



April 21, 2023

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WP-04-21-23

REGISTRATION NOW OPEN FOR OREGON



OREGON CONFERENCE

Click [here](#) to see the schedule of events for the Oregon Conference held July 16-18 at Sunriver Resort, Sunriver, OR.

Choose this link to register: [Attendee](#)

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



LAWMAKERS RAISE CONCERNS OVER PROPOSAL TO RESTRICT DURATION OF STATE HOURS OF SERVICE WAIVERS

Yesterday, U.S. Representatives Greg Pence (R-IN), Rick Crawford (R-AR) and 25 Members of Congress sent a letter to the Federal Motor Carrier Safety Administration (FMCSA) regarding a proposed rule that would severely limit the authority of state governors to waive federal motor carrier safety hours of service (HOS) regulations during a declared state of emergency. The proposed rule would limit both the scope of FMCSA regulations subject to a state issued waiver and the duration of the waiver itself. Under current federal regulations, when a president, governor, or the FMCSA issues a declaration of emergency, a 30-day exemption from FMCSA regulations is automatically created for drivers providing direct assistance to state and local emergency relief efforts. Those sections include driver hours of service; medical qualifications including medical exams; CDL licensure and renewal; vehicle inspections, repair and maintenance and training. Under the proposed rule, the FMCSA is seeking to narrow the automatic applicability of emergency exemptions to driver hours-of-service only. Unfortunately, FMCSA is proposing to reduce the duration of emergency waivers issued by state governors from 30 days to just 5 days even though the Administration indicated that there is no evidence to support the idea that the current waiver process has had any negative impacts on safety.

“The FMCSA’s proposed rule will unnecessarily limit their opportunity to respond and inevitably delay or deny vulnerable communities from getting crucial supplies. During time-sensitive disasters, the federal government should leverage our truckers’ ability to help, instead of adding more bureaucratic delays that could prevent life-saving deliveries from getting to those who need it,” said Congressman Pence.

The Congressional letter raises concerns over the reduction of the automatic waiver from 30 days to 5 days for state declarations because it may not provide sufficient time for full recovery from a declared emergency. It's important that waivers are in place at least 5 days in advance of a storm to ensure an adequate supply of fuel.

In the fuel marketing industry, disaster recovery time typically takes 2 to 3 times longer than the duration of the disaster itself. When fuel supply is disrupted, the HOS waiver is essential to restore the flow of finished fuel products to downstream users. The HOS waiver increases the number of loads that can be delivered, and the distance traveled to reach far off supply during emergency declarations. In addition, when a terminal or pipeline outage occurs, resulting in a supply disruption, normal inventories of finished fuel products take time to work their way back through the distribution chain to storage terminals. Return to normal inventories could take up to three weeks after the emergency period is over. Lawmakers expressed the importance of maintaining the current 30-day automatic waiver period for state declared emergencies to guarantee supply during and after a declared emergency.

“The Energy Marketers of America thanks Congressmen Greg Pence and Rick Crawford for leading this important letter to FMCSA to highlight concerns over the proposed rule that would impact motorists especially when they need to get out of harm’s way,” said EMA President Rob Underwood.

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

EMA SUBMITS COMMENTS ON RVP SUMMERTIME FUEL "OPT-OUT"

Recently, the Biden Administration delayed a decision on allowing the year-round sale of E15 in certain Midwest states until the 2024 summer season. The decision stems from a petition by a group of Midwest governors to permit the summertime sale of E15 in their states authorized under a provision in the Clean Air Act allowing an exclusion from the 1 psi waiver for E10 upon notification by a governor that the higher Reid vapor pressure (RVP) limit will increase air emissions in that state. EMA supports the delay of the 1 psi exclusion waiver because it would require the creation of a boutique fuel exclusive to the petitioning states, thus limiting gasoline supply to the region. A study conducted by Baker & O’Brien found that eliminating the RVP waiver for summertime E10 and introducing a new gasoline blend to just the petitioning states would cost \$500-\$800 million. EPA determined the request would result in a shortage of gasoline in the petitioning states for summer 2023, therefore, deciding to delay implementation until summer 2024 for Illinois, Iowa, Minnesota, Missouri, Nebraska, Ohio, South Dakota and Wisconsin.

[CLICK HERE](#) to read EMA’s comments.

WASHINGTON UPDATE

The House and Senate returned to Washington, D.C. this week with eyes focused on reaching a deal on the debt limit. House Republicans released their debt limit proposal, which is designed to cut federal spending and repeal significant parts of the Inflation Reduction Act. The proposal comes as Speaker of the House Kevin McCarthy announced the framework during a speech Tuesday at the New York Stock Exchange. Debt limit discussions will intensify throughout the summer. The House Republican proposal forces Senate Democrats to the table to reach a deal before America defaults.

The framework also includes House Republicans’ energy plan (HR 1). As drafted, the bill would repeal the \$7,500 tax for EVs but restore the per-manufacturer limit of 200k vehicles. The proposal would also repeal zero-emission nuclear power production, clean hydrogen, clean fuel production, and sustainable aviation fuel tax credits.

Congressional committees were active this week, with numerous Biden Administration officials testifying before relevant committees. Internal Revenue Commissioner Danny Werfel said he will provide extensive details on how the IRS intends to use the additional \$80 billion recently provided by Congress. Commissioner Werfel’s comments come as the House Republican debt-limit plan aims to pull back the additional funding provided.

On Wednesday, Environmental Protection Agency (EPA) Administrator Michael Regan would not commit to issuing an emergency waiver allowing 15-percent ethanol blends at the pump. “All options are on the table and that waiver is available, but there must be certain conditions that are present,” Regan told lawmakers on the House Agriculture Committee. “And the reason I’m saying it this way is because previous administrations have used that waiver and the courts have immediately struck them down for not meeting that.” Regan said the agency is taking Midwestern governors’ requests for an emergency waiver “very seriously,” and conducting a “case-by-case analysis” of whether E15 will be needed in 2023. He declined to say when the agency would make a decision.

CONGRESS URGES EPA TO INCREASE BIOMASS-BASED DIESEL VOLUMES

This week, thirty-seven members of Congress sent a letter to EPA Administrator Michael Regan to express their concern over the agency’s failure to reflect the growth in the production of biomass-based diesel in the proposed RFS blending mandates for 2023-2025. The use of biomass-based diesel is becoming an increasingly important blendstock for both biodiesel and renewable biodiesel. The letter points out that the Energy Information Administration’s (EIA) forecasts the production of renewable biodiesel would increase from 3.1 billion gallons in 2022 to 5.9 billion gallons by 2025. However, the EPA’s proposed blending volume mandate for biomass-based diesel accounts for only 10 percent of EIA’s projected growth. The letter urged the EPA to increase the volume of biomass-based diesel to reflect current and near-term biodiesel production capabilities.

EMA submitted written comments to the EPA on the proposed RFS blending mandates in February 2023. EMA expressed similar concerns over the low volume blending mandate proposed for biomass-based diesel stating: “*The proposed blending mandates in the NPRM for biomass-based diesel and overall advanced biofuel volumes through 2025 are not consistent with the industry’s projected growth, or with the Administration’s own goals to reduce greenhouse gas emissions.*” EMA warned that if finalized as proposed, the biomass-based diesel blending mandate would have a negative price impact on both RIN’s and biofuels as well as act as a powerful disincentive for continued growth in the biodiesel industry. EMA urged the EPA to increase biomass-based diesel blending mandates to avoid these negative impacts.

COMMENTS ON FTC'S PROPOSED NON-COMPETE CLAUSE RULE

This week, the Small Business Legislative Council (SBLC), in which EMA is a supporting member, submitted comments on the Non-Compete Clause Rule proposed rule published by the Federal Trade Commission (FTC) on January 19, 2023, and the impact that the proposed rule might have on America's small businesses.

The SBLC has serious concerns about the impact that the proposed rule would have on America's small businesses, in particular their continued ability to protect their confidential information and business relationships and, in turn, their willingness to recruit and trust new high-level talent. When used with specific types of employees, including those whose job it is to develop business relationships or confidential information or trade secrets, narrowly tailored non-competes play a legitimate role in preventing unfair competition and encourage businesses to invest in their employees and take a chance on new hires. To review the comments, please [click here](#).

WEEKEND READS

[Ford F-150 Lightning fire footage highlights a growing EV risk](#)

[Manchin knocks 'dangerous' EPA vehicle emissions standards](#)

[1 big thing: Laying low on ESG | Axios](#)

[These 14 EVs are the only ones left that get the tax credit | Politico](#)

[Republicans eye Democrats' votes on energy package ahead of 2024 election: memo | The Hill](#)

[AAA cautions over gas prices: Oil market disruptors 'always lurking' | Fox Business](#)

[Biden's green energy plans pose national security risk, Pentagon warns | Fox News](#)

[EIA says refinery expansion could ease summer fuel prices | Landline Media](#)

EMA NEWS

Washington Conference and Day on the Hill May 10-12

FINAL CALL - Please Make Your Final Plans for Registration NOW

EMA's annual Washington Conference and Day on the Hill will be held in Washington, DC from May 10-12 at [The Mayflower Hotel](#). Our industry continues to have dozens of 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!

You can find all conference details by [CLICKING HERE](#) from how to make your hotel reservations, to viewing the conference schedule and registering with secure event payment processing. **Hotel reservations have closed. Please read [here](#) for additional information (scroll down to Additional Hotel Information). Registrations must be received by April 28 to be included in our hotel guarantee and for name badges.**

EMA Journal Spring Issue Online Now

EMA Spring Journal is the current issue [online](#). EMA Journal's Fall issue can be retained as a reference guide year-round by our members and you can take [the digital edition](#) with you wherever you go. Scroll to select the articles that catch your eye, then share the content with the icons at the top of your screen. Archived covers are handy on the left side of your browser or use our convenient search feature to find a specific topic. If you prefer to read with pages that flip, select "page view" from the menu bar for a classic page-turner.

FEDERATED INSURANCE: IT'S YOUR LIFE

Protecting Your Employees with Key Person Life Insurance

As a business owner, you know that your employees are an important asset of your business. Each business has individuals with specialized skills, knowledge, and valuable customer relationships that are critical to its success. If your business relies heavily on key employees, it may suffer tremendously without those individuals and it may be a good idea to think about investing in key person life insurance.

Please click [here](#) to learn about the impact losing a key employee has on your business and what is Key Person Life Insurance.

This article is for general information and risk prevention only and should not be considered legal or other expert advice. The recommendations herein may help reduce, but are not guaranteed to eliminate, any or all risk of loss. The information herein may be subject to, and is not a substitute for, any laws or regulations that may apply. Qualified counsel should be sought with questions specific to your circumstances. © 2023 Federated Mutual Insurance Company.

PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

April 27-28, 2023 – Nevada Big Dogs – Red Rock Hotel/Sienna Golf Course – Las Vegas, NV
June 6-7, 2023 – MPMCSA Montana Convention – Fairmont Hot Springs – Fairmont, MT
June 19-21, 2023 – WIED Washington Convention – Suncadia Lodge, Cle Elum, WA
June 22, 2023 - UPMRA Utah Summer Golf Classic - Davis Park Golf Course - Fruit Heights, UT
July 16-18, 2023 – OFA Oregon Conference – Sunriver Resort – Sunriver, OR
August 2-4, 2023 – IPM&CSA Idaho Convention – Sun Valley Resort – Sun Valley, ID
August 21-23, 2023 - NMPMA New Mexico Convention - Sandia Resort - Albuquerque, NM
October 25-27, 2023 - UPMRA Utah Convention - Hilton Garden Inn - St. George, UT

REGISTRATION IS OPEN FOR THE FOLLOWING EVENTS



MONTANA CONVENTION

Click [here](#) to see Schedule of Events for the Montana Convention held June 6-7 at Fairmont Resort in Fairmont, MT.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)



WASHINGTON CONVENTION

Click [here](#) to see the schedule of events for the Washington Convention held June 19-21 at Suncadia Resort in Cle Elum, WA.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)



UTAH GOLF

NOW OPEN! Registration for the UPMRA Summer Golf Classic held June 22 at Davis Park Golf Course in Fruit Heights.

Breakfast and Range Balls - 6:30 - 7:30 am
Shotgun Start, Scramble Format - 7:30 am
Lunch and Prizes awarded in Clubhouse - 12:30 pm

Click [here](#) to register.



IDAHO CONVENTION

Click [here](#) to see Schedule of Events for the IPM&CSA Convention held August 2-4 at Sun Valley Resort in Sun Valley, ID.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)

Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington
and Associate scholarship **2023 WINNERS** ...



\$4,000

SCHOLARSHIP

RECIPIENTS!



WPMA

SCHOLARSHIP FOUNDATION

Look for recipients to be featured in the **WPMA News Scholarship Magazine** coming this **AUGUST**

Petro Pete: The future, the present, and the past walk into a bar. Things got a little tense.

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If you do not wish to receive information via fax or e-mail, please contact WPMA at: (801) 263-9762, Fax: (801) 262-9413, or e-mail: kimw@wpma.com Thanks.

CLASSIFIED ADS

FOR HIRE:

Position Title: General Manager, Pacific Northwest
Reports to the VP Commercial

Location: Nampa, Idaho

Position Summary:

The General Manager serves as the leader for the Commercial business within the Regional Operating Center (ROC) of Parkland USA and is responsible and accountable for leading the commercial employees, safety, operations, customers, sales and technology with a goal of operating safely, serving customers, generating sales increases, controlling expenses and maximizing profits. The General Manager is responsible for P&L of the commercial sector of that ROC's budget.

Click here to apply:

<https://ParklandUSA/GeneralManagerPNW>

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