system specific to your business.
- Set aside resources to monitor and improve your plan.
- Conduct regular risk assessments.
- Communicate plans and expectations.
- Provide [training](#), education, and communication about policies.
- Document, escalate, and manage incidents as soon as they happen.

Reach out to your local Federated Insurance® [marketing representative](#) today for more information. Federated® clients can access [mySHIELD](#)® for additional industry-specific resources or for additional information or to discuss this in further detail, please contact your [Federated](#) regional representative or EMA's National Account Executive [Jack West](#) at 262.719.7750 for any additional information or risk management questions. **At Federated Insurance, It's Our Business to Protect Yours®**



The **WPMA NEWS** currently serves EIGHT independent petroleum and convenience store associations.

WPMA NEWS MAGAZINE CURRENT ISSUE

Click [HERE](#) for a previous *WPMA News* issue



EMA JOURNAL - The Official Publication of the Energy Marketers of America

EMA JOURNAL CURRENT ISSUE

REGISTRATION OPEN

Click on the event below to register



WPMAEXPO [Registration](#)

PLEASE NOTE UPCOMING DATES FOR EVENTS

- February 17-19, 2026 WPMAEXPO - MGM Grand - Las Vegas, NV
- April 23-24, 2026 ECAN (Nevada) Big Dogs, Red Rock Resort, Las Vegas, NV
- June 2-3, 2026 MPMCSA (Montana) Convention, Fairmont Resort, Fairmont, MT
- June 15-17, 2026 WOMA (Washington) Convention, Suncadia Resort, Cle Elum, WA
- July 12-14, 2026 OFA (Oregon) Conference, Sunriver Resort, Sunriver, OR
- Aug 5-7, 2026 IPM&CSA (Idaho) Convention, Coeur d'Alene Resort, Coeur d'Alene, ID



2026 WPMAEXPO KEYNOTE SPEAKER

TIM TEBOW

Tim Tebow knows what it takes to lead with purpose under pressure. From championship locker rooms to the boardroom, he challenges leaders and teams to rethink success—not by what they achieve, but by the impact they create.

2026 WPMAEXPO Ladies Luncheon Speaker

JULIA LANDAUER

Julia Landauer is a **two-time champion racecar driver**, motivational speaker, and entrepreneur. From breaking records on the track to inspiring audiences worldwide, Julia harnesses lessons from the high-speed world of motorsports to deliver actionable strategies for leadership, resilience, and innovation.

This is a separate ticketed event.

Get your ticket today!



Purchase your Ladies Luncheon Ticket Here

THANK YOU **WPMA EXPO 2026** TOP SPONSORS

and December 12, 2025



Member Services



[Federated Insurance](#)



[NPP Discounts](#)



[In Our Backyard](#)

Convenience Stores Against Trafficking



[We Card](#)

Free training and printed materials



[TransForce](#)

Help finding drivers



[Hertz Car Rental](#)

Petro Pete: What do you call a chicken who crosses the road, rolls in the mud and then crosses back again? A dirty double-crosser.

CLASSIFIED ADS

FOR SALE:

2007 Kenworth T800 with Polar tanks.
Approximately 775,000 miles.
Local deliveries, no long haul.
\$99,999.00
Call (208) 765-2266



© 2025 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: kimw@wpma.com Thanks.
