

WPMA ANNOUNCES JON DORENBOS FOR THE 2023 KEYNOTE SPEAKER AT THE WPMAEXPO



Jon Dorenbos played 14 seasons in the NFL, notably making the Pro Bowl twice as a member of the Philadelphia Eagles. In 2016, Jon competed on *America's Got Talent*, where he showcased his skills as a sleight-of-hand magician, making it to the finals and placing third overall in the competition amongst tens of thousands of competitors. He then put his talent on display as a guest on *Ellen*, who quickly became one of his biggest fans and advocates.

Known for his great sense of humor and positive outlook on life, Jon is a successful motivational speaker who uses his skills as a magician and his incredible life story to inspire.

[Click Here to Watch a Video of Jon Dorenbos](#)

RUBEN BACA RETIRES AFTER 24 YEARS OF SERVICE

After more than 24 years of service Ruben Baca is retiring from his position as State Executive for the New Mexico Petroleum Marketers Association. Ruben's contributions are innumerable and immeasurable. He has fought gasoline tax increases, biodiesel mandates, liquor license reforms, and numerous regulatory measures that make a difference not just to our profitability, but to our ability to stay in business and to thrive.

Ruben will remain in a consulting capacity through the end of the year to ensure a smooth transition. On behalf of our organization, we wish him the very best in retirement and thank him for his hard work over the years.

Leland Gould has been selected as our new State Executive. He can be reached at leland@nmpetroleummarketers.com or by phone at 505-249-1306.

Attend the convention next month to convey your thoughts to Ruben for the remarkable work that he has done for you and to welcome Leland to his new role.

The following information provided by:
EMA Energy Marketers of America



U.S. DOT PROVIDES STATES WITH \$44 MILLION TO SPEED CDL LICENSING

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) is awarding more than \$44 million in grants designed to make the process to obtain a Commercial Driver's License (CDL) more efficient. The funding is part of the administration's Trucking Action Plan (TAP) authorized last year under the Bipartisan Infrastructure Law. Under TAP, states will be able to improve their CDL programs by reducing wait times, ensuring conviction and disqualification data is electronically exchanged and implementing regulatory requirements. Earlier this year, the U.S. DOT provided \$56 million in grants to states to kick start the drive for speedier CDL processing. According to the DOT, this resulted in a 112 percent increase in CDL processing in January and February 2022 compared to January and February 2021.

EMA plans to discuss streamlining the hazardous material endorsement training and testing process to increase the number of CDL drivers qualified to haul petroleum products. EMA is asking for the creation of a new hazardous material training and testing module that focuses solely on petroleum products. The streamlined training and testing process will require a new hazardous material endorsement (“P” in place of the current “H”) that restricts driver qualification to petroleum products. EMA believes the module approach will likely result in a higher pass rate while removing cost and time disincentives that discourage drivers from initially pursuing an H endorsement or retaking the test after failing. The licensing restriction would also increase the pool of qualified drivers available to the petroleum industry and increase driver retention as well.

INSIDE THE BELTWAY UPDATE

Following Senator Joe Manchin’s (D-WV) announcement that he would not (at this time) support increased climate spending, Democratic lawmakers and environmental activists have urged President Biden to take stronger executive action. During a July 20 speech in Massachusetts, President Biden laid out a framework for increased executive action, which so far will include additional federal funding for climate-related disaster preparedness and directives for the Department of the Interior to accelerate offshore wind energy production projects off the Gulf of Mexico and southern Atlantic Coast. President Biden resisted pressure to declare a national climate emergency, which would unlock greater federal powers. The White House is reportedly waiting to make such an announcement until a healthcare-focused reconciliation bill – supported by Senator Manchin – is underway.

Testifying before the House Transportation and Infrastructure Committee this week, Secretary of Transportation Pete Buttigieg said that general fund transfers are a “legitimate way to fund our highway needs,” referring to the question of whether Congress will maintain a user pays approach in the future. He noted that as “we continue to transition toward electric vehicles and zero-emitting vehicles, it means that we’re going to need to have other means for filling gaps in the Highway Trust Fund...up until now Congress has been prepared to do that through general fund transfers. That’s certainly a legitimate way to fund our highway needs.” As a reminder, the Bipartisan Infrastructure Law includes funding for a pilot program to study a vehicle miles traveled mechanism, which would apply to all types of cars the same.

Also, during the hearing, Rep. Troy Balderson (R-OH) questioned Sec. Buttigieg on the commercial driver’s license (CDL) shortage and hazmat certification issue. Sec. Buttigieg said he was familiar with Rep. Balderson’s letter – which EMA spearheaded – and said he was open to discuss the issues and consider solutions. Sec. Buttigieg also did not attempt to shift responsibility to other government agencies, which is a positive development that emphasizes the importance of EMA’s outreach during the Day on The Hill.

In the courts, the Center for Biological Diversity (CBD) filed a lawsuit in the D.C. Circuit Court of Appeals challenging the EPA’s renewable fuel blending mandates for corn ethanol and other biofuels for 2020, 2021 and 2022. Earlier this year, the EPA set the ethanol corn blending mandate at 15 billion gallons and 5.63 billion gallons for advanced biofuels. The lawsuit alleges the EPA failed to fully assess the impacts of land conversion, including loss of wildlife habitat and increased pesticide and fertilizer runoff caused by the increase in blending volumes will have on endangered species.

The D.C. Circuit Court of Appeals already ruled in 2018, and again in 2019 that the EPA failed to properly assess the impact of RFS blending mandates on endangered species. In a 2018 report, the EPA said total land conversion from natural habitat to corn ethanol and soybean production since the start of the RFS program could be as high as 7.8 million acres. According to the CBD, fertilizer and pesticide runoff into streams and rivers from converted acreage harms endangered species including pallid sturgeon in the Mississippi and increases ocean dead zones, hurting endangered sea turtles and other marine animals. The EPA said it is currently conducting the required endangered species analysis but gave no timetable for when it will be completed. The CBD filed a Petition for Review with the Circuit Court of Appeals. No word yet on whether the Court will hear arguments on the lawsuit.

FDA ISSUES WARNING LETTERS FOR UNAUTHORIZED SALES OF SYNTHETIC NICOTINE

The Consolidated Appropriations Act that went into effect on April 14 clarified the FDA’s authority to regulate tobacco products containing nicotine from any source, including synthetic nicotine. Recently, FDA issued its first two warning letters to manufacturers for unlawfully marketing non-tobacco nicotine e-liquid products without the required authorization. Collectively, these two companies, [AZ Swagg Sauce LLC](#) and [Electric Smoke Vapor House](#), have listed a combined total of approximately 10,000 products with FDA. Neither company submitted a premarket application for its non-tobacco nicotine products by the May 14, 2022, deadline as required by the new law.

In addition, FDA issued [107 warning letters](#) to retailers for illegally selling non-tobacco nicotine products, including certain e-cigarette or e-liquid products, to underage purchasers. The law makes it clear that tobacco products, including non-tobacco derived nicotine products, cannot be sold legally to customers under age 21 following passage of the new law.

Any new non-tobacco nicotine product that has not received premarket authorization from FDA cannot be legally marketed. FDA is processing applications for one million non-tobacco nicotine products submitted by more than 200 manufacturers by the May 14, 2022, deadline. FDA is preparing to issue refuse-to-accept (RTA) letters soon for those applications that do not meet the criteria for acceptance.

When companies are found to be illegally marketing non-tobacco nicotine products, the agency will typically first issue warning letters to achieve voluntary compliance and will pursue enforcement actions, as needed, including civil money penalties, no-tobacco sale orders, seizure, or injunction. In addition, any unauthorized non-tobacco nicotine products detected for import into the United States can be detained or refused admission.

WEEKEND READS:

[Coal, solar and EVs: A pitfall for electric utilities?](#)

[U.S. Supreme Court emissions ruling may stop SEC drive for disclosure](#)

[How Sheetz Partnered with Tesla and Brought EV Charging to Rural America](#)

[Governments Turn Against Deep-Sea Mining as EV Boom Drives Demand for Metals](#) (Requires Subscription)

[Climate Activists Pivot to Local Action, frustrated by Washington Gridlock](#) (Requires Subscription)

[Biden vows 'strong' climate action despite dual setbacks](#)

[4 issues to watch as Energy, EPA bills reach House floor - E&E News \(eenews.net\)](#)

[Biden Pushed to Seize 'Climate Emergency' Powers After Manchin Blocks Support](#) (Requires Subscription)

FEDERATED INSURANCE: RISK MANAGEMENT CORNER

Planning for Extreme Weather Conditions

As temperatures around the world continue to rise, scientific studies indicate that extreme weather events are likely to become more frequent. Unusually hot summers, warmer winters, dangerous heat waves, fluctuations in precipitation throughout the United States, increases in severe storms and wildfires, and changes to flood events and drought patterns are all linked to climate changes. ¹ These weather conditions can disrupt many aspects of your business — so what can you do to help keep it safe?

To read about how to prepare for these extreme weather events, please click [here](#). Please always feel free to contact your Federated regional representative or EMA's National Account Executive Jon Medo at 800.533.0472 for any additional information or risk management questions.

Federated is a Partner in EMA's Board of Directors Council.

1-U.S. Environmental Protection Agency. Climate Change Indicators in the United States. <https://www.epa.gov/climate-indicators/weather-climate>. Accessed 5/9/22.

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. © 2022 Federated Mutual Insurance Company.

NACS SHOW 2022: OCTOBER 1-4

Special EMA Members Code for NACS Show Registration

Registration is now open for the 2022 NACS Show in Las Vegas October 1 – 4 by [CLICKING HERE](#). When prompted, enter the EMA NACS Show Registration Code: **EMANS2022**. EMA encourages you to promote and share with your state association's member companies.

Please note that the NACS Show registration is separate from EMA's Fall Meeting registration which is now open. Again, the EMA NACS Show Registration Code is: **EMANS2022.



Encourage your high school seniors to download and fill-out an application form from www.wpma.com/scholarship and email application back before

MARCH 1st!



MARK YOUR CALENDARS FOR UPCOMING EVENTS

August 3-5, 2022 – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, ID

August 22-24, 2022 – New Mexico (NMPMA) Convention – Sandia Resort & Casino – Albuquerque, NM

September 14-16, 2022 – Utah (UPMRA) Convention – Sheraton Park City Hotel – Park City, UT

February 21-23, 2023 – 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: "I failed math so many times at school, I can't even count."

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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.