



weekly update

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August 8, 2025

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Nevada Little Dogs Golf Event -- September 17, 2025

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



Inside the Beltway Update

Senators left Washington on Saturday for the August recess after making incremental progress on clearing a growing logjam of President Trump's political appointees. Although the Senate voted to confirm over two dozen nominees in their final week before recess, hundreds of Trump Administration officials are awaiting final floor consideration in the Senate as Senate Democrats continue to deploy delay tactics to slow the pace of confirmation votes. The growing list of nominees prompted President Trump and some Senate Republicans to call on Senate Majority Leader John Thune (R-SD) to keep the Senate in session through August to continue work on nominations. While tensions between the White House and the Senate leaders ultimately subsided Saturday, confirmation fights are likely to resume in September as Republicans consider changes to Senate rules to expedite nominations.

Apart from nominations, Congress is expected to dedicate much of September's legislative calendar to the year's top remaining priorities: annual defense policy legislation and fiscal year (FY) 2026 appropriations. The Senate is scheduled to cast an initial procedural vote on its version of the National Defense Authorization Act (NDAA) on September 2 and House leaders are expected to bring their version of the NDAA to the House floor the week of September 8. A final compromise NDAA bill is likely to be considered later this fall and may serve as a legislative vehicle for other bipartisan priorities.

Meanwhile, when Members of Congress return to Capitol Hill after Labor Day, congressional leaders will have just 16 legislative days to broker a bipartisan spending deal and avert a government shutdown on September 30. House leaders are expected to use much of the first and last weeks of September to advance appropriations bills across the House floor. Meanwhile, several Senate funding bills remain teed up for floor action. Nevertheless, a short-term continuing resolution (CR) to fund the government is likely to avoid a shutdown and buy congressional leaders additional time to iron out the details of individual funding bills.

Driving the news in Washington and on Wall Street this week, however, is President Trump's trade and tariff agenda. Tariffs on US trading partners ranging between 10 and 50 percent took effect early Thursday following months of delays and international negotiations between President Trump and economic partners. At midnight, President Trump took to Truth Social to declare that "billions of dollars" in tariff revenue was now flowing to the United States. Trump is expected to continue to focus on tariffs in the coming months as the Administration considers new duties on critical imports and as the President negotiates trade deals with additional trading partners, including Mexico.

Energy Marketers Urge EPA to Balance Biofuel Goals with Retail Realities in 2026-2027 RFS Proposal

EMA Urges EPA to Streamline Incentives for Heating Oil

Yesterday, the Energy Marketers of America (EMA) submitted detailed comments to the Environmental Protection Agency (EPA) regarding its proposed Renewable Fuel Standard (RFS) for 2026 and 2027. While supportive of biofuels as a pathway to energy independence and climate progress, EMA emphasized the need for policies that account for retail infrastructure compatibility, price stability, and fuel fungibility to avoid undue burdens on small businesses and consumers.

Ethanol Mandates: Underground Storage Tank Compatibility Concerns

EMA supports the growth of renewable fuels but warned that the proposed Renewable Volume Obligations (RVOs) for ethanol could outpace the capabilities of current retail infrastructure. Many underground storage tank (UST) systems are designed for fuels with no more than 10% ethanol (E10). Components like piping, seals, and pipe dope—especially in systems installed before 2007—are often incompatible with higher ethanol blends like E15. Degradation of these components risks leaks, environmental damage, and costly repairs.

Upgrading UST systems to accommodate E15 could cost over \$1 billion industry-wide, a burden small businesses cannot bear without significant financial support. EMA urged the EPA to cap ethanol RVOs at 9.7% of projected gasoline demand, as determined by the Energy Information Administration, to align with current infrastructure realities and avoid forcing retailers into unaffordable upgrades or market exit.

Stabilizing Biodiesel and Renewable Diesel Markets

EMA expressed concern over proposed changes that could destabilize the biodiesel and renewable diesel markets, already reeling from the rocky transition in the emissions-based Section 45Z Clean Fuel Production Credit. The EPA's proposal to reduce Renewable Identification Number (RIN) credits for imported fuels and feedstocks could inflate compliance costs and RIN prices, particularly impacting regions like the Northeast and Midwest that rely on imports. EMA opposed this change and advocated for a phased approach if it must proceed, to mitigate price shocks and supply chain disruptions. Additionally, while neutral on proposed volume targets for biomass-based diesel, EMA cautioned against further market design changes that could erode investor confidence. The biofuels sector needs regulatory certainty to recover from recent production declines and for long-term growth.

Streamlining Incentives for Heating Oil

EMA highlighted inefficiencies in the RFS's affidavit requirements for renewable heating oil, which impose significant administrative burdens on small businesses serving millions of households. Given that most renewable heating oil is used for qualifying purposes, these requirements offer little benefit relative to their cost. EMA urged the EPA to revise this approach and expand the definition of qualifying heating oil applications—such as backup heating for data centers or hospitals—to align with modern energy needs and enhance decarbonization efforts.

Avoiding Volatility from Small Refinery Exemptions

EMA took no stance on granting Small Refinery Exemptions (SREs) but opposes reallocating exempt volumes, which can inflate RIN prices and disrupt downstream pricing. Small marketers, unable to absorb these fluctuations, face disproportionate economic hardship. With ongoing uncertainties around SRE petitions, EMA calls for a stable and transparent RFS structure to maintain fair competition and protect consumers from price volatility.

Removal of eRINs

EMA supported the Agency's repeal of the eRIN proposal which would have allowed automakers to generate eRINs based on the EVs they sell by establishing contracts with parties that produce electricity from qualifying biogas. EMA argued during the Biden Administration that the EPA lacked the authority to implement the proposed eRIN credit for renewable electricity because it is inconsistent with the statutory purpose of the RFS, which is to support the production of renewable fuels, not the production and sale of certain vehicle technologies that eRINs are designed to promote.

A Call for Balanced Policy

EMA's comments underscore a commitment to biofuels as part of a sustainable energy future, balanced against the practical realities of small business fuel marketers. By aligning RFS mandates with infrastructure capabilities, stabilizing biodiesel markets, streamlining heating oil incentives, and avoiding disruptive reallocations, the EPA can foster a biofuels policy that supports energy independence, climate goals, and economic fairness.

[Click here](#) to read the comments.

Energy Marketers Warn of West Coast Fuel Disruptions and Price Spikes from California Refinery Shutdowns

On Wednesday, EMA issued an urgent alert regarding significant risks to motor fuel supplies and consumer access across the West Coast, stemming from the planned closures of two major California refineries: Phillips 66 in Wilmington and Valero in Benicia. These shutdowns, expected over the next 12 to 18 months, are projected to reduce California's gasoline refining capacity by approximately 17 percent, potentially leading to fuel shortages, elevated prices, and broader economic impacts in California, Nevada, Arizona, and the Western U.S.

In a letter addressed to President Trump, EMA highlighted the interconnected nature of Western energy markets and the vulnerability of neighboring states to California's refining disruptions. California refineries supply more than one-third of Arizona's

gasoline and 86 percent of Nevada's motor fuels. Combined with recent unplanned events—including refinery fires earlier this year and transitions to renewable fuel production—these closures could result in a 25 percent overall loss in California's refining output, exacerbating supply constraints in adjacent states.

"Past disruptions in California's refining capacity have consistently triggered immediate price spikes in Arizona and Nevada," the letter states. "For instance, unplanned maintenance in the fall of 2022 and late 2023 led to elevated gasoline prices not only in California but also in these markets. The sequential closures of the Phillips 66 Wilmington facility and the Valero Benicia refinery could similarly incite price volatility."

The Valero refinery accounts for nine percent of California's refining capacity, while the Phillips 66 facility contributes about eight percent. Logistical challenges in sourcing alternatives include limited pipeline capacity—the El Paso to Arizona pipeline is already at full volume—and Arizona's reliance on a boutique fuel blend, which complicates imports. Trucking or importing additional supplies would be costly and likely amplify price volatility across the region and potentially nationwide.

EMA noted limited mitigation options for Nevada and Arizona due to insufficient infrastructure. Nevada primarily relies on California pipelines, with only about 15 percent of its fuel arriving via the SF Holly Pipeline (UNEV Pipeline) from Utah. Fuel wholesalers may need to source from distant regions like the Gulf Coast, driving up costs for consumers everywhere.

EMA expressed encouragement over California's recent efforts to ease permitting for new oil wells, streamline refinery approvals, and phase out the state's unique fuel blend in favor of a more fungible standard to help stabilize prices. The organization urged a comprehensive understanding of Western energy market interconnections and suggested the administration consider authorities under the Defense Production Act for temporary solutions if needed.

"We stand prepared to collaborate with the White House and the Western Governors Association on this critical energy security issue," [the letter concludes](#).

Court Rules in Marketers Favor on Debit Card Swipe Fees

EMA joined other members of the Merchants Payments Coalition (MPC) in welcoming a federal judge's ruling overturning the Federal Reserve's 2011 regulated rate for debit card "swipe" fees on the grounds that it was set higher than intended by Congress. The MPC represents retailers, supermarkets, convenience stores, gasoline stations, online merchants and others fighting for a more competitive and transparent card system that is fair to consumers and merchants.

On Wednesday, U.S. District Judge Daniel Traynor [ruled in favor](#) of the Corner Post, a North Dakota truck stop and convenience store that filed suit in 2021 saying the Fed set the regulated rate too high. The judge vacated the regulations setting the rate but placed the move on hold pending any appeal "to prevent interchange transactions from becoming a completely unregulated market." The order does not prevent the Fed from implementing a still-pending 2023 proposal to lower the rate. Under regulations established in 2011, banks that have at least \$10 billion in assets and follow rates set centrally by Visa and Mastercard are allowed to charge up to 21 cents per debit card transaction plus 1 cent for fraud prevention and 0.05% of the transaction amount for fraud loss recovery.

The Corner Post lawsuit argued that the 2011 rate was set too high because a 2010 law passed by Congress required that the rate be "reasonable" and also "proportional" to banks' costs. Under that law, the Fed was allowed to consider only banks' incremental costs but the Fed instead took into consideration fixed costs, fraud losses, transaction monitoring and network processing fees.

A [Fed proposal](#) released in 2023 would lower the base amount to 14.4 cents and the amount for fraud loss to 0.04% but would increase the amount for fraud prevention to 1.3 cents. MPC [said last year](#) that the proposal didn't go far enough because it would lower the amount banks can charge by less than a third even though banks' average cost of processing a transaction has fallen by nearly 50% – from 7.7 cents just before the rate was set, to 3.9 cents as of 2021.

Debit card swipe fees averaged about 45 cents per transaction before the regulated rate was set, and merchants have saved an estimated [\\$9 billion a year](#). [Studies show](#) 70% of the savings has been shared with consumers, largely by holding down inflationary price increases. Even with the savings, debit card swipe fees cost merchants and their customers \$38.7 billion in 2024, according to the Nilson Report. Credit and debit card swipe fees together totaled a record \$187.2 billion in 2024 and have more than doubled over the past decade. The fees are most merchants' highest operating cost after labor, driving up consumer prices by nearly \$1,200 a year for the average family.

EMA Cautions EPA Against Fast-Tracking Gas Pipelines Based on Outdated Heating Oil Assumptions

On Tuesday, EMA submitted comments to the U.S. Environmental Protection Agency (EPA) in response to its request for public input on implementation challenges under Section 401 of the Clean Water Act (CWA). EMA emphasized the importance of preserving a diverse energy mix, including modern liquid heating fuels, to support energy independence, small business viability, environmental innovation, and consumer choice – particularly in regions like the Northeast where these fuels remain essential.

Notably, EMA cautioned against bypassing established safeguards to fast-track natural gas pipeline approvals based on outdated assumptions that it displaces "dirty" heating oil.

In its comments, EMA urged EPA to carefully consider the potential unintended financial consequences of promoting the rapid expansion of natural gas infrastructure through favorable permitting policies - such as diminished competition, suppressed environmental innovation, increased barriers for small businesses, higher costs for ratepayers, and potential impacts on grid reliability. The organization also asked EPA not to rely on misconceptions about the environmental profile of heating oil as justification for greenlighting major infrastructure projects without thorough review under the CWA.

"Modern liquid heating fuels, such as ultra-low sulfur heating oil (ULSHO) and renewable BioHeat blends, have achieved environmental profiles comparable to natural gas," said EMA President Rob Underwood. "These advancements underscore the need for balanced policies that recognize progress in the liquid fuels sector and avoid stifling competition."

EMA highlighted the oilheat industry's leadership in clean energy innovation, citing advances in ULSHO and the integration of U.S.-produced renewable fuels. ULSHO, with sulfur levels reduced to just 15 parts per million (ppm), has become the standard in states such as New York, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland since 2018. This transition has resulted in a 99 percent reduction in sulfur content and sulfur dioxide emissions, effectively eliminating particulate emissions and enabling "Zero Smoke" performance - making it equivalent to natural gas in cleanliness and far superior to alternatives like wood pellets.

Meanwhile, BioHeat® blend of ULSHO with biodiesel or renewable diesel, reduces greenhouse gas emissions while supporting American agriculture and energy independence. These fuels integrate seamlessly with existing infrastructure, enabling cleaner energy adoption without costly equipment changes. EMA reiterated the industry's commitment to further increasing biofuel content to drive additional emissions reductions.

Beyond environmental benefits, EMA emphasized the role of modern heating fuels in grid reliability and the local economy, positioning energy marketers as critical players during winter peak demands and as vital community anchors sustaining thousands of jobs and preserving consumer choice.

To promote balanced, consumer-focused policy, EMA recommended that EPA:

- Promote energy diversity by preserving access to ULSHO and its renewable blends as reliable, clean heating alternatives to utility-supplied natural gas.
- Acknowledge the environmental advancements of modern liquid fuels, including dramatic reductions in particulate and sulfur emissions through renewable blending.
- Support innovation in renewable fuel development to further lower emissions from existing infrastructure without requiring expensive overhauls.
- Encourage adoption of high-efficiency heating technologies via voluntary incentives to improve energy efficiency and reduce emissions in residential and commercial settings.

"Rushing natural gas infrastructure expansion could diminish competition, hinder environmental innovation, pose barriers for small energy marketers, and increase consumer costs through higher utility bills," Underwood added. "A diverse energy mix incorporating environmentally friendly liquid heating fuels offers a more cost-effective and reliable path forward."

EMA will continue to encourage EPA to consider the economic, social, and environmental benefits of modern heating fuels as part of an all-of-the-above energy strategy.

[Click here](#) to read the comments.

EMA's Fall Meeting at the NACS Show 2025: October 13-14: Website and Registration Open!

EMA will hold its Fall Meeting in conjunction with the NACS Show on October 13-14 at the InterContinental Chicago Magnificent Mile. The EMA meeting will begin with a New Attendee Orientation/Federal Legislative Update mid-afternoon on October 13. The NACS/EMA Reception Salute to State Association Executives (all EMA members are welcome) will follow at the McCormick Place Convention Center in the Hunter Club Lounge. On the morning of October 14, there will be a Buffet Breakfast followed by Region and Committee Meetings. The EMA Board of Directors meeting is scheduled after the Distinguished Service Award Luncheon honoring Louisiana Marketer and EMA's Past Chair Grady Gaubert sponsored by **EMA Board of Director Council Partner Federated Insurance**.

An invitation was sent to your inbox on July 8. Responding to the links on the invitation email is the recommended way to register. Housing registration deadline is September 19, 2025 (Subject to Change) for Sunday, October 12, rooms are sold out, for Monday, October 13, 71 percent is sold out, for Tuesday, October 14, 67 percent is sold out and for Wednesday, October 15, 58 percent is sold out so please do not delay in making plans! Members have access to all other hotels with availability in the block. If the general block has rooms, you will continue to see those options.

[**Click Here for EMA's Fall Meeting at the NACS Show Information!**](#)

Remember, the NACS Show registration is separate from EMA's Fall Meeting registration.

Special EMA Members Code for NACS Show 2025 Registration

[**Click Here to Register for the NACS Show and Use the EMA Promocode:2025EMANS**](#)

Using the **2025EMANS** code provides EMA with \$100 for every retailer or marketer paid registration at any rate. **EMA encourages EMA state execs to promote and share with your state association's member companies.** [Click here](#) for the flyer.

****Please note that EMA state execs are comped for NACS Show registration. Additionally, the NACS Show registration is separate from EMA's Fall Meeting registration.**

[Click here](#) for full instructions to register. Questions registering for NACS Show? Contact NACS Show registration customer service at nacs@maritz.com or 469-513-9489, Monday-Friday, 9:00 a.m. - 5:00 p.m. EST, for assistance.

Weekend Reads

[BP announces major oil-and-gas discovery in Atlantic Ocean | CHRON](#)

[Enbridge prioritizes U.S. pipeline expansion over new Canadian line | Big Magazine](#)

[Strategists Forecast USA Crude Inventory Build | Rigzone](#)

[New SNAP rules explained: 6 more states restrict purchases of processed 'junk' foods - ABC News](#)

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The Importance of Estate Planning for Business Owners

As a business owner, you focus on growth, succession, and protecting what you've built — but don't forget about estate planning. This key step can help safeguard your business, family, and peace of mind.



Why It Matters

[Estate planning](#) can be an important element for your business in many ways. It isn't only for planning purposes if you become ill or unexpectedly pass away. Planning ahead can help to:

- [Minimize taxes](#) and avoid legal delays
- Ensure a smooth transition of leadership for [business succession](#) and continuity
- Appoint guardians for your children
- Clarify healthcare and financial decisions if you become [unable to work](#)

When to Update Your Plan

If you already have an estate plan, keeping it updated is essential. Review it after major life changes such as:

- Marriage, divorce, or the loss of a loved one
- Birth or adoption of a child
- Significant [business or financial changes](#)
- Moving to a new state
- Updates to tax or estate laws

Don't Wait

Without a plan, your business and family could face unnecessary stress, delays, and costs. Acting now can give you [more control](#) to help avoid future complications.

Talk to your [Federated® marketing representative](#) today to connect with an independent and qualified estate planning attorney or please always feel free to contact your [Federated](#) regional representative or EMA's National Account Executive [Jack West](#) at 262.719.7750 for any additional information or risk management questions. **Federated is a Partner in EMA's Board of Directors Council.**

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August 19-21, 2025 - New Mexico (NMPMA) Convention - Sandia Resort - Albuquerque, NM

September 9-11, 2025 Utah (UPMRA) Convention - Park City Sheraton, Park City, UT

February 17-19, 2026 WPMAEXPO - MGM Grand - Las Vegas, NV

Member Services



Petro Pete: What do you call Santa's helpers? Subordinate Clauses.

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