

**SPRING FORWARD!**  
DON'T FORGET TO SET YOUR CLOCKS FORWARD BY ONE HOUR!

**Sunday, March 8, 2026**

**WPMAEXPO Speaker Presentation Slides Now Available**

The presentation slides from this year's WPMAEXPO educational sessions are now available. If you attended a session and would like to revisit the material or were unable to join us, you can download the slides below. We appreciate our speakers for sharing their time, insight, and expertise with our members.

Todd Shaw - Western Region  
Legislative Presentation

Rob Underwood - EMA Legislative  
Update

Nick Lynch - AI with Customer Service

Dean Rhoades - Federated Anti-Fraud  
Effort

Robert Bryce - A Question of Power

**Scholarship Applications Closing Soon**

Time is running out! Scholarship Applications Close **March 20th**

The WPMA Scholarship Foundation is awarding four \$10,000 scholarships to students of Marketer Members Companies and one \$6,000 scholarship to a student from an Associate Member Company.

Encourage Your Student to Apply!



**CLICK HERE TO APPLY**

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



**Senators Urge EPA to Reverse Biden-Era Cargo Tank Rule, Protect Fuel Marketers**

On Monday Senator Kevin Cramer (R-ND), along with Senate Environment and Public Works Committee Chairman Shelley Moore Capito (R-WV) and nine additional senators called on EPA Administrator Lee Zeldin to immediately reverse a 2024 Biden administration rule that tightens annual vapor testing requirements for gasoline cargo tanks. The letter cautions that the regulation threatens fuel supply chains and places an undue burden on America's small business fuel marketers.

In a formal letter to Administrator Zeldin, Senators highlighted how the rule imposes stricter standards, originating from California, which deviate sharply from long-standing federal requirements. The revised allowable pressure and vacuum changes for the cargo tank annual certification test now limits pressure loss during testing for all cargo tanks to just 0.50 to 1.25 inches of water over five minutes, depending on compartment size. This replaces the previous, more practical nationwide standard of three inches of water column, regardless of tank size.

"Small businesses in our states should not be subject to California's regulatory overreach," the letter states. "We urge you to continue the Trump administration's longstanding support for small businesses by reversing this Biden-era mandate and restoring the prior cargo tank testing standard."

The Energy Marketers of America (EMA) has already reported that some liquid fuel terminals are prematurely enforcing the new, tighter standards—well ahead of the 2027 compliance deadline—creating immediate compliance costs, operational confusion, and the very real risk of fuel supply disruptions. Cargo tank operators unable to meet the stricter limits on short notice could be denied access to terminals, directly threatening daily deliveries to thousands of gas stations, farms, ranches, emergency services, and other critical users.

"Gasoline is typically transported daily in large cargo tank vehicles collecting the product from supply terminals and delivering it directly to underground storage tanks at gas stations," the letter explains. "Absent corrective action, these standards could result in fuel supply disruptions if cargo tank vehicles are denied terminal access due to an inability to immediately comply with these unnecessary requirements."

The letter emphasized that the original, science-based standards had successfully protected air quality for decades without compromising the reliable flow of motor fuels that powers the American economy. Reinstating the prior pressure-loss thresholds would eliminate needless compliance burdens while preserving environmental protections.

Senators urged the EPA to engage directly with industry stakeholders to revise the final rule and restore regulatory certainty for the nation's small business fuel distribution network.

"Reverting to this standard will support fuel supply continuity and ensure that first responders, motorists, farmers, ranchers, and other industries critical to America's success have reliable access to an adequate fuel supply," the letter concludes.

"EMA expresses its appreciation for the Senators' commitment to support America's small business energy marketers," said EMA President Rob Underwood.

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

### **NLRB Withdraws Biden Administration Joint-Employer Rule**

Last week, the National Labor Relations Board issued a [final rule](#) which withdraws its 2023 joint employer standard and reverts to President Trump's narrower rule during his first term in 2020. The withdrawal is effective immediately.

In the fall of 2023, the Biden Administration's National Labor Relations Board (NLRB) promulgated a rule that would have made it significantly easier for the agency to find the existence of "joint employment" between two or more entities. The rule was challenged in federal court, and the effective date was delayed.

The judge found the rule to be improper because "it would treat some companies as the employers of contract or franchise workers even when they lacked any meaningful control over their working conditions." The joint-employment doctrine often is used by federal agencies to impose liability on two or more companies with respect to a group of employees, such as a staffing company and its client or a franchisor and franchisee. For example, the NLRB can use the doctrine to impose liability for violations of the National Labor Relations Act (NLRA) on multiple companies, and the agency has been at the forefront of changes to how joint employment is evaluated.

A finding of joint employment would have significant consequences for companies under the NLRA. From a practical perspective, each company found to be a joint employer by the NLRB may be held liable for the unfair labor practices of their co-employers. For example, many energy marketers operate convenience stores where the employees of vendors of beverages, snacks, and other items come into the store and stock the coolers and shelves as part of the deliveries. Energy marketers, such as convenience store operators, have agreements with their vendors that commonly set forth prudent, reasonable service expectations and requirements that have an impact on the vendor's employees. One such contractual provision allows the energy marketer to retain the right to reject the vendor's delivery driver if the driver berates the convenience store staff, threatens violence, or behaves in an inappropriate manner while at the energy marketer's facility. Under the final rule, the Board can find that the energy marketer's contractual retention of the right to reject a driver as retaining a right to control the vendor's employment practices. The final rule, therefore, does not adequately take into consideration the reasonable and prudent needs for customers, such as the energy marketers represented by EMA, to require their vendors to meet certain standards and requirements, especially those relating to health, safety, and security.

Another example, as part of their retail motor fuel operations, energy marketers often dictate the time of day when transport deliveries of gasoline or diesel fuel can be made into the underground storage tanks at a particular location, largely because of the store's smaller "footprint." It is difficult, and it increases safety hazards, to have a large transport truck blocking driveway

access during the store's rush hours. Merely limiting the "window" for fuel deliveries conceivably could subject the energy marketer to joint employer liability.

Bottom line... the Trump Administration's final rule is great news for energy marketers!

### **Trump Administration Likely to Reverse Biden-Era Independent Contractor Rule**

Last week, the Trump Administration's Department of Labor issued a proposed rule to rescind the Biden Administration's 2024 independent contractor rule and returning to the "economic reality test" adopted during President Trump's first term in 2021.

On Jan. 9, 2024, the U.S. Department of Labor's (DOL) Wage and Hour Division announced its final rule on Employee or Independent Contractor Classification. The final rule replaced a 2021 policy issued by the Trump administration and is based off an administrative interpretation issued by the DOL under the Obama administration. The final rule preserves the use of an "economic realities" test that analyzes an employee's classification through the totality of the circumstances of the worker-employer relationship.

For EMA member companies, this primarily affects arrangements where common carriers haul motor fuels using independent operators (e.g., owner-operators or leased drivers) as drivers. Standard contracts with common carriers are unlikely to be directly problematic, as the marketer typically deals with the carrier, not the individual drivers. However, potential impact arises if the DOL rule leads to reclassifying those independent operators as employees of the common carrier: This could increase the carrier's labor costs (e.g., minimum wage, overtime, benefits, taxes, workers' comp) and carriers might pass on higher costs through increased hauling rates to marketers.

Additionally, if an energy marketer uses an independent operator to deliver fuels or packaged goods (e.g., lubricants) for the company, including using the EMA members' trucks, they are also likely to be captured by the DOL final rule. Outside of transportation, there are issues under the DOL rule where the energy marketer uses independent contractors for sales or other non-transportation roles (e.g., accounting or environmental compliance).

EMA plans to submit comments by the April 28<sup>th</sup> deadline.

### **Inside the Beltway Update**

On March 3<sup>rd</sup>, the House Agriculture Committee held a markup of the "Farm, Food and National Security Act of 2026," better known as the 2026 Farm Bill. Included in the base text are much-needed provisions that provide regulatory relief to hemp fiber and grain farmers, while also ensuring that THC testing opportunities are not limited to DEA laboratories. While there are no provisions related to cannabinoids, Reps. Jim Baird and Angie Craig have introduced an amendment to provide for a one-year extension of the hemp ban moratorium that currently expires on November 12, 2026. This extension would provide much-needed relief to U.S. farmers currently deciding whether to plant hemp crops this spring. The extension would also allow for much-needed time to consider and pass legislation to provide a robust regulatory framework to replace the impending ban. We do not expect a vote on this amendment – the committee's chair has deemed it not to be germane to the Farm Bill. However, this will provide an excellent opportunity for supporting Members of Congress to share their concern about the impending ban and the need for a regulatory solution.

Early in the week and following the U.S. military actions on Iran and subsequent retaliatory strikes in the Strait of Hormuz, the Trump administration is under intense pressure to combat spiking gasoline and oil prices. White House Chief of Staff Susie Wiles has directed advisors to develop immediate solutions, leading to the consideration of several options, including a gasoline tax holiday, loosening sanctions on Russian oil, and deploying the U.S. Navy to escort tankers. While the administration publicly dismisses reports of panic and emphasizes a "game plan" involving oil from Venezuela and shipping insurance, internal documents reveal a scramble to manage the economic ramifications as gas prices surpass levels seen under the previous administration.

Ultimately, the Trump administration has decided to issue a temporary 30-day waiver allowing Indian refiners to purchase sanctioned Russian oil currently stranded at sea. While Treasury Secretary Scott Bessent framed this as a limited measure to increase global supply without providing a significant long-term windfall for the Kremlin, the decision highlights the administration's struggle to manage the effects of foreign conflict on energy costs. Despite the potential for domestic political backlash regarding U.S. support for Ukraine, officials are prioritizing immediate relief as oil prices have surged \$15 per barrel since hostilities began, though analysts caution that the primary beneficiaries of this sanction's relief may be international buyers in Europe, China, and India rather than American motorists.

Top Democratic and Republican senators have reopened bipartisan negotiations to overhaul federal energy permitting regulations. These talks, which had stalled in December due to the Trump administration's "stop-work" orders on offshore wind projects, were revived following recent administrative progress in approving certain solar and renewable energy projects. While Democratic leaders Sheldon Whitehouse and Martin Heinrich cautioned that further interference with existing permits would end the dialogue, Republican chairs Shelley Moore Capito and Mike Lee expressed optimism that a deal could address rising energy costs and unlock significant economic investment. However, industry groups remain wary as the upcoming election and potential shifts in congressional control present significant hurdles to passing comprehensive legislation.

## **EMA Washington Conference and Day on the Hill – May 13-15, 2026: Please Make Your Hotel Reservation and Register Now**

EMA's annual Washington Conference and Day on the Hill will be held in Washington, DC from May 13-15 at [The Mayflower Hotel](#). Our industry continues to have many important legislative and regulatory issues to discuss and the Day on the Hill remains the primary focus of this conference for you to meet with your members of Congress and network with other marketers from across the country!

*Hotel reservations will close April 30 at 6:00 pm Eastern or when the room block is sold out. Tuesday night (2 available), Wednesday night (42 available), and Thursday night (12 available). **If we sell out, please refer to Additional Hotel Information #3.***

**Registrations must be received by April 30 to be included in our hotel guarantee.**

**[Click here to Register and Book your Hotel Room for EMA's DC Conference and Day on the Hill](#)**

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### **Weekend Reads**

**[Diesel prices up 26 cents since last year | The Trucker](#)**

**[Experts analyze what the Iran war could mean for U.S. gasoline prices | PBS](#)**

**[Farmers could disable diesel exhaust fluid systems under House-passed bill | Iowa Capital Dispatch](#)**

**[Higher gas prices are likely coming to the pump after oil prices jump in wake of U.S. strikes in Iran | NBC News](#)**

**[U.S. Not Planning To Tap Strategic Petroleum Reserve Immediately | Yahoo!News](#)**

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### **Federated Insurance Risk Management Academy Complimentary Webinar**

***How Can Telematics Help Your Drivers Improve?***

***Thursday, March 19, 2026, 2:00 P.M. Eastern Time***

Join our upcoming webinar to explore how telematics technology can support your fleet's safety and efficiency goals. This session offers insights into the tools available to monitor and understand driver behavior, such as Lytx in-cab video and Federated DriveSAFE<sup>SM</sup> telematics, to help manage your fleet more effectively.

Discover how modern telematics systems operate and the data they can provide to business owners and fleet managers. These tools can help your drivers improve operational awareness and reinforce safer habits.



#### **WHAT YOU WILL LEARN**

- An overview of in-cab video and telematics solutions for risk management.
- How machine vision and AI can detect and flag risky driving behaviors.
- Using GPS tracking and video access to monitor fleet operations.
- The role of coaching workflows and performance analytics in promoting safer driving habits.

**[Register today](#)** to learn more about the technology shaping modern fleet management.

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](tel:262.719.7750) for any additional information or risk management questions. **Federated is a Partner in EMA's Board of Directors Council.**

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

**WPMA NEWS MAGAZINE CURRENT ISSUE**



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

**EMA JOURNAL CURRENT ISSUE**

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# REGISTRATION OPEN

Click on the event below to register



ECAN Big [Dogs Registration](#)



IPM&CSA [Golf Registration](#)

## PLEASE NOTE UPCOMING DATES FOR EVENTS

April 23-24, 2026 ECAN (Nevada) Big Dogs, Red Rock Resort, Las Vegas, NV

April 28, 2026 - IPM&CSA (Idaho) Ridgecrest PAC Golf Tournament, Nampa, ID

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

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**DON'T MISS THIS SCHOLARSHIP OPPORTUNITY!**

2026 Applications are due **MARCH 20**

[CLICK HERE](#) for 2026 WPMA SCHOLARSHIP Information

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**Petro Pete:** The bed store is having a spring sale. Unfortunately, the rest of the beds are still full price.

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