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**DEMOCRATS RELEASE RFS REFORM BILL*****Overhaul of RFS Program in the Works***

Democratic Senator Tom Udall (D-NM) and Rep. Peter Welch (D-VT) introduced companion bills to reform the RFS by reducing the corn ethanol mandate while advancing the next generation of biofuels.

The Growing Renewable Energy through Existing and New Environmentally Responsible Fuels Act (GREENER Fuels Act) would: Phase out the corn ethanol mandate and immediately reduce the amount of ethanol in fuel by as much as one billion gallons by capping the amount of ethanol that can be blended into conventional gasoline at 9.7 percent; extend the cellulosic next generation biofuel mandate until two billion gallons of annual production is achieved or 2037, whichever is soonest, and improve the way the mandate is implemented to produce liquid transportation fuels that dramatically reduce GHG emissions; and help farmers return cornfields to pasture and wildlife habitat through a 10 cents per RIN fee to fund a new Private Land Protection and Restoration Fund in the U.S. Treasury. The fund will help pay for programs that pay for easements on private lands to keep them out of agricultural production; keep the lands in conservation uses like grass, forest, stream buffers, or pollinator habitat and; help farmers transition land currently in crop production into other uses.

"Despite its early promise, the RFS has been a well-intentioned flop that is harming our environment by contributing to the conversion of millions of acres of grasslands, wetlands and forests into crop production while failing to bring about the widespread use of truly sustainable fuels like cellulosic," said Welch. "Our commonsense legislation reforms the mandate to dramatically reduce its environmental impact and to support the continued growth of advanced biofuels."

Meanwhile, Senate leadership has been working to strike a deal between petroleum and ethanol interests on reforming the RFS. Some options on the table include introducing a new type of RIN category, D8 RIN, which some refiners argue would put downward pressure on today's ethanol RIN blending credits. The D8 RIN would be generated for ethanol blends above E10. According to some refiners, the D8 RIN would cover a smaller portion of the market and sell at a premium, thereby, incentivizing more companies to invest in ethanol blending infrastructure. The existing D6 RIN pool would then cover only up to an E10 blend which represents most of the fuel sold in the country, and therefore, reduce D6 RIN prices.

Other proposals would also lift the ban on E15 in the Summer months and would allow the RFS program to expire in 2022. The petroleum and the ethanol sectors have multiple concerns with the legislation, but all options are on the table to mitigate the effects of the RFS.

**PAUL RYAN SAYS THERE WILL NOT BE A GAS TAX INCREASE*****House Transportation Committee Examines Infrastructure Funding***

This week, House Speaker Paul Ryan (R-WI) made it clear that Congress will not raise the federal gas tax anytime soon. Ryan said, "we're not going to raise gas taxes... There are some people who are talking about that, but the last thing we want to do is pass historic tax relief in December and then undo that, so we are not going to raise gas taxes."

Rep. Sam Graves (R-MO), who is in the running to replace Rep. Bill Shuster (R-PA) as Chairman of the House Transportation and Infrastructure Committee, also does not believe the gas tax will be increased. On Tuesday, while speaking at a National Association of Counties event on Capitol Hill, Rep. Graves said that not only does he think a gas tax increase has no chance of passing the House, but that lawmakers shouldn't even attempt to bring up a gas tax increase bill for a vote. Lastly, he suggested that an infrastructure bill isn't even the House Transportation and Infrastructure Committee's top priority right now and that a bill will have to wait until after action is taken on the Water Resources Development Act.

Many Democrats support an increase in the gas tax and a few Republicans, including President Trump, are open to discussing it. However, with a Republican majority in Congress, the tax will likely not be raised anytime soon. Interest groups are divided on the issue as well, with the Chamber of Commerce and American Trucking Associations being in support of a gas tax increase and groups like Freedom Partners and Americans for Prosperity being in opposition to a gas tax increase.

Meanwhile, the House Transportation and Infrastructure Committee held two hearings this week. On Wednesday, the Subcommittee on Highways and Transit examined the long-term funding proposals to keep the Highway Trust Fund (HTF) solvent in which several lawmakers from both sides of the aisle expressed support for a gas tax increase while downplaying the concept of tolling existing highways. In another hearing this week, U.S. Transportation Secretary Elaine Chao testified before the House Committee on Transportation and Infrastructure. Proposals to commercialize rest areas remains a concern in Congress.

PMAA is part of a coalition to persuade Congress not to move forward with rest area commercialization legislation which would harm small business petroleum marketers along interstate highways.

### **URGE YOUR LAWMAKERS TO ENSURE UNIFORMITY OF MEAL AND REST BREAK STANDARDS**

Since 1994, Congress has prohibited states from any regulation relating to motor carrier prices, routes, or services. However, in recent years, some courts have imposed state meal and rest break laws on interstate motor carriers, creating a dangerous and confusing two-tiered system of rules conflicting with the existing federal standards.

Then, last year, a preemption provision meant to ensure nationwide uniformity of meal and rest break standards for motor carriers was included in a House Transportation, Housing & Urban Development (T-HUD) appropriations bill that passed the House. The provision, Section 134, would clarify a requirement in the Federal Aviation Administration Authorization Act (FAAA) of 1994 to block a California law signed in 2011 that requires employers to provide a “duty-free” 30-minute meal break for employees who work more than five hours a day as well as a second “duty-free” 30-minute meal break for people who work more than 10 hours a day. PMAA supports legislative efforts to bring nationwide uniformity to the issue.

Now that Congress is in the process of finalizing the FY 2018 omnibus spending bill before the upcoming March 23 deadline, PMAA urges Congress to include language clarifying the interstate commerce preemption provision of the FAAAA by affirming that it applies to state meal and rest break rules.

Click [here](http://www.pmaa.org/advocacy/advocacy/#/) (<http://www.pmaa.org/advocacy/advocacy/#/>) to urge your lawmakers to support Section 134 of the House-passed T-HUD appropriations bill and include the language in the upcoming omnibus.

### **SPECIAL CLAIM PROCEDURES FOR 2017 BIODIESEL BLENDER CREDIT**

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The IRS has issued special one-time claim procedures (IRS Notice 2018-21) for payment of the \$1.00 per gallon biodiesel blender credit. The credit was reinstated by Congress retroactively for calendar year 2017 under the Bipartisan Budget Act of 2018. PMAA worked closely with Congress over the past year to ensure that the biodiesel blender credit was reauthorized and not changed to a producer credit. In a major victory for marketers, the blender credit was reauthorized retroactively for calendar year 2017. While the biodiesel blender credit was not reauthorized for 2018, PMAA continues to lobby for reauthorization for calendar year 2018 and beyond. IRS Notice 2018-21 also sets forth procedures to make one-time retroactive claims for alternative fuel credit and the alternative fuel mixture credits earned during calendar year 2017.

Click [here](http://www.pmaa.org/compliancebulletin/) (<http://www.pmaa.org/compliancebulletin/>) to read the compliance bulletin.

### **LEGISLATIVE DATA SECURITY NOTIFICATION PROPOSALS**

This week, PMAA joined a coalition in submitting a letter for the record to Chairman Luetkemeyer (R-MO) and Ranking Member Carolyn Maloney (D-NY) of the Subcommittee on Financial Institutions and Consumer Credit concerning a data security hearing.

The hearing entitled, “Legislative Proposals to Reform the Current Data Security and Breach Notification Regulatory Regime,” examined draft legislation which would establish a national data security standard and a national data breach notification standard with a federal enforcement mechanism overseen by the Federal Trade Commission.

The letter urges committee members to consider four critical principles that any federal legislation on data security and breach notification should meet. These include establishing a nationwide law, setting data security standards reasonable and appropriate for the covered businesses, maintaining an appropriate enforcement regime, and ensuring all breached entities have notice obligations.

PMAA and Coalition members have significant concerns with the draft bill which are outlined in the letter.

### **URGE YOUR LAWMAKERS TO SUPPORT THE HOUSE-PASSED PREDICATE DATE LANGUAGE IN THE OMNIBUS**

Last year, Reps. Tom Cole (R-OK) and Sanford Bishop (D-GA) introduced, and the House, passed bipartisan legislation to ensure sensible regulations for newly “deemed” tobacco products by the FDA. Section 753 (the Cole-Bishop provision) included in the base text of the FY18 House Agriculture, Rural Development, FDA & Related Agencies Appropriations bill passed with bipartisan support because it goes further than FDA’s final rule for newly-regulated vapor products to fill gaps around consumer safety and marketing, including the regulation of characterizing flavors and battery standards.

The House-passed language also updates the predicate date for newly deemed tobacco products, a step needed to preserve potentially harm-reducing innovation and to keep small businesses open. As such, section 753 ensures FDA regulates e-vapor products in a manner that both (1) makes sense considering the public health opportunities that those products offer, and (2) closes the regulatory gap with respect to consumer protection measures needed for this new product category.

Click [here](http://www.pmaa.org/advocacy/advocacy/#!/18) (<http://www.pmaa.org/advocacy/advocacy/#!/18>) to urge your lawmakers to support the bipartisan, House-passed predicate date language in the upcoming omnibus spending bill later this month.

### **AFD CARD SHUT OFF LIMITS FOR AUTOMATED FUEL DISPENSERS**

Please take the time to review this [document](http://www.pmaa.org/weeklyreview/attachments/Worldpay030918.pdf) (<http://www.pmaa.org/weeklyreview/attachments/Worldpay030918.pdf>) as it indicates the card brand rules for AFD shutoff amounts. If your pumps are setup outside of the specified shutoff amounts, the transaction will downgrade and you will open yourself up to chargeback liability.

Should you have any questions or you request to make an update to the shutoff amount, please reach out to your designated Worldpay Account Manager or PMAA's Worldpay Executive Client Manager, [Glenda Preen](#) at 972.325.1801.

### **FEDERATED'S RISK MANAGEMENT ACADEMY FOR PETROLEUM MARKETERS**

For two and a half days, **April 24 - 26** or **September 11-13**, experts at Federated's corporate headquarters in **Owatonna, Minnesota** will guide you through the best practices on how to keep your business safe. These seminars are designed for individuals in positions of risk leadership including owners, operations management, service management, risk management, or human resources. The key to a successful business is implementing and leading a strong risk management culture, so attendees should be in a position to take action! Topics target specific risk management exposures in the Petroleum Industry. Seminar sessions include:

- Pollution Liability
- Risk Managing Your Drivers
- Claims Management
- Employment Practices Risk Management
- Risk Manager Responsibilities
- Family and Business Succession Planning
- Managing Your Workers Compensation
- Underwriting Your Business
- Cyber Risk Management
- Disaster Planning

The seminar is free to attend. For questions, concerns and assistance contact Royetta Spurgeon (507-455-5604), Ryan Crawford (520-820-6478) or your local Federated Marketing Representative. Here is a link for more information <https://www.federatedinsurance.com/ws/fi/InsuranceProducts/RiskManagement/RiskManagementAcademy/index.htm>

## **PLAN TO ATTEND THE 2019 WPMAEXPO**



Mark your calendars for February 19-21, 2019. Make plans now to attend the 2019 WPMAEXPO. It will be held once again at the Mirage in Las Vegas, Nevada.

[#wpmaexpo19](#)

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

**February 19-21, 2019** – 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: *“Anyone who has never made a mistake has never tried anything new.”*

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