

June 2, 2017

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WP-06-02-17

PMAA SEEKS DELAY OF 2015 UST FINAL RULE REQUIREMENTS

Today, PMAA submitted comments to the EPA's Regulatory Reform Task Force requesting a compliance extension of the 2015 underground storage tank regulations.

The current deadline for compliance with the 2015 UST amendments is October 13, 2018 for states and territories without state UST program authority. States with UST program authority may opt for the October 13, 2018 federal deadline or push compliance out to October 13, 2021. PMAA worked closely with OUST throughout the rulemaking process providing small business regulatory impact information and alternative compliance methods designed to reduce the economic impact of the amendments on petroleum marketers. The EPA adopted a number of PMAA's recommendations. However, the final UST requirements still impose a significant burden on petroleum marketers.

State UST administrators require more time to adopt state regulations that implement the 2015 UST amendments as most have fallen behind due to a steep learning curve regarding the full scope of the new federal UST requirements. Lingered confusion persists and alternative test methods are often nuanced and not fully apparent due to the performance standard framework of the 2015 amendments. PMAA's low level liquid alternative integrity test for containment sumps will save marketers \$6,000 in compliance costs and be more protective of the environment than sump test methods provided in industry standards. OUST only approved PMAA's alternative integrity test method in May of 2017. Many state regulators are not fully aware of the alternative test method or how it works. PMAA's state petroleum marketers associations need time to explain and promote this and other important cost saving alternative test and inspection methods to their state regulators. Without additional time to explain the compliance flexibility available in the new UST requirements, small business petroleum marketers would lose valuable tools designed to make compliance easier and far less costly while protecting the environment.

PMAA believes neither of the compliance dates provided under the 2015 UST amendments take into consideration the full scope of the compliance burdens imposed on small business petroleum marketers or the complex and lengthy regulatory challenges state UST program authorities must overcome to implement them. For these reasons, PMAA is requesting that the EPA provide regulatory relief by extending the compliance date for all requirements under the 2015 UST amendments to October 13, 2024.

TRUMP ADMINISTRATION SEEKING COMMENTS ON MENU LABELING RULE

On May 2, the FDA released an interim final rule, which extended compliance and enforcement of the menu labeling rule until May 7, 2018. FDA enforcement of the menu labeling rule was expected to begin on May 5, 2017. FDA did so in order to "consider how we might further reduce the regulatory burden or increase flexibility while continuing to achieve our regulatory objectives, in keeping with the Administration's policies." Now FDA is seeking input regarding the rule and PMAA will submit comments prior to the July 3 deadline and after PMAA's Convenience Store Committee has an opportunity to meet and discuss possible changes to the rule.

SENATE SUBCOMMITTEE HOLDS HEARING ON LEGISLATION TO AMEND THE CLEAN AIR ACT

Last week, the Senate Environment and Public Works Subcommittee on Clean Air and Nuclear Safety held a hearing titled, "Making Implementation of the National Ambient Air Quality Standards for Ground-Level Ozone Attainable: Legislative Hearing on S. 263 and S. 452."

S. 263, introduced by Sen. Shelley Moore Capito (R-WV), would amend the Clean Air Act by revising the National Ambient Air Quality Standards (NAAQS) program to allow more time to implement the 2015 standards. The bill would also change the review cycle for criteria pollutant NAAQS from a five-year review cycle to a 10-year review cycle, pushing the EPA's next review of ozone NAAQS to Oct. 26, 2025. Additionally, S. 452, introduced by Sen. Jeff Flake (R-AZ), would delay the enforcement and implementation of the 2015 national ambient air quality standards for ozone.

Witnesses at the hearing included Misael Cabrera (P.E., director, Arizona Department of Environmental Quality), Ahron Hakimi (executive director, Kern Council of Governments), Kyle Zeringue (senior vice president, Business Development, Baton Rouge Area Chamber), Shawn Garvin (secretary, Delaware Department of Natural Resources and Environmental Control) and Monica Kraft (M.D. past president of the American Thoracic Society, University of Arizona College of Medicine).

During the hearing, members' opinions were largely split down party lines. In support of her own bill, Capito said, "In West Virginia and across the country, states have suffered job losses and economic devastation under the regulatory burdens of

the previous administration. The Ozone Standards Implementation Act will provide more clarity, more regulatory certainty and ease the economic burden of never-ending overreach.”

Last year, PMAA joined over 200 associations, companies and state groups in a letter of support for the House companion legislation to S. 263. PMAA will work to ensure that the Senate and House consider and pass this crucial legislation.

TRUMP ADVISER IN FAVOR OF A GAS TAX INCREASE/ SHUSTER MAY BE OPEN TO TOLLING

Earlier this week, White House infrastructure adviser Richard LeFrak expressed his support for an increase in the federal gas tax to help drum up the federal funding needed to secure \$1 trillion in private and public investment for future infrastructure projects.

However, last month, Treasury Secretary Steve Mnuchin stated that a gas tax would not be part of the Trump administration’s tax overhaul package. After meeting with truckers last month, President Trump said that he would consider a gas tax increase, although White House Press Secretary Sean Spicer insisted that Trump never expressed support for it.

In an interview this week, House Transportation Committee Chairman Bill Shuster (R-PA) stated that there "may be some targeted tolling happening around the country in really congested areas" and suggesting those areas won't get fixed unless we "let them toll, at least temporarily, let them build out and do what they have to do." Shuster had originally stated that tolling on existing interstates was a political nonstarter.

FEDERAL CONSOLIDATION OF ENERGY DISASTER WAIVERS

The Energy Waiver Library, produced by the Department of Energy (DOE) with PMAA's support, is now live on Energy.gov. DOE will be further publicizing this resource on its website, but we wanted to make you aware of this release in advance of tomorrow's June 1 start of hurricane season.

The Energy Waiver Library consolidates resources from across the Federal Government to create a central location for common waivers and special permits used for energy response (RVP, RFG, HOS, Jones Act, IRS, FMCSA and PHMSA waivers). DOE has consolidated and verified resources and includes background on the waiver or special permit, historical examples of past use, links to previously issued waivers, and an appropriate point of contact to request such waivers should the need arise.

In addition the site has links to national policies of significance such as the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

This information is intended to assist the sector, as well as state, local, tribal and territorial partners to identify appropriate federal regulatory assistance during disasters.

The library can be found [here](https://energy.gov/oe/energy-waiver-library) (https://energy.gov/oe/energy-waiver-library).

INDUSTRY MOURNS LOSS OF WV STATE ASSOCIATION LEADER

We are deeply saddened to report the passing of Jan Vineyard who has led the WV Oil Marketers and Grocers Association Inc. (OMEGA) for over two decades. "Jan was highly regarded by everyone in the industry and will be sorely missed," said Rob Underwood, PMAA President. "She was special and had a gift for building consensus on issues both nationally and in West Virginia," he said.

Jan began her career working for Ashland Oil, Inc. where she gained the experience needed to become the Executive Director of the West Virginia Petroleum Marketers Association (WVPMA) and West Virginia Association of Convenience Stores (WVACS). Later, these two groups merged to create the WV Oil Marketers and Grocers Association Inc. (OMEGA). Jan served as president of the new organization.

Under Jan's leadership, OMEGA then entered into a joint venture with the West Virginia Trucking Association (WVTA), serving as president, followed by joint ventures with the WV Wholesaler's Association (WVWA), serving as Executive Director, and the Independent Insurance Agents of WV, Inc. (IIAWV), serving as CEO.

Jan promoted cooperation between the industries through the pursuit of their common interests and goals and by providing support and services to over 800 members. Jan worked tirelessly to promote and improve the business interest of the member companies by increasing awareness of the industries at the federal, state and local level.

Jan was one of the most accomplished women in the state of West Virginia. She was named one of the Top Ten Lobbyists by the State Journal. The highlight of her career may have been her induction into the Marshall University School of Business Hall of Fame. She was an advocate for the business school and all of Marshall University.

In lieu of flowers, memorial contributions may be made to Children's Home Society of WV, PO Box 2492, Charleston, WV 25330.

2018 WPMAEXPO KEYNOTE SPEAKER!



WPMA is excited to announce our 2018 WPMAEXPO Keynote speaker will be **Mitt Romney**, former Governor of Massachusetts (2003-2007), President and CEO of the Salt Lake Organizing Committee for the 2002 Winter Olympic games, and Founder/CEO of Bain Capital.

Come and join us at The Mirage on February 21, 2018, to hear Mitt Romney speak on the issues of the day!

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.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

- June 6, 2017** – Idaho (IPM&CSA) PAC Golf Tournament, Clear Lake GC, Buhl, Idaho
 - June 6-8, 2017** – Montana (MPMCSA) Convention – Northern Hotel – Billings, Montana
 - June 19-22, 2017** – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington
 - June 22, 2017** – Utah (UPMRA) Summer Classic PAC Golf Outing – Stonebridge GC, WVC, Utah
 - August 2-4, 2017** – Idaho (IPM&CSA) Convention – Sun Valley Resort – Sun Valley, Idaho
 - August 21-23, 2017** – New Mexico (NMPMA) Convention – Sandia Resort – Albuquerque, New Mexico
 - August 30, 2017** – Idaho (IPM&CSA) PAC Golf Tournament, Huntsman Springs GC, Driggs, Idaho
 - September 13-15, 2017** – Utah (UPMRA) Convention – Zermatt Resort – Midway, Utah
 - October 5, 2017** – Hawaii (HPMA) Golf Tournament – The King Kamehameha GC, Wailuku, Hawaii
- February 20-22, 2018** – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada
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

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Petro Pete: “If ignorance is bliss, you must be the happiest person on earth.”

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