

NEWS ABOUT THE WPMA SCHOLARSHIP PROGRAM!

In 2021, WPMA welcomes the Oregon Fuels Association as it joins the state associations of Hawaii, Idaho, Montana, Nevada, New Mexico, Utah and Washington to participate in the WPMA scholarship program. Annually in May, one scholarship with a benefit up to \$4,000 is awarded in each state to a child of a WPMA marketer member company employee. One scholarship is also available to children of Associate members. Scholarships may be used for either a college/university or vocational/technical school.

An applicant for the WPMA scholarship must be a graduating high school senior, and the child of a full-time, permanent employee of a WPMA marketer member company, whose primary residence is located within the WPMA state where the membership resides. A graduating high school senior who is the son or daughter of an associate member or of a full-time, permanent employee may apply for the Associate-at-Large scholarship. High school seniors who currently work part-time for a WPMA member company may also apply for the WPMA Scholarship if they have worked for the company for at least three months.

A fillable copy of the WPMA Scholarship Application is available online at

<https://www.wpma.com/pdf/scholarship/Scholarship-Application-eForm06-2020.pdf>

Applications may be mailed or emailed to WPMA Scholarship Coordinator Kathy Michaelis at the WPMA office.

Applications must be emailed or postmarked on or before March 1, 2021. In recent years, WPMA has received less than 50 applications for the eight available scholarships. Occasionally, no applications have been submitted from a WPMA state, so no scholarship was awarded. **PLEASE** encourage your employees to have their children apply for the WPMA Scholarship!!

SENATE POWER-SHARING, NOMINATIONS, AND A COVID-RELIEF PACKAGE

This week, Senate Majority Leader Chuck Schumer (D-NY) and Minority Leader Mitch McConnell (R-KY) reached a power-sharing agreement to establish Senate rules and procedure for the 117th Congress. The agreement, which has not yet been publicly released, comes after Senators Kyrsten Sinema (D-AZ) and Joe Manchin (D-WV) reaffirmed their opposition to eliminating the filibuster, thus maintaining the Senate's 60-vote threshold for most legislation to advance. Senate leaders previously discussed adopting the 2001 framework employed by former Senators Trent Lott (R-MS) and Tom Daschle (D-SD), the last time the Senate had a 50-50 split. This framework would give both parties equal seats on committees, allow both leaders to take legislation to the floor, and allow legislation to advance to the floor if the committee vote is a tie. The power-sharing agreement will also allow new Senators, including Raphael Warnock (D-GA), Jon Ossoff (D-GA), and Alex Padilla (D-CA) to join committees.

President Biden's top legislative priority remains securing a \$1.9 trillion COVID-relief package. Most Republican senators, including key swing votes such as Susan Collins (R-ME) and Mitt Romney (R-UT), voiced concern with the spending level as well as inclusion of a \$15 federal minimum wage and suggested more targeted relief. A newly formed bipartisan group of Senators (the "Senate Sweet Sixteen") met this past weekend to propose a path forward. The Biden Administration favors passage of COVID relief legislation through "regular order," but the Administration is facing pressure from progressive Democrats to use a process known as budget reconciliation to enact policy with a simple majority vote. The reconciliation process is tricky, however, as it is not clear how many relief provisions would qualify under the reconciliation process and passage relies on every Democratic vote in the Senate.

Importantly, late Wednesday evening, Senator Mark Warner (D-VA) announced he will quarantine due to COVID-19 exposure. With just 50 Democratic Senators, Warner's quarantine may complicate using budget reconciliation to pass COVID relief in the near term. Democratic leaders previously said the Senate should pass the relief bill before the Impeachment trial against former President Trump begins February 9.

On Wednesday, the Senate Energy and Natural Resources Committee held a confirmation hearing for former Michigan Governor Jennifer Granholm, President Biden's nominee for Secretary of Energy. Granholm stressed the importance of clean energy innovation, arguing it would create 10 million new jobs as well as implementing President Biden's climate change strategy. Senators from fossil-fuel producing states, including Chairman Joe Manchin (D-WV), Ranking Member John Barrasso (R-WY), Sen. Bill Cassidy (R-LA), and Sen. Martin Heinrich (D-NM) pressed Granholm on oil and gas industry jobs. Granholm said that fossil fuels were necessary for a clean energy transition, saying "If we are going to get to

net carbon zero emissions by 2050, we cannot do it without coal, oil, gas being part of the mix.”

Also, the Senate Commerce Committee approved Pete Buttigieg’s nomination for Secretary of Transportation by a 21-3 vote on Wednesday. Those who voted against his nomination reported their concern regarding Buttigieg’s position on the gas tax. Last week Buttigieg indicated support for increasing the gas tax but walked back his comments through a spokesperson a few hours later, saying he was against raising the tax. A final vote for Buttigieg has not yet been announced, but he is expected to be easily confirmed.

ANNUAL EPCRA TIER II REPORTS MUST BE FILED BY MARCH 1, 2021

It’s that time of year again for energy marketers to start preparing EPCRA Tier II reports for any facility storing petroleum during the 2020 calendar year. The Emergency Preparedness and Community Right to Know Act (EPCRA) of 1986 was created to help communities plan for and respond to chemical emergencies by requiring facilities to report the type and amount of hazardous chemicals they store on-site.

EPCRA Tier II reports **must be** filed with local and/or state emergency response authorities (typically the Fire Marshal) no later than March 1, 2021. Bulk plant facilities that stored over 10,000 pounds of petroleum products onsite on any given day during calendar year 2020 must file EPCRA Tier II. The 10,000 pounds compliance trigger is calculated by combining the volume of all petroleum on site in every storage container including: above ground and underground bulk storage tanks, portable skid tanks, 55-gallon drums and even heating fuel or propane tanks used to heat facility buildings. However, retail gasoline facilities with 75,000 gallons or less of gasoline storage capacity and 100,000 gallons or less of diesel fuel storage capacity **are exempt** from EPCRA reporting requirements. Retail fueling sites with storage capacity over these thresholds are not exempt and must file an EPCRA Tier II report.

Instructions on how to file EPCRA Tier II reports can be found in the EMA Compliance Bulletin [here](#). The Compliance bulletin contains: EPCRA Tier II forms; instructions on electronic filing; gallons to pounds conversion charts for the most common fuels; NAICS identification numbers for the petroleum industry; health and physical harm reporting characteristics for petroleum products; and links to Dun and Bradstreet number locator; where to file EPCRA Tier II reports links; EPCRA tutorial links; links to all state EPCRA authorities, as well as to the U.S. EPA EPCRA website.

UPDATE ON OUTSTANDING IRS MOTOR FUEL EXCISE CLAIMS

EMA’s continual pressure on the IRS to clear up the backlog of outstanding motor fuel refund claims owed to energy marketers looks like it has finally paid off. Senator Toomey’s (R-PA) office recently informed EMA that the IRS developed a new systematic method to process the backlogged claims, all of which were filed on paper rather than electronically. According to the IRS, the first checks for claims from Q1 and Q2 of 2020 were sent out on January 8. The processing will continue at an accelerated rate until the backlog is cleared by the end of February. The IRS is required to pay interest on claims not processed after 20 days when filed electronically and after 40 days when filed on paper forms. The accumulated interest should be significant but will not be included in refund checks to marketers. The interest on backlogged claims must be calculated manually.

In order to speed processing, the IRS will send two checks to claimants. The first check will pay the refund amount. The second check for the interest owed on the claims will be sent separately, at a later date. Claimants will receive a letter from the IRS explaining the process very soon. In the meantime, the IRS is urging claimants to file all claims electronically to avoid further delays.

CONGRESSIONAL DEMOCRATS BALK AT PRESIDENT BIDEN’S EXECUTIVE ORDERS TO ADDRESS CLIMATE CHANGE

On Wednesday, President Biden signed several Executive Orders (EOs) designed to make climate change a central Administration priority for the next four years and build upon last week’s EOs to rewrite the Trump Administration’s Corporate Average Fuel Economy Standards (CAFE) and cancel the Keystone XL pipeline. Senate Minority Leader Mitch McConnell (R-KY) was quick to condemn Biden’s climate EOs stating, “There’s nothing green about a tsunami of pink slips for American workers or carting Canadian crude [oil] around in trucks and trains instead of a pipeline,” McConnell said in floor remarks. “This piecemeal Green New Deal is the wrong prescription — wrong for the environment, wrong for national security and, most of all, for the working Americans who will soon be formerly-working Americans if this keeps up.” McConnell further stated the EOs would provide “no meaningful impact on global temperatures, just applause at those international conferences where the participants all assemble by private jets.”

Some of the EOs important to energy marketers:

- Replace federal, state and local government fleets with EVs assembled by union workers.
- Elimination of federal subsidies for oil companies.
- A “pause” on new oil and gas leases on public lands pending a comprehensive review although the Biden Administration did issue dozens of oil drilling permits recently. Click [here](#) for the story.

- Reversing Trump-era permitting rules that reduced regulatory compliance costs and streamlined infrastructure investments by requiring federal agencies to consider the effects of CO2 in environmental reviews.
- Creating a new task force of 21 agencies and departments to "enable a whole-of-government" approach to climate.
- Click [here](#) to read the rest of Biden's EOs

The President's plan immediately came under scrutiny from four House Democrats from Texas (Reps. Vicente Gonzalez, Henry Cuellar, Lizzie Fletcher and Marc Veasey) regarding the Interior Department's order that would ban the approvals of new oil and gas drilling permits for federal lands. "A federal ban for any period of time will certainly imperil hundreds of thousands of jobs, entire communities, and billions of dollars in royalty revenues to the Federal Treasury and eliminate funding for important conservation programs such as the Land and Water Conservation Fund," the Democrats wrote. Senate moderates including Senator Joe Manchin (D-WV), chair of the Energy and Natural Resources Committee, also criticized Biden's EOs urging the Administration to rely on innovation rather than attempting to eliminate oil, gas and coal.

The bottom line is that a pause on oil production activity on federal land will immediately impact some state budgets including New Mexico, a democratic stronghold, which relies heavily on oil production for revenue. New Mexico is now concerned that oil companies could shift their operations to neighboring Texas, a state with little federal property and a state oil industry regulator who has called concerns about greenhouse gas emissions "misplaced." Finally, Biden's plan to replace federal, state and local government fleets with EVs is much easier said than done given that EVs are still several years away and not a single EV model fits Biden's purchase criteria: battery powered, made in America and by union workers.

Fortunately, Wednesday's order will not affect current oil and gas leases and permits that oil companies stockpiled under the Trump Administration. The EOs do not impact oil production on private land. Much of Biden's regulatory agenda will take months, if not years, to implement with no guarantee that these efforts will be successful. The requirements of the Administrative Procedure Act and various federal statutes could impose hurdles to the Biden Administration's goal of repealing or revising the prior Administration's major regulatory initiatives. Plus, Republican led states and conservative groups are likely to challenge the Biden Administration's final rules in court.

COVID, VACCINES, RESOURCES, AND UPDATED TERRORISM THREAT ADVISORY

In alignment with President Biden's plan to respond to COVID-19, FEMA is working with the Centers for Disease Control and Prevention and other federal agencies and coordinating with state, tribal and territorial authorities and private sector partners and others to assist, augment and expedite vaccinations in the United States. For more, see [FEMA's Role in COVID-19 Response](#).

In addition to EMA's website, another highly useful site for resources is the [OSHA Workplace COVID-19 Resources](#).

On Wednesday, EMA sent an invitation to participate on a call that DHS held with stakeholders regarding the updated [threat advisory](#). Due to a heightened threat environment across the United States, information suggests that some ideologically motivated violent extremists with objections to the exercise of governmental authority and the presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence. This bulletin is effective immediately and is valid through April 30, 2021.

WPMA MEMBERS DISCOUNT!

We are excited to share some great news to start off 2021 and are reaching out about a special promotion for WPMA members - EMV4WPMA! As you may know, the EMV mandate deadline is April 2021, which means if there is a chargeback and the station does not support EMV at the pump, the station owner will take on the liability and be financially responsible. We know how this has been a concern for many due to the high cost to replace your pumps.

The great news is that there are cost-effective options that can easily upgrade your pumps while also providing you with updated features like contactless capabilities. Sound Payments is providing a special discount of 10 percent off hardware between now and March 1, 2021 to WPMA members. Sound Payments Sound Easy Pump™ is a semi-integrated, retrofit solution that can easily and cost-effectively enable EMV at the pump in a matter of a couple of hours or even less. It supports contactless via card tap or NFC (Apple Pay, WeChat Pay, Ali Pay), QR code scanning, PIN-on-glass, MSR, and EMV chip and PIN. Sound Easy Pump™ is easy to install with only one power cord and eliminates the need to purchase new pumps and close stations for installation. The platform is flexible so it can also easily support future innovations.

Reach out to Sound Payments at petrosales@soundpayments.com or call 844-319-5635 and provide them EMV4WPMA for the 10 percent discount.

Join us for a Webinar to learn more about upgrade options to enable EMV at the pump:

Feb. 25 at 2 p.m. ET.

https://zoom.us/webinar/register/WN__3oaJ2DORgyaSS_RIQ395g

2021 WPMAEXPO CANCELLED

WPMA regrets to inform you that the 2021 WPMAEXPO has been cancelled. This decision was not an easy one. Due to the latest mandated restrictions in Nevada limiting gatherings as well as concern for the safety of our participants, we are unable to go forward with the convention. We know this is very disappointing for our attendees, exhibitors, sponsors and industry partners.

No other interaction is as effective as face-to-face meetings to create relationships, share ideas, build loyalty, and communicate. Due to the limitations created by virtual interactions we have chosen to focus on bringing you an exceptional face-to-face show in 2022, and not hold the event virtually.

We will be reaching out to those participants already registered for the event to begin the refund process. If you booked your room through the WPMA room block at The Mirage, your room will automatically be cancelled and refunded.

Thank you for your patience and continued participation with WPMA. You are what makes us successful.

WPMA COVID-19 - CRITICAL REFERENCES FOR MEMBERS

Please visit our web site for up-to-date information related to your business and the COVID-19 pandemic. You will find the link on our home page at www.wpma.com.

MEMBERS AND ASSOCIATES - YOU CAN CONTRIBUTE!

WPMA welcomes industry-related articles for publication in the WPMA News magazine. All members and associate members of WPMA are eligible to submit items for publication. Articles will be included as space allows, and no self-promoting articles or editorials will be accepted. WPMA reserves the right to edit and make adaption of such contributions to accommodate the magazine's space and style. Please submit articles or content to Jan Roothoff, WPMA Administration/IT Director at janr@wpma.com, or mail to Jan Roothoff, Western Petroleum Marketers Association, PO Box 571500, Murray, UT 84157-1500. Submissions for the Winter edition of WPMA News magazine are due before November 1st. Later submissions will be considered for the Spring issue.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

CANCELLED February 16-18, 2021 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

March 15, 2021 – Hawaii (HPMA) Golf Tournament – Oahu Country Club – Honolulu, HI

May 6-7, 2021 - Nevada (NPM&CSA) Big Dogs - Red Rock Hotel & Casino - Las Vegas, NV

June 1-2, 2021 - Montana (MPMCSA) Convention -Fairmont Hot Springs Resort - Fairmont, MT

June 21-24, 2021 - Washington (WOMA) Convention - Suncadia Resort - Cle Elum, WA

June 24, 2021 - Utah (UPMRA) Summer Golf Classic - Bountiful Ridge GC - Bountiful, UT

July 17-19, 2021 - Oregon (OFA) Annual Conference - Sunriver Resort - Sunriver, OR

August 4-6, 2021 - Idaho (IPM&CSA) Convention - Sun Valley Resort - Sun Valley, ID

August 23-25, 2021 - New Mexico (NMPMA) Convention - Sandia Resort & Casino - Albuquerque, NM

September 15-17, 2021 - Utah (UPMRA) Convention - Sheraton Park City Hotel - Park City, UT

Be sure to subscribe to all of our social channels for great tips, industry trends, and insider information about association activities and upcoming events!



Petro Pete: "Nothing is real to you until you experience it; otherwise it's just hearsay."

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