

**ANNOUNCING NEW 2018 WPMAEXPO KEYNOTE SPEAKER!**

WPMA is pleased to announce our new Keynote Speaker for the 2018 WPMAEXPO is Chris Christie, governor of New Jersey from January 2010 to January 2018. During his time as Governor, Christie became a leader among his fellow Governors and in his party at the national level. He served as Chairman of the Republican Governors Association (RGA) in 2014 and led the organization to a fundraising record and the election of a record number of Republican Governors. He was the keynote speaker at the 2012 Republican National Convention and was Chairman of the Trump transition from May-November of 2016, after his own campaign for the Republican nomination for President.

We are disappointed that Mitt Romney was unable to honor his commitment to speak at the WPMAEXPO. We look forward to hearing from Mr. Christie.

**TODAY IS THE LAST DAY TO PREREGISTER FOR THE WPMAEXPO**

Today is your last chance to preregister for the WPMAEXPO. After today you will need to register onsite.

To register go to: [www.wpmaexpo.com](http://www.wpmaexpo.com)

**EPA ADMINISTRATOR TESTIFIES BEFORE SENATE ENVIRONMENT COMMITTEE**

Earlier this week, EPA Administrator Scott Pruitt testified before the Senate Environment and Public Works Committee. As expected the RFS became the focal point of the hearing as Administrator Pruitt fielded questions from both parties. Senator Joni Ernst (R-IA) asked Pruitt whether the EPA can extend the summer-time RVP waiver to E10 plus blends in order to allow E15 to be sold year-round. Pruitt responded that it's a legality question and EPA is still considering whether the agency actually has the authority to extend the waiver.

Before the Senate Environment and Public Works (EPW) Committee held a hearing on legislation to extend the RVP waiver to E10 plus blends last summer, PMAA submitted a letter for the record to Chairman Barrasso and Ranking Member Carper highlighting its concerns with the bill. PMAA firmly believes that before Congress proceeds any further on granting a RVP waiver to blends above E10, it must first hold a hearing on the effects of ethanol blends on existing underground storage tank (UST) system infrastructure. The introduction of ethanol blends higher than 10 percent (including E15) present significant economic and legal impediments for many gasoline retailers as well as consumer awareness issues that go beyond the price of the fuel. Extending the RVP waiver to E15 at this point further exacerbates these concerns and could force many retailers to invest considerable time and money on an accelerated schedule to switch to an alternative fuel storage and distribution system to remain competitive. PMAA's letter to the EPW Committee also highlighted concerns about different names a few retailers have used to sell E15 such as "Unleaded Plus" to make it more marketable than just calling it E15.

Pruitt also fielded a question from Senator Mike Rounds (R-SD) regarding ethanol's role in meeting Corporate Average Fuel Economy (CAFE) standards for road vehicle fuel efficiency. The Senator asked if the Administration will consider ethanol as a way to boost octane needed for high compression engines being developed by automakers. Pruitt responded that the EPA is agnostic about the fuel source and that EPA is currently reviewing what octane fuels can boost vehicle efficiency. In 2012, the EPA and the National Highway Traffic Safety Administration (NHTSA) adopted rules requiring the nation's cars and light trucks to average 54.5 miles per gallon by 2025. Auto manufacturers have expressed concern that the standards are too aggressive and have urged the Trump Administration to reconsider the rule. Despite agreeing to the Obama-era CAFE standards in 2011, automakers have asked the Trump Administration and Congress to reconsider the current standards given that consumers continue to buy less fuel efficient vehicles due to lower motor fuels prices. The Administration is reviewing the Obama Administration's CAFE standards and is expected to make a determination on whether to reduce CAFE standards this Spring.

Meanwhile, in an interview with Fox Business, Administrator Pruitt partly blamed the RFS for forcing the largest oil refiner on the East Coast, Philadelphia Energy Solutions, to file for bankruptcy last month. PES has blamed RINs costs as a major factor in its bankruptcy filing. Pruitt later said that, "RIN reform is very, very important."

It's safe to say that the RFS fight isn't over for the foreseeable future.

### **HOUSE TO VOTE ON MENU LABELING LEGISLATION NEXT WEEK**

The House is expected to vote on H.R. 772, known as the "Common Sense Nutrition Disclosure Act," on Tuesday, February 6.

H.R. 772 passed the House overwhelmingly in 2016 but was never voted on by the Senate. The bipartisan bill was then reintroduced last January by Reps. Cathy McMorris Rodgers (R-WA) and Tony Cardenas (D-CA) which would give retailers the flexibility they need to comply with the menu labeling regulations. The bill (S. 261) was also reintroduced in the Senate by Sens. Roy Blunt (R-MO) and Angus King (I-ME). It would allow retailers to identify a single primary menu while not having to include nutrition labeling in other areas of the store. Furthermore, the bill clarifies that advertisements and posters do not need to be labeled and provides flexibility in disclosing the caloric content for variable menu items that come in different flavors or varieties, and for combination meals. Lastly, the bill ensures that retailers acting in good faith are not penalized for inadvertent errors in complying with the rule and stipulates that individual store locations are not required to have an employee "certify" that the establishment has taken reasonable steps to comply with the requirements.

The costly menu labeling rule was scheduled to take effect last May but was delayed until May 2018. In PMAA's past comments on the menu labeling rule, PMAA highlighted the harm the rule would have to single store operators and small businesses. That is because the rule covers any retail establishment with 20 or more locations that sells food that is intended for consumption soon after being purchased. So, whether the rule applies to a business depends upon whether that business is part of a chain with 20 or more locations doing business under the same name, regardless of the type of ownership, the number of establishments owned and operated by a company/individual is not relevant to this criterion. The key is whether there are multiple locations doing business under the same name. Therefore, many operators of single stores or of only a few stores will have to comply with all of the onerous menu labeling requirements.

Please reach out to your lawmakers in Congress and urge them to cosponsor the Common Sense Nutrition Disclosure Act. You can easily express your support for the legislation to your lawmakers by clicking [here](http://www.congressweb.com/PMAA/6) (<http://www.congressweb.com/PMAA/6>). PMAA has been supporting NACS and SIGMA on this issue in an effort to reduce menu labeling compliance costs.

### **PMAA SIGNS COALITION LETTER IN OPPOSING REST AREA COMMERCIALIZATION**

PMAA is concerned that commercialization of interstate rest stops will be included in infrastructure legislation, particularly since President Trump includes commercialization as one funding method for his \$1.5 trillion infrastructure vision. Consequently, PMAA joined other members of the Rest Stop Commercialization Coalition this week in sending a letter to Senator John Barrasso, Chairman of the Committee on Environment and Public Works, urging the Senator to oppose efforts to repeal the prohibition on commercializing rest stops.

Commercializing rest areas could jeopardize private businesses that have operated under the current law for the past 50 years at established locations at highway exits. Due to their convenient locations for motorists, state-owned commercial rest areas have established virtual monopolies on the sale of services to highway travelers. The ban on the commercialization of rest areas has resulted in a strong, competitive economic environment with over 60,000 businesses developing along U.S. interstate highways. Prohibiting publicly-run rest areas from competing with private sector businesses has been an undeniable success, resulting in industries that provide valuable services such as gas stations, travel plazas, truck stops, restaurants, and hotels.

PMAA has been a strong opponent of rest stop commercialization and PMAA members were a critical voice in fighting back attempts to pass pro commercialization language years ago and we will continue to actively fight efforts to commercialize rest areas.

### **INFRASTRUCTURE HIGHLIGHTED IN TRUMP'S STATE OF THE UNION SPEECH**

On Tuesday night, at his State of the Union speech, President Trump made it clear that infrastructure remains one of his top priorities. He urged lawmakers to "produce a bill that generates at least \$1.5 trillion" and said that any federal spending "should be leveraged by partnering with state and local governments and, where appropriate, tapping into private sector investment." However, many Republicans and Democrats alike left the speech wondering how an infrastructure bill will be paid for. Speaking to reporters after the speech, Senate Majority Whip John Cornyn (R-TX) stated, "You tell me how we pay for it and I'll tell you what we can do...leveraging private dollars is a good start but we've got a lot of work to do." Congressional Republicans have begun talks about a plan that would set aside infrastructure money as part of a larger deal to raise budget caps for domestic programs, but discussions on the plan are ongoing and still in the early stages.

Last week, a draft version of the White House's infrastructure "Funding Principles" was leaked but has yet to be confirmed, although many of the talking points in President Trump's speech mirrored those from the draft. An official infrastructure plan was expected to be released by the White House within two weeks of the State of the Union, however, the White

House announced yesterday that it is now going to be delayed until a later date due in part to the recent government shutdown.

The plan is expected to reduce the time for the average federal permitting process for projects to two years and stimulate infrastructure spending, but will not contain details about how to pay for the infrastructure. That issue will be left to lawmakers to determine. One potential funding solution is increasing the gasoline tax, which is dividing Republicans and conservative interest groups who are waiting to see where the Administration falls on the issue. The motor fuels tax of 18.4 cents per gallon on gasoline and 24.4 cents on diesel hasn't been increased since 1993. Unfortunately, the plan could also lead to rest area commercialization which will hurt small businesses along interstate highways. However, PMAA has been fighting all attempts to commercialize rest areas along interstate highways.

## PLAN TO ATTEND THE 2018 WPMAEXPO

# WPMAEXPO

Mark your calendars for February 20-22, 2018. Make plans now to attend the 2018 WPMAEXPO. It will be held once again at the Mirage in Las Vegas, Nevada.

#wpmaexpo18

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### MARK YOUR CALENDARS FOR UPCOMING EVENTS

**February 20-22, 2018** – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada

**May 3-4, 2018** – NPM&CSA Big Dogs – Red Rock Casino – Las Vegas, Nevada

**June 5-7, 2018** – MPMCSA Convention & Expo – Fairmont, MT

**June 18-21, 2018** – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

**August 8-10, 2018** – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, Idaho

**August 20-22, 2018** – New Mexico (NMPMA) Convention – Sandia Resort & Casino, Albuquerque, NM

**September 12-14, 2018** – Utah (UPMRA) Convention – Doubletree by Hilton, Park City, UT

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**Petro Pete: "If you're not helping to make it right, then stop complaining about it being wrong."**

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