

REMINDER: ENERGY MARKETERS OF AMERICA REGULATORY COMPLIANCE DEADLINES

- Click [here](#) to read EMA's Compliance Bulletin regarding **Annual HAZMAT Registration for Expiring Certificates**
- Click [here](#) to read EMA's Compliance Bulletin regarding **Heavy Highway Vehicle Use Tax for Vehicles**
 - For vehicles first used on a public highway in July, file Form 2290 **between** July 1 and August 31.
 - For vehicles first used on a public highway **after** July, file Form 2290 by the last day of the month following the month in which you first used the vehicle on a public highway. The tax for the current filing season is prorated for vehicles first used on a public highway after July.

CONGRESSIONAL UPDATE

This week, President Biden walked back his previous statements tying the success of a bipartisan infrastructure package to a partisan reconciliation bill. President Biden said he would sign the bipartisan package on its own with or without a larger reconciliation package, which reassured Senate Republicans who expressed immediate concern that the White House negotiated in bad faith and was holding the bipartisan package hostage. President Biden and White House officials have since been traveling the country and meeting with Members of Congress to sell the deal. President Biden also clarified in a news conference this week that the reconciliation package would be for items specifically not included in the bipartisan package and would not be used to simply increase funding for items that are included in the bipartisan package.

Democrats remain divided on the size and scope of a potential reconciliation deal -- while Senate Budget Committee Chair Bernie Sanders (I-VT) is set to prepare a \$6 trillion reconciliation package, moderate Senator Joe Manchin (D-WV) states he is open to a reconciliation package that ranges from \$1 to \$2 trillion. House Democrats and Republicans have expressed concern that the proposed bipartisan package may not have the votes to pass absent House Republican support.

The House passed the "Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act," a \$715 billion surface transportation reauthorization and water infrastructure bill, on a mostly party-line vote of 221-201. Prior to markup, EMA worked directly with Congressman Schrader (D-OR) as he introduced Amendment #243 which would ensure small businesses have an opportunity to access federal grant funding under the Clean Corridors Program by reserving 1/3 of clean corridors grant funding for businesses with fewer than five hundred employees and, for businesses with fewer than 100 employees, set aside \$100 million of grant funds. Meanwhile, EMA, along with NATSO, SIGMA and NACS, supported Amendments #70 and #71 offered by Congressman Rick Larsen (D-WA), Lou Correa (D-CA), Randy Feenstra (R-IA), Mike Gallagher (R-WI), Kevin Hern (R-OK), Dusty Johnson (R-SD), Ron Kind (D-WI), Peter Meijer (R-MI) and Tom Reed (R-NY) that would have removed provisions that would allow electric vehicle (EV) charging at rest areas and on the Interstate right-of-way. The amendments also would have directed Congress to study the effect that commercial services at rest areas would have on off-highway businesses and local communities while also allowing states to offer EV charging at park and ride facilities.

Despite these efforts, the House Rules Committee did not vote on these amendments. While small business protections are not included in the House-passed version, opportunities remain in the Senate and when the two bills go to Conference for final resolution. "We thank Congressmen Schrader and Larsen for supporting small business marketers across the country and we look forward to working with these offices to get these amendments included into a final infrastructure package," said EMA President Rob Underwood.

MIDWESTERN SENATORS INTRODUCE BIOFUELS INFRASTRUCTURE LEGISLATION

This week, Senators Amy Klobuchar (D-MN) and Joni Ernst (R-IA) introduced the "Biofuel Infrastructure and Agricultural Product Market Expansion Act of 2021" which would provide \$1 billion in grant funding over ten years for state and localities to provide fuel retailers with incentives to install dispensers and UST systems compatible with ethanol blends beyond E10 and biodiesel blends greater than B20. Grants awarded under the program would cover up to 75 percent of the per pump cost and 40 percent of the cost to install each new UST system capable of dispensing higher biofuel blends. Unlike funding for dispensers, the grant money for is limited to new UST systems that increase overall biofuel blend capacity at existing sites, but not for the upgrade or replacement of existing UST tanks and equipment.

Furthermore, the bill also aims to build and retrofit traditional and pipeline biodiesel terminal operations including heating oil distribution centers to market B20 plus blends. The Senators are also introducing the “Clean Fuels Vehicle Act of 2021” to provide a \$200 refundable tax credit for the production of flex fuel vehicles made available to original equipment manufacturers and sunset after 10 years. Meanwhile, Senators John Thune (R-SD) cosponsored the “Low Carbon Biofuel Credit Act” with Klobuchar that would allow ethanol blenders or fuel retailers to claim a 5-cent tax credit for each gallon of E15 blended or sold, and a 10-cent tax credit for each gallon greater than E15 blended or sold. The credit would be fully refundable and transferable for small retailers with less than 5 retail locations.

SENATE BILL TO PROPOSE BILLIONS OF DOLLARS IN FEDERAL GRANTS FOR RESIDENTIAL CONVERSION TO ELECTRIC HEAT

Senator Martin Heinrich (D-NM) unveiled proposed legislation this week that would provide consumers with federal funds to convert home appliances to all electric service, including home heating equipment. The Zero Emissions Home Act will provide homeowners up to \$10,000 in federal grant money to install new electric equipment needed for conversion away from natural gas, propane and heating oil. Low and moderate-income homes would receive more money to offset the higher costs associated with purchasing and installing electric appliances under the proposal.

U.S. households account for 42 percent of all annual carbon emissions, through a variety of activities including, cooking, heating, and cooling. The proposed legislation is a 10-year, multi-billion-dollar federal investment designed to “decarbonize” American households through electrification. However, the goal of the proposal is likely a long way off as fossil fuels currently generate 60 percent of all electricity used nationwide (40.3 percent by natural gas, 19.3 percent by coal) and the replacement lifecycle for household appliances is between 15 and 20 years. The proposed federal incentive, together with current electric utility subsidies for new electric appliances, could launch another wave of home heating conversions that will hit heating oil and propane dealers the hardest.

EMA has major concerns with the bill and will be working to improve the legislation to recognize how low carbon BioHeat® and upgraded heating fuel equipment lower carbon emissions on a greater scale than electrification.

EPA’S PROOF OF ECONOMIC HARDSHIP IS THE NEW FOCUS IN BATTLE OVER SMALL REFINERY EXEMPTIONS

Biofuel proponents are pressuring the EPA to release its policy on granting small refinery waivers from blending obligations under the RFS in light of last week’s U.S. Supreme Court ruling that sides with refiners on the issue. The biofuel industry demands come after the Supreme Court ruled in *HollyFrontier Cheyenne Refining, LLC, et al., v. RFA, et al.* to uphold the right of small refineries to request extension of economic hardship waivers after they lapse. Biofuel proponents argued that the EPA did not have the authority to issue waiver extensions once the original underlying waiver expired. They hoped the Supreme Court would strictly limit the granting of small refinery waivers that mushroomed under the Trump administration, by narrowing the timeframe within which an extension request is valid. The large number of small refinery waivers granted under the Trump administration effectively kept annual biofuel blending volumes stagnant, thus preventing E15 gasoline from making significant new inroads into retail markets outside the Midwest.

Now that the Supreme Court took the extension issue off the table, biofuel supporters are changing tactics and focusing on the economic hardship demonstration small refiners must show to obtain a waiver. Biofuel proponents want the EPA to release its waiver policy to determine whether the conditions small refiners must meet to prove economic hardship are sufficiently vigorous to prevent new waivers from being granted. The EPA’s economic hardship demonstration policy promises to be the new battle ground for limiting small refinery waivers and ensure annual RFS blending mandates continue to grow. Biofuel proponents are asking that the EPA either issue the policy in memorandum form or as part of the upcoming rules setting annual RFS blending mandates for 2021 and 2022. The EPA has made no decision on whether it will release its small refiner waiver policy or whether it plans any changes to limit economic hardship determinations.

EMA AGAIN JOINS COALITION IN LETTER OPPOSING MINIMUM LIABILITY INSURANCE INCREASE

This week, EMA joined a coalition in a [letter](#) to members and staff of the House Rules Committee in support of the Rep. Bost (R-Illinois) Amendment #220.

The Bost Amendment, which was not included in the INVEST in America Act, would have eliminated Section 4408, a harmful and unnecessary minimum liability insurance increase for motor carriers, which would also jeopardize countless small and family-owned businesses, as well as blue collar jobs. Section 4408 would increase minimum liability insurance requirements for motor carriers by 167%, from the current level of \$750,000 to \$2,000,000. Federal research has demonstrated such a change is entirely unnecessary. Although the minimum increase would not directly impact petroleum carriers, it would set a precedent that could lead to an increase in requirements for marketers down the road.

Fortunately, the minimum liability insurance increase language is not included in the Senate bill and is unlikely to be added in the Senate. EMA will continue to oppose efforts to raise minimum liability insurance.

FEDERATED INSURANCE RISK MANAGEMENT ACADEMY: "EVREYHTIHING IS ENCRYPED — NOW WAHT!?! FIVE THINGS TO HELP PREVENT RANSOMWARE IMPACTING YOUR BUSINESS"

Tuesday, July 20, 2021 1:00 pm

Ransomware is impacting over 51 percent of organizations all around the globe. While it appeared ransomware cases might be decreasing for a brief time, these incidents rose dramatically in 2019 and show no signs of slowing down. This increase in malicious activity has serious business ramifications, from increasing downtime to causing revenue loss to damage your brand and reputation. Being held hostage by ransomware is a scary event to deal with in your organization. It's essential to understand the emerging trends in ransomware, and the recent highly targeted attack vectors, what actions you can take to help prepare before an attack.

The new ways offenders are using ransomware to take control of your network. Five best practices for helping to defend against and recover from ransomware attacks. Actionable steps to take if your organization does become a victim and to how to engage your employees to help them make

the right cybersecurity decisions aka, be a "human firewall".

Register [here](#).

EMLI (PMLI) REGISTRATION IS OPEN NOW

We are excited to announce that registration is open for the Energy Marketers Leadership Institute (EMLI)!

EMLI is new and improved and is designed to make it easier and more affordable for WPMA members to attend. The EMLI programs will be delivered online via Zoom video conference and will include breakout rooms so that the leaders who are attending can interact and learn together.

Special thanks to Lea McCullough for her leadership in working with Meridian to design and deliver the EMLI programs. For more information on how to register go to: <https://emamasters.com/energy-marketers-leadership-institute/>

MEMBERS AND ASSOCIATES - YOU CAN CONTRIBUTE!

WPMA welcomes industry-related articles for publication in the WPMA News magazine. All members and associate members of WPMA are eligible to submit items for publication. Articles will be included as space allows, and no self-promoting articles or editorials will be accepted. WPMA reserves the right to edit and make adaption of such contributions to accommodate the magazine's space and style. Please submit articles or content to Jan Roothoff, WPMA Administration/IT Director at janr@wpma.com, or mail to Jan Roothoff, Western Petroleum Marketers Association, PO Box 571500, Murray, UT 84157-1500. Submissions for the Winter edition of WPMA News magazine are due before November 1st. Later submissions will be considered for the Spring issue.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

- July 25-27, 2021** - Oregon (OFA) Annual Conference - Sunriver Resort - Sunriver, OR
- August 4-6, 2021** - Idaho (IPM&CSA) Convention - Sun Valley Resort - Sun Valley, ID
- August 23-25, 2021** - New Mexico (NMPMA) Convention - Sandia Resort & Casino - Albuquerque, NM
- September 2, 2021** - Idaho (IPM&CSA) Teton Valley PAC Fund Golf - Teton Reserve GC - Victor, ID
- September 15-17, 2021** - Utah (UPMRA) Convention - Sheraton Park City Hotel - Park City, UT
- February 22-24, 2022** – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

Be sure to subscribe to all of our social channels for great tips, industry trends, and insider information about association activities and upcoming events!



Petro Pete: "If we shouldn't eat at night, why do they put a light in the fridge?"

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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: janr@wpma.com. Thanks.

Classified Ads

EMPLOYMENT OPPORTUNITIES

Manufactures Rep Sales Agents Wanted

Southwest (California, Arizona, Nevada) and Rocky Mountain (Wyoming, Colorado, Utah, New Mexico) territories

Wilson/Rogers & Associates (www.WilsonRogers.com) is seeking **two** entrepreneurial-minded **Independent Agent / Manufacturers Representatives** to join our team! Agents will be responsible for promoting and supporting contractual manufacturers within the Petroleum Equipment Industry in the Southwestern US and Rocky Mountain regions. Agents will be responsible for maintaining existing clients while developing new relationships with key Distributors, Contractors, Engineers and End Users of equipment used for the safe storage, transfer, monitoring and dispensing of petroleum products and related fluids, as well as lighting solutions for such applications.

Ability to work independently out of a home-based office is required, as is the ability to travel approximately 50% of the time.

If you are an aggressive entrepreneur with a positive attitude and excellent social skills, consider joining our team today!

Please contact or submit resume to:

Steve Latimer

President

Wilson/Rogers & Associates

(206) 743-4592

Steve@WilsonRogers.com