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REMINDER: ANNUAL HAZMAT REGISTRATION FOR EXPIRING CERTIFICATES DUE JULY 1

The U.S. DOT's Pipeline and Hazardous Material Safety Administration (PHMSA) requires hazardous material transporters to register and pay a fee for annual registration in return for a certificate of operation. PHMSA began mailing the 2017-2018 registration information to HAZMAT transporters in April. Only those with expiring DOT PHMSA HAZMAT registration certificates must re-register before July 1, 2017 or risk losing authority to operate and pay a substantial civil penalty. The validity of HAZMAT registration certificates is checked at roadside inspections.

FARM BILL PASSES SENATE AGRICULTURE COMMITTEE

On Wednesday, the Senate Committee on Agriculture, Nutrition and Forestry passed the bipartisan Agriculture Improvement Act of 2018, also known as the Farm Bill, by a vote of 20-1. The bill would reauthorize farm and nutrition programs, such as the Supplemental Nutrition Assistance Program (SNAP), for the next five years through FY 2023.

Unlike the House bill, the Senate bill had broad bipartisan support and did not include additional work requirements for SNAP recipients. SNAP and other food assistance programs in the bill are mostly unchanged. Existing SNAP work requirements are somewhat revised and some additional funding for education and training was added. The controversial changes proposed by the House Agriculture Committee to work and eligibility requirements are not included in the Senate draft. Additionally, there are not any controversial revisions that would reduce benefits to participating households or reduce participation.

Although the Senate bill does not seek new work requirements or significant changes to eligibility standards, it is focused instead on making administrative changes aimed toward combating fraud. Additionally, the legislation would prohibit processing fees, interchange fees and routing fees from all EBT transactions which would expire in 2022. Finally, the legislation would task the USDA to establish a retailer incentives program for retailers seeking to offer incentives for SNAP purchases of foods that are within the dietary guidelines.

Senate Majority Leader Mitch McConnell (R-KY) has indicated that the Senate may bring the farm bill to the floor for a vote before the July 4 recess. The House is currently trying to whip votes to pass its version and then a conference committee is expected to follow.

LAWMAKERS SEND LETTERS TO EPA REQUESTING UST COMPLIANCE TESTING DELAY

Last week, the U.S. Senate sent a bipartisan letter to Environmental Protection Agency (EPA) Administrator Scott Pruitt requesting that the compliance deadline in the 2015 underground storage tank amendments for containment sumps, spill buckets and overflow prevention equipment operability testing be delayed until October 13, 2024. The letter was led by Senator Jerry Moran (R-KS). Meanwhile, members of the House Energy and Commerce Committee spearheaded by Rep. Tim Walberg (R-MI) also sent their own letter. The extension of the compliance deadline would allow tank owners and operators adequate time to acquire the capital needed to pay for the compliance costs associated with the initial testing requirements.

"The EPA's 1988 UST system upgrade regulations provided a full ten years for the regulated community to comply. By comparison, the 2015 upgrade requirements provide only three years for small business petroleum marketers to comply," the letter stated. PMAA is concerned that replacing UST system equipment that was functioning properly before the mandated inspections, could place small businesses petroleum marketers in a difficult position.

"We thank both Senator Moran and Rep. Walberg for leading this effort to help petroleum marketers, but most especially small businesses across the country. The final UST rule encompasses more than just running an initial test as it could technically be a costly mandate for upgrades or replacement of UST system equipment. Extending the compliance deadline will not only keep small businesses in business, but it will also help the environment in the long run," said PMAA President Rob Underwood.

SHUSTER PLANS TO HAVE INFRASTRUCTURE BILL READY BEFORE NOVEMBER ELECTIONS

On Wednesday, House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) told reporters that an infrastructure bill will be ready by November. Furthermore, Chairman Shuster said he will propose a way to strengthen the Highway Trust Fund as well. He said the bill would be "real" and would be "one that lays out the policy," while also including pay-fors. However, the chances of an infrastructure bill passing this year are very slim.

There are two main obstacles to passing a large infrastructure bill this year. Firstly, midterm elections are being held in November. Secondly, there has been much disagreement on both sides of the aisle over how to pay for an infrastructure

bill. Democrats would like to see new dedicated revenue streams, while many Republicans are hesitant to generate any new funding from taxes or to add to the deficit. Even if Chairman Shuster has a bill ready by November, the two problems listed above will not likely allow a bill to pass. However, the bill could be used as a guide for lawmakers returning in 2019.

HOUSE DRAFT BILL WOULD PENALIZE COASTAL STATES THAT PROHIBIT OFFSHORE DRILLING

On Thursday, the House Committee on Natural Resources hosted a panel to discuss the “Enhancing State Management of Federal Lands and Waters Act,” a proposed amendment to the “Outer Continental Shelf Lands Act.” The draft measure says states that do not agree to federal lease-sales for oil and gas development along the Outer Continental Shelf (OCS) must pay a fine equal to the estimated value of the oil and gas buried under the seabed, in addition to a large percentage on top of that.

States who do wish to participate in offshore drilling would receive a share in the revenue. Each state will have 45 days to decide if it wants block lease-sales off its coast. However, a failure by a state to announce a decision could be taken as consent.

If a state rejects lease-sales, the Secretary of Interior may not offer a lease for energy exploration or development for 10 years. Consequently, a state that rejects half or more potential lease blocks will be held liable for the value of the oil and gas reserves not getting tapped. The amount a state must pay in fines will be based on proven mineral potential, oil prices and lease-sale demand over the past five years, in addition to the estimated demand for the next five years. A 10 percent penalty will be added on with another 10 percent for each rejected lease block.

If a state approves all lease blocks, however, it will be rewarded with half of the bonus bids, rentals and royalties that are generated.

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.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

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
February 19-21, 2019 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada

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Petro Pete: “I have a friend who is a meteorologist, so when he wants to hang out, I tell him there’s a 100% chance I’ll be there and then I don’t show up.”

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