

## **NATSO AND WPMA TAP INTO THE POWER OF PARTNERSHIP FOR 2015 CONVENTIONS**

WPMA and NATSO are joining in 2015 to bring you an additional attendee opportunity—TWO conventions for the price of ONE! WPMA Marketer Member attendees who register for the WPMA Convention may attend THE NATSO Show FREE OF CHARGE!

For their 2015 annual tradeshows, NATSO, the national association representing truckstops and travel plazas, and the Western Petroleum Marketers Association (WPMA) are co-mingling their events to offer attendees and exhibitors more unparalleled business and networking opportunities. By seizing the opportunity to share educational resources and access to their annual shows in February in Las Vegas, the two groups will provide their attendees with even more innovative solutions and greater access to their peers, industry suppliers, key travel plaza owners and operators.

NATSO Members and WPMA Marketer Members who register for one trade show automatically will be registered to attend the neighboring show at no additional cost. Reciprocal registration is honored for NATSO travel plaza members and WPMA marketer members only. Each show will feature its own exhibit hall, as well as unique educational programming for attendees.

The NATSO Show will be held at the Wynn Las Vegas, Feb. 16-19, 2015, and offers innovative experts focused on ahead-of-the-curve trends, a knowledge-filled human library built for a customized learning experience, and exhibitors that showcase tomorrow's hottest products and services specifically designed to meet the unique needs of travel plaza and truckstop leaders.

WPMA's National Convention & Convenience Store Expo will be held at the Mirage Convention Center Feb. 17-19, 2015. The Expo offers two-and-a-half days of industry-expert speakers, seminars and networking events, and access to more than 90,000 square feet of tradeshow space with exhibitors displaying and selling the latest in technology, services, c-store innovations, and truck and trailer displays to meet the needs of the petroleum industry.

NATSO truckstop and travel plaza operators can register for the two events at [www.natsoshow.org](http://www.natsoshow.org). WPMA Marketer Members can register at <http://www.wpma.com/national-convention>. Reciprocal registration is honored for NATSO travel plaza members and WPMA marketer members only. Exhibit partners must be registered for each event separately to participate.

\*\*Contact Jamie Wood at WPMA for additional questions: [jamiew@wpma.com](mailto:jamiew@wpma.com)

## **PLEASE SUPPORT THE SCHOLARSHIP FOUNDATION SILENT AUCTION!**

In May 2015, 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 2015 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 fill out the Silent Auction Donation Form available under the Scholarship tab on the WPMA website: <http://www.wpma.com/pdf/scholarship/SA15-DonationForm062414w.pdf> or e-mail Kathy Michaelis at [kathym@wpma.com](mailto:kathym@wpma.com). The value of items donated to the auction is tax-deductible.

## **HOUSE PASSES BILL TO MINIMIZE REGULATORY COSTS**

On Wednesday, the House passed H.R. 50 by a vote of 250-173. The "Unfunded Mandates Information and Transparency Act" would add steps to the rulemaking process in order to minimize regulatory costs. H.R. 50 would require independent regulatory agencies to comply with the 1995 Unfunded Mandates Reform Act (UMRA) and require a regulatory impact analyses under more circumstances.

Further, the bill would require agencies and the Congressional Budget Office (CBO) to include an estimate that includes foregone profit and costs passed on to consumers.

The bill, introduced by Rep. Virginia Foxx (R-NC), is strongly opposed by Democrats, in part, because agencies would be required to consult with the private sector prior to proposing a major rule.

Companion legislation, S. 189, was introduced in the Senator Deb Fischer (R-NE). President Obama has already stated that he will veto the bill should it make it through the Senate.

### **THE WHITE HOUSE APPROVES 2008 OZONE STANDARD IMPLEMENTATION**

Although EPA is in the midst of preparing its 2015 proposal to lower the National Ambient Air Quality Standards (NAAQS) for ozone, the agency has only just received clearance from the White House Office of Management and Budget to aid states in implementing the 2008 NAAQS for the ozone standard of 75 parts per billion.

The final rule about the 2008 standard is expected to include requirements for new source review permitting in nonattainment areas and requirements for demonstrating attainment.

The absurdity of this was highlighted last week when PMAA Director of Government Relations Rob Underwood testified before the EPA regarding the proposed National Ambient Air Quality Standards (NAAQS) for ozone and how it would impact prices at the pump. Underwood highlighted that the proposed ozone standards will place an unfair economic burden on both petroleum marketers and consumers. Reformulated gasoline (RFG) and low-Reid Vapor Pressure (RVP) gasoline are two of the common transportation strategies that have been implemented to reduce ozone concentrations and they carry with it – higher prices compared to conventional gasoline.

PMAA's arguments are that before RFG and lower RVP mandates were adopted during the mid-1990s, the logistics of fuel distribution were relatively simple. Gasoline was fungible. When one area of the country was experiencing higher demand, it was easy to redirect more gasoline from another area to meet it. With the mandated push for RFG and lower RVP fuels, the United States now has over 30 boutique fuels which severely disrupts fuels distribution efficiency. This disruption results in severe economic harm to retailers near the borders of designated counties. Should the agency adopt a lower standard, RFG and/or lower RVP gasoline would likely be required in more areas of the country.

The current 75 ppb ozone standard is working, but has not been fully implemented. Therefore, Underwood argued, "EPA should leave the current standard for ozone in place until at least 85 percent of counties currently in nonattainment status can comply. The economic consequences from a new lower ozone standard would be severe and will create bottlenecks and chaos in the gasoline marketplace."

Legislation has been introduced this year to address these concerns.

### **SENATORS REINTRODUCE LNG-DIESEL ENERGY TAX EQUIVALENT BILL**

This week, Senators Richard Burr (R-NC) and Michael Bennet (D-CO) reintroduced a bill that would change the federal highway excise tax on liquefied natural gas (LNG) from 24.3 cpg to 14.1 cpg to align its energy content with the diesel gallon equivalent (DGE). The bill would allow LNG to more favorably compete with the more energy-dense diesel. "This is a no-brainer," Burr said.

In related news, NCWM will again address a proposal to create an official DGE method of sale for LNG when it meets this summer in Philadelphia, PA. The proposal will help clear up any ambiguity over the taxation of CNG and LNG on a per-gallon basis instead of a mass basis. Allowing the method of sale to be determined by DGE will allow trucking companies to make easier cost comparisons.

### **RFS REFORM BILL INTRODUCED**

On Wednesday, Reps. Bob Goodlatte (R-VA), Steve Womack (R-AR), Jim Costa (D-CA) and Peter Welch (D-VT) introduced legislation which would eliminate the corn-based ethanol mandate in the Renewable Fuels Standard and would also repeal the waiver that gave the green light to E15. A similar bill was introduced in 2013, but it never made it out of committee.

There is a growing frustration among members of Congress with EPA's delays in issuing the 2014 and 2015 RFS blending numbers. EPA is now a year overdue on issuing the 2014 blending volumes, which leaves uncertainty among obligated parties to meet the RFS requirements. EPA has said it plans to issue a new rule in 2015 to set standards for 2014 through 2016 to bring the annual rulemaking back into compliance with statutory deadlines.

It is unclear whether the House Energy and Commerce and Senate Environment and Public Works Committees plan to hold hearings and markups on RFS Reform legislation in 2015.

### **FY 2016 WHITE HOUSE BUDGET PROPOSAL RELEASED**

This week, the Obama Administration released its proposed \$3.99 trillion budget for FY 2016, up from an estimated 6.4 percent increase from the current year.

Areas of interest to petroleum marketers include \$95.3 million for the Leaking Underground Storage Tank (LUST) program, \$7.6 million for the Northeast Home Heating Oil Reserve (NEHHOR) and \$3.19 billion for the Low Income Home Energy Assistance Program (LIHEAP). The Northeast Home Heating Oil Reserve provides an emergency supply of home heating

oil for the Northeast States during times of inventory shortages and significant threats to immediate supply. The FY 2016 Budget continues to maintain a 1 million barrel inventory of ultra-low sulfur distillate, stored in Northeast commercial storage terminals (Groton, CT and Boston, MA), to provide a short-term supplement to the Northeast systems' commercial supply of heating oil. Additionally, EPA would receive \$8.6 billion which represents an increase of \$500 million over the current year's enacted level.

Obama also proposed nearly doubling the tobacco tax to pay for a five-year extension of the Children's Health Insurance Program (CHIP). The tax on cigarettes and small cigars would rise to about \$1.95 per pack from about \$1.01 per pack. It would be indexed for inflation. Overall, President Obama proposed over \$1.5 trillion in new taxes to fund his initiatives for the next ten years.

The Commodity Futures Trading Commission (CFTC) would receive a \$72 million boost to \$322 million which is more than last year's budget request. This funding level is essential to sufficiently implement futures market reform which is vital for decreasing volatility in the commodities market which directly impacts the price of fuel. PMAA supports the \$322 million request. The Obama administration again said it will push for the CFTC's increased funding to come from user fees on firms overseen by the agency.

Most of the President's funding requests will be subject to hearings and negotiations. The President's proposed budget is merely the first step in the long and sometimes contentious budgeting process which is very unlikely to pass this Congress given the current political climate.

### **REGISTRATION IS NOW OPEN FOR PMAA'S WASHINGTON CONFERENCE AND DAY ON THE HILL SCHEDULED FOR MAY**

PMAA's 2015 annual Washington Conference and Day on the Hill will be held in Washington, DC from May 13-15. Our industry continues to have dozens of important legislative and regulatory issues to discuss with members of Congress and the Day on the Hill continues to be the primary focus of this conference.

The meeting will commence with an opening session / issues briefing followed by region meetings on the afternoon of May 13. The last event of the first day is our welcome reception including our PAC silent auction fundraiser! On the morning of May 14, there will be a buffet breakfast and a supplemental issues briefing in case you were not available to attend the opening session briefing on May 13. Marketers and association executives will then head to Capitol Hill for visits with their members of Congress. Please be sure to make these appointments at your earliest convenience. There will be a hospitality suite and luncheon on the Hill. On the evening of May 14, we will honor our 2015 PMAA Chair, Grady Gaubert. Our conference will conclude after the PMAA Board of Directors meet on May 15 following a buffet breakfast and committee meetings.

You can find the registration forms and instructions along with all related details for Washington Conference and Day on the Hill [here](http://www.pmaa.org/pmaameetings/upcomingmeetings.asp) (<http://www.pmaa.org/pmaameetings/upcomingmeetings.asp>). If you plan on attending PMAA's annual Washington Conference and Day on the Hill, now is the time to make your room reservation as we have had an excellent response in attendance. See you in DC in the spring!

### **FEDERATED EMPLOYMENT PRACTICES NETWORK – HR QUESTION OF THE MONTH**

Can you pro-rate pay for an exempt employee, who worked a partial week upon separation?

Question: We have an exempt employee that separated in the middle of a workweek. We prorated his salary that week to reflect only the days he worked. He is coming back now stating that he had worked 40 hours that week before he left. Does that have any bearing on the pay, or are we ok with leaving it as is?

Response: Exempt employees generally must be paid their full weekly salary for all workweeks in which they perform any work. There are, however, certain limitation exceptions to this rule. Specifically, if an exempt employee starts or ends employment mid-workweek, the employer may prorate the employee's salary accordingly. As for calculating the deduction, the Fair Labor Standards Act (FLSA) does not mandate one specific method for prorating an exempt employee's salary in situations where deductions are permitted. Rather, 29 C.F.R. § 541.602(c) says that an employer may "use the hourly or daily equivalent of the employee's full weekly salary or any other amount proportional to the time actually missed by the employee." Thus, there are a number of methods the employer may utilize. To that end, it is certainly permissible for an employer to calculate a day rate and then multiply by the actual number of days worked, regardless of the number of hours actually worked. In other words, the number of hours do not have any bearing on the pay if the method you used to prorate the employee's salary was the daily (rather than hourly) equivalent of the employee's full weekly salary. For the full text of the statute, please see <http://www.gpo.gov/fdsys/pkg/CFR-2012-title29-vol3/pdf/CFR-2012-title29-vol3-sec541-602.pdf>

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## **TIME IS RUNNING SHORT FOR 2015 WPMA SCHOLARSHIP APPLICANTS!**

Time is running short for your company employees' high school seniors to send in their applications for the 2015 WPMA scholarships. Scholarship applications must be postmarked by March 1, 2015 in order to be considered. Usually, there are less than 20 applicants for each WPMA state scholarship and for the associate member scholarship, which makes the chances of receiving a scholarship very good. Applicant qualification information and the scholarship applications are available in PDF form at [www.wpma.com/scholarship](http://www.wpma.com/scholarship). The WPMA scholarships pay \$500 per semester for up to eight semesters, for a total of \$4,000. Employers, please remind your employees to download an application right away, and give their children a chance for some extra financial help in college!

## **ERNEST "TONY" REINHARD, JR PASSES**

WPMA is saddened to announce the passing of Ernest "Tony" Reinhard, Jr. of Maple Valley, Washington, WOMA member and former owner of Reinhard Petroleum. Tony passed away on January 31, 2015, after suffering a traumatic head injury as the result of a fall from the top of his boat earlier in the week. He was 54 years old.

A memorial service will be held at 11a.m. on Saturday, February 7th, at New Life Church, 15717 152nd Ave SE, Renton, WA 98058. The service will also be live streamed at the following web address:  
<https://new.livestream.com/nlchurch/tonyreinhard>

In Tony's honor, the Washington Oil Marketers Association is creating a WOMA Memorial Scholarship, to be awarded each year to the runner-up applicant from Washington for the WPMA scholarship already awarded annually to a deserving high school senior. To contribute to the Scholarship Fund, contact WOMA Executive Director Lea Wilson ([lea@waoil.org](mailto:lea@waoil.org)).

## **ARTHUR BERNARD CAMPO PASSES**

WPMA joins with the Idaho Petroleum Marketers and Convenience Store Association in remembering Arthur (Art) Bernard Campo, 98, of Fruitland, Idaho, who passed away on Saturday, January 31, 2015. In 1949, Art bought a Utoco distributorship in Fruitland that grew into the present day Campo Oil Company and Campo-Poole Distributing LLC, now run by Art's son Dennis Campo.

Mass of Christian Burial will be held at 10:00 a.m. on Saturday, February 7, 2015 at Corpus Christi Catholic Church in Fruitland. Family and friends may call from 5:00 - 7:00 p.m. on Friday, February 6, 2015 at Corpus Christi Catholic Church in Fruitland. There will be a Vigil Prayer service with the Rosary at 7:00 p.m. Condolences may be sent to Art's family at [www.shaffer-jensenchapel.com](http://www.shaffer-jensenchapel.com).

## **LINDA ALLRED JONES PASSES**

We are saddened to announce the passing of Linda Allred Jones, wife of Fred W. Jones, owner of Westech Fuel Equipment in Salt Lake City. Linda passed away while on vacation in Maui from complications of a massive stroke, after an eight-year battle with Cancer (Multiple Myeloma).

Funeral services will be held at 11:00 am on Monday, February 9, 2015, at the LDS Holladay 4th Ward building, 4917 S. Viewmont Street, Holladay, Utah. Viewings will be held on Sunday, February 8, 2015 from 6:00-8:00 pm at Jenkins-Soffe South Valley, 1007 W. South Jordan Parkway (10600 South), South Jordan, Utah, and on Tuesday from 9:30-10:30 am at the church. Interment at Murray City Cemetery. Online condolences may be shared at [www.jenkins-soffe.com](http://www.jenkins-soffe.com).

In lieu of flowers please make donations to Shriners Hospital in honor of her Grandson Carter Taylor:

[www.shrinershospitalforchildren.org/donate](http://www.shrinershospitalforchildren.org/donate) - See more at: <http://www.jenkins-soffe.com/mobile/obit.php?id=1478676&name=Linda-Allred-Jones&loca=#sthash.1VoXG6Rc.dpuf>

## **MARK YOUR CALENDARS FOR UPCOMING EVENTS**

**February 17 – 19, 2015** - WPMA Convention & Expo – Mirage Hotel, Las Vegas, Nevada

**May 14 – 15, 2015** - Nevada (NPM&CSA) BIG DOGS 4 – JW Marriott Las Vegas Resort & Spa, Nevada

**June 2 – 4, 2015** - Montana (MPMCSA) Convention – Northern Hotel, Billings, Montana

**June 22 – 25, 2015** - Washington (WOMA) Convention – Suncadia Resort, Cle Elum, Washington

**August 5 – 7, 2015** - Idaho (IPM&CSA) Convention - Sun Valley Lodge - Sun Valley, Idaho

**August 17-19, 2015** – New Mexico (NMPMA) - Marriott Pyramid North – Albuquerque, New Mexico

**September 15-17, 2015** - Utah (UPMRA) Convention - Park City Marriott - Park City, Utah

**August 3 – 5, 2016** - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort - Coeur d'Alene, Idaho

## **2015 WPMA CONVENTION & CONVENIENCE STORE EXPO – LAS VEGAS, NEVADA**

Don't Miss **Frank Caliendo**, comedian/actor/impressionist as Wednesday Keynote during the WPMA Convention. Mark your calendars for February 17-19, 2015. Make plans now to attend the 2015 WPMA Convention and Convenience Store Expo. It will be held once again at the Mirage in Las Vegas, Nevada.

**Win - US Open Package - June 18 – 21, 2015** – The US Open Golf Tournament will be held at Chambers Bay Golf Course in University Place, Washington. Package includes gallery tickets for four to the Saturday, June 20 and Sunday, June 21 tournament days, three nights' lodging, and \$2,000 spending cash. Contact your state executive director for the Scholarship Raffle Tickets.

## Thank You 2015 WPMA National TOP SPONSORS

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**Petro Pete:** "I used to wonder what it was like to read peoples' minds. I got a Facebook account and I got over it."

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## Classified Ads

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