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LAST WEEK TO PRE-REGISTER FOR THE 2011 WPMA CONVENTION & CONVENIENCE STORE EXPO

Register now for the 2011 WPMA Convention and Convenience Store Expo. Pre-registration will end on January 28th. You may register online for the 2011 WPMA Convention & Convenience Store Expo. Go to: <http://www.wpma.com/national-convention>

DENNIS MILLER TO KEYNOTE WPMA CONVENTION

WPMA 2010-2011 President Rob Franklin is excited to announce Dennis Miller, "one of the premiere comedy talents in America today..." as the 2011 WPMA Convention keynote speaker. A man of many talents, Dennis Miller is a comedian, author, correspondent, host, political commentator, and a five-time Emmy award winner for his critically acclaimed HBO talk show "Dennis Miller Live". He can currently be heard daily on "The Dennis Miller Show", and in his frequent appearances on Fox News Channel's "The O'Reilly Factor". Come and join us at the WPMA Convention in February, and be sure to attend the Keynote session, featuring the irreverent and satirical humor of Dennis Miller.

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**NEW GOP CONTROLLED HOUSE APPROVES HEALTHCARE REPEAL LEGISLATION**

On Wednesday, the House of Representatives voted to repeal the controversial 2010 healthcare law along partisan lines (245 – 189). Only three Democrats supported repeal: Reps. Dan Boren (OK), Mike McIntyre (NC) and Mike Ross (AR). "Repealing the Job-Killing Health Care Law Act" (H.R. 2) will face stiff opposition in the Senate. Majority Leader Harry Reid (D-NV) has vowed to block the bill in the Senate where Democrats hold a 53 – 47 majority. Even if the legislation made it through the Senate, President Obama would likely veto any measure repealing the 2010 healthcare law.

The House may use their spending authority to defund the law's implementation. The employer mandates are especially unfair and punitive to petroleum marketing companies who have significant c-store direct operations. PMAA will be supporting any legislation that will ease the onerous employer mandates.

EFFORTS TO REPEAL 1099 VENDOR MANDATE UNDERWAY

The campaign to repeal the "Form 1099" vendor mandate begins anew. Representative Dan Lungren (R-CA) introduced H.R. 4, the "Small Business Paperwork Mandate Elimination Act of 2011," legislation to repeal the expanded tax information reporting requirement established by the health care reform law. He has 245 co-sponsors. Senator Mike Johanns (R-NE) plans to introduce his Form 1099 repeal bill soon as well.

According to the Small Business Legislative Council (SBLC), the question is whether Democrats are forced to eat the whole humble pie. At the end of the last Congress, the Democrats wanted to repeal the provision without offsetting the revenue that the provision was designed to produce to pay for part of the health care bill. In this Congress, the House can pass a repeal bill without a revenue offset. It changed its procedural rules to no longer require "paygo" offsets. In the Senate, an offset is needed by their rules and the legislation must ultimately be accounted for under the statutory paygo law.

The massive Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act, passed last year seemed to be the ideal vehicle for repeal, since Congress was declaring an emergency under the statutory paygo law, to waive paygo requirements. The political reality was and is that the Republicans do not want to let the President and the Democrats off the hook for the responsibility for paying for health care reform.

EPA TO EXPAND E-15 APPROVAL

Today, EPA will likely announce that it will expand the potential market for E-15 to include vehicles made since 2001. Last Fall, EPA had approved E-15 for cars and light duty trucks with model years 2007 and newer.

PMAA is advising its members to continue limiting E-15 to Flex Fuel Vehicles (FFV) until more legal and regulatory certainty is available for retailers. There are many factors and risks retailers must consider before offering E-15. Most importantly, EPA has not finalized its regulations governing misfueling and other retail procedures. PMAA also has significant concerns about storage and dispensing infrastructure performance risks.

When EPA finalizes regulations governing E-15 distribution and retail, PMAA will publish necessary compliance information to members.

STRATEGIC GASOLINE RESERVES LEGISLATION INTRODUCED IN HOUSE

Recently Rep. Larry Kissell (D-NC) introduced H.R. 142, legislation to establish a system of three to five strategic gasoline reserves that would hold ten million barrels of regular unleaded gasoline. The Energy Secretary would have the discretion to determine the location of the sites. This bill is similar to the "Strategic Petroleum Reserve Modernization Act of 2009," legislation introduced by Senator Jeff Bingaman (D-NM) that would have established a 30 million barrel strategic motor fuels reserve as part of a national energy policy.

PMAA had many reservations to the refined petroleum product reserve proposal and worked closely with the staff of the Senate Energy and Natural Resources Committee regarding our concerns. PMAA's concerns include: long term product storage issues, winter and summer gasoline inventory concerns, boutique fuel issues, supply and storage issues with ethanol and biomass-based diesel, futures market hedging costs, and distribution pipeline inefficiencies.

The refined product reserve has been considered by Congress in previous years, but the proposals have always been dropped due to adequate inventory and refining capacity. The California Energy Commission (CEC) and the National Petroleum Council have studied the refined-petroleum product reserve proposal several times and each time rejected it.

OBAMA ORDERS REVIEW OF FEDERAL REGULATIONS

On Tuesday, President Obama signed an executive order ordering federal agencies to review regulations to identify those "that stifle job creation and make our economy less competitive." The executive order mirrors former President Bill Clinton's 1993 executive order to streamline the regulatory process which did not result in greater investment and job creation. This most recent effort at regulatory reform comes at a time when the president is attempting to improve his relationship with business leaders who are unhappy over much of the administration's economic recovery program. The president's executive order requires federal agencies to promote coordination, simplification, and harmonization of federal regulations through better cross-department coordination. It also requires federal agencies to submit within 120 days to the White House Office of Management and Budget a plan to periodically review existing regulations to determine whether they should be modified, streamlined, expanded or eliminated altogether. Federal agencies are also required to identify rules that are outmoded, ineffective, insufficient, or excessively burdensome. The executive order encourages agencies to adopt performance standards over command and control compliance requirements to provide industry greater flexibility. Finally, agencies are encouraged to consider alternatives to direct regulation, such as economic incentives.

This executive order comes as Congressman Darrell Issa (R-CA), chairman of the House Government Reform and Oversight Committee, is seeking input from various industries on federal rules that are burdensome and inhibit economic growth. PMAA is preparing a list of burdensome rules to share with the Congressman.

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Petro Pete: "If your feet smell and your nose runs, are you built upside down?"

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