

August 12, 2022

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PASSING OF JUDITH WHITE

Judith passed away peacefully at home in West Valley City, UT surrounded by her family whom she loved with all her heart on August 10, 2022 at the age of 77. In March of 2020, Judith was diagnosed with AML. She courageously fought the disease for 2 1/2 years, always knowing the cancer was treatable but not curable.

After raising her children, Judith had a successful career with WPMA where she worked her way up from the mail room to the position of Executive Assistant and Trade show Coordinator. She accomplished many great things throughout her career and built many meaningful relationships which she treasured. After her retirement, the association honored her as the second woman ever to be inducted into their Hall of Fame, an honor she never expected but was truly humbled to be held in such high regard.

For the complete obituary click the link below.

[CLICK HERE](#)

JON DORENBOS SLATED AS 2023 KEYNOTE SPEAKER

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.

The following information provided by:
EMA Energy Marketers of America



TSA ADOPTS NEW ONLINE RENEWAL OPTION FOR TWIC CREDENTIAL HOLDERS

The Transportation Security Administration (TSA) announced it will now accept online renewals for the Transportation Worker Identification Credential (TWIC). CDL drivers with hazardous material endorsements must have TWIC credentials to obtain access to secure areas of the nation's maritime port facilities and vessels. TWIC holders must renew their card every five years. TSA is adopting the enrollment changes at the urging of EMA in order to make the process more user friendly and faster for CDL drivers with a hazardous materials endorsement. As a result of the new online renewal option, CDL drivers with hazmat endorsements are no longer required to go to a TSA enrollment center to renew their TWIC credentials, saving time spent away from work.

The TWIC program is administered jointly by TSA and the U.S. Coast Guard. The TSA conducts the background checks to determine eligibility and is responsible for issuing the TWIC credential card. The Coast Guard regulates the use of TWIC at select maritime port facilities. The new online enrollment process begins August 11, 2022, for current TWIC holders seeking to renew their credentials. According to the TSA, most eligible applicants receive their TWIC card in less than 10 days. Those applicants with more complex cases may require 60 days or longer for processing. Applicants may check their TWIC status online at any time.

IT'S TIME FOR CONGRESS TO PASS CREDIT CARD SWIPE FEE REFORM!

Recently, Senate Majority Whip Dick Durbin (D-IL) and Senator Roger Marshall (R-KS) introduced the bipartisan "The Credit Card Competition Act," (S.4674) which would ensure retailer choice in payment routing by requiring at least two unaffiliated processors on

credit cards, the same process that is used for debit card transactions. Swipe fees remain the second highest operating cost for convenience stores which costs the industry \$138 billion.

There are nearly a dozen of independent networks that are equipped to route transactions, but a handful of dominant networks -- chiefly VISA and Mastercard -- have prevented them from competing in the credit card space, thus limiting the choice of network. Allowing retailers greater choice for transaction handling would reduce costs and pass savings onto the consumer. Introducing routing competition could save businesses and consumers upwards of \$11 billion annually according to payments consulting firm CMSPI.

“With the rising rate of inflation and its impact on motor fuel prices, it’s time for Congress to pass credit card swipe fee reform to reduce costs for small business energy marketers,” said EMA President Rob Underwood.

EMA is a member of the Merchants Payments Coalition (MPC), which represents retailers, supermarkets, restaurants, drug stores, convenience stores, gas stations, online merchants, and other businesses focused on reforming the U.S. payments system to make it more transparent and competitive. MPC firmly believes in opening up the payments market and introducing competition, which in turn would lower costs and drive innovation.

[**CLICK HERE TO URGE YOUR SENATORS TO COSPONSOR
“THE CREDIT CARD COMPETITION ACT!”**](#)

HOUSE EXPECTED TO PASS THE INFLATION REDUCTION ACT OF 2022

On August 7, 2022, after a marathon all-night session, the Senate passed the Inflation Reduction Act (IRA). The final vote was 50-50, with Vice President Kamala Harris casting the tie breaking vote. The House is expected to pass the bill later today.

The IRA - a climate, health, and tax-focused reconciliation package - does not impose new taxes on small businesses (such as the proposed 3.8% tax on business income) and does not raise individual, corporate, capital gains rates, or change step up in basis. The main cost of the bill is \$360 billion for clean and traditional energy development. Republicans offered a number of amendments during the debate on the bill, all of which were rejected except an amendment from Senate Minority Whip John Thune (R-SD) that provides an exemption from the corporate minimum tax for certain subsidiaries of private equity firms. The original IRA language had a \$1 billion threshold; Sen. Thune’s amendment clarifies that certain subsidiaries of billion-dollar firms would not be required to pay the book tax.

Provisions regarding electric vehicles (EVs) were not changed during the amendment process. Broadly speaking, the legislation allows for up to \$7,500 for consumer tax credits, but only if the vehicle meets certain domestic content restrictions and is under \$55,000 for sedans and \$80,000 for pickups and SUVs. There are also new income ceilings to access the credit -- \$300,000 for joint filers and \$150,000 for individual filers. EMA worked with the West Virginia Oil Marketers Association to ensure that the EV tax credit was limited to protect a cleaner green liquid fuel future.

Despite insistence from EMA, the Empire State Energy Association, National Energy & Fuels Institute, and the New York State Energy Coalition in a [letter](#) to Senate leadership, the IRA failed to include heating fuels as eligible for the clean fuel production tax credit. The IRA does include favorable tax credit treatment for sustainable aviation fuel (SAF) which EMA argued against (see below).

EMA has three primary concerns with the Inflation Reduction Act of 2022:

- (Section 13704): Creates a new so called “clean fuels” production tax credit for transportation fuels only beginning in 2025 which would jeopardize biofuel infrastructure investments and discourage needed imports which will likely increase motor and heating fuel prices;
- (Section 13203): Lack of parity between incentives for sustainable aviation fuel (SAF) and equivalent forms of clean renewable fuels. Favorable tax treatment for SAF could disrupt and eventually eliminate the market for on and off-road biodiesel and renewable diesel by diverting limited feedstocks to SAF and lead to higher prices at the pump as well as home heating fuel prices; and
- (Section 50122): Subsidization of electric heating technology over traditional high efficiency heating equipment.

Overall, the tax implications included in the bill will have minimal effect on small business and energy marketers. The House is expected to pass the bill today and send it to President Biden’s desk.

SUMMARY OF THE NATIONAL CONFERENCE ON WEIGHTS AND MEASURES MEETING

At the National Conference of Weights and Measures annual meeting in mid-July, an item to change tentative code for specifications and tolerances for Electric Vehicle Supply Systems (EVSE) to permanent was approved. This code applies to EV Chargers (both AC and DC) used for the measurement and sale of electricity dispensed to an electric vehicle. Prior to the annual meeting, a priority voting item was added to the agenda to make the EVSE tentative code permanent effective January 1, 2023.

The EV charging industry raised a number of concerns with the ability for DC EVSE to meet provisions of the code related to accuracy testing and load test tolerance requirements. Industry comments presented during the discussion of this item expressed concern that the existing and evolving DC EVSE technology may not be able to meet these requirements and requested that the period of time for compliance be extended to allow for more development of DC EVSE technology and testing methods. Based on these comments, the item was modified to include exemptions until January 1, 2028 for DC EVSE from requirements related to Section S.2.7 Indication of Delivery, N.5.2 Accuracy Testing, and T.2.2 EVSE Load Test Tolerances. These modifications were included in the final approved code.

REGULATORY ALERT:

EPA EXTENDS EMERGENCY RVP WAIVER PERMITTING SUMMERTIME SALE OF E15 NATIONWIDE

The EPA has issued another 20-day extension of the temporary emergency waiver effective August 9, 2022, that allows the nationwide sale of E15 during the summer driving season. The EPA cites the “extreme and unusual” global fuel supply shortages caused by the war in Ukraine affecting all regions of the nation as a continuing justification for the waiver. The temporary waiver is authorized under Clean Air Act Sections (CAA§ 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7454(c)(4)(C)(ii)(I)) and extends the current waiver to 11:59 PM August 29, 2022.

EMA has repeatedly warned both the EPA and the White House of the limitations involving the sale of E15 for the majority of retail gasoline stations across the nation. Those limitations include compatibility issues with existing UST system components, motorcycles, boats and small gasoline powered equipment and downstream supply chain disruptions. As a result, only 1.5% of the 150,000 gasoline stations nationwide are equipped to sell E15. While the emergency waiver is only valid for a maximum 20 days, the EPA said it will issue waiver extensions “so long as the current fuel supply emergency continues.”

Under the temporary waiver, gasoline that does not meet the applicable RVP requirements may not be introduced into terminal storage tanks from which gasoline is dispensed into trucks for distribution to retail outlets in the designated states after August 29, 2022, unless EPA extends the waiver. In addition, any gasoline meeting the conditions of the waiver that is stored in terminal storage tanks for distribution to retail outlets and wholesale purchaser-consumers may be distributed and sold in subject areas in the designated states until the supply is depleted. Likewise, retailers and wholesale purchaser consumers in these areas may continue selling or dispensing gasoline that meets the conditions of the waiver after August 29, 2022, until their supplies are depleted. EMA expects the EPA will extend the temporary waiver until the end of the summer driving season on September 15.

In areas of the country where the 1.0 psi increase for E10 is not allowed through state or EPA regulations (e.g., in reformulated gasoline areas) E15 can already be sold in the summer and no action is needed under the temporary waiver to continue to allow the sale.

EMA will report additional waiver related developments as they occur. Please contact Mark S. Morgan, Regulatory Counsel mmorgan@emamerica.org if you have any questions.

WEEKEND READS:

[Biofuels group lays out priorities for EPA](#)

[If you want an electric car, buy one this week](#)

[Falling prices online and at the pump fuel hopes for inflation-ravaged economy](#)

PLEASE MAKE YOUR HOTEL RESERVATIONS AND REGISTER

Now for EMA’s Fall Meeting at the NACS Show September 30-October 1

EMA will hold its Fall Meeting in conjunction with the NACS Show on September 30-October 1 at the Sahara Las Vegas. The EMA meeting will begin with a New Attendee Orientation mid-afternoon on September 30, followed by the Federal Legislative Update. The NACS and EMA Salute to State Association Executives (all EMA members are welcome) reception will follow at the Las Vegas Convention Center Hunter Club Lounge. On the morning of October 1, 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 Tennessee Marketer Mark McBride exclusively sponsored by **EMA’s Board of Directors Council Partner Federated Insurance**.

You can find all conference details [here](#) from how to make your hotel reservations through NACS housing, to viewing the conference schedule and registering with secure event payment processing. Registrations must be received by August 29 to be included in our hotel guarantee.

You can find all available details, including EMA’s Fall Meeting Conference schedule, EMA housing link and the NACS Show registration for EMA members by [CLICKING HERE](#). Registration is open for the 2022 NACS Show to be held October 1-4 at Las Vegas Convention Center **and is separate from the EMA Meeting Registration**.

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**.**

FEDERATED INSURANCE EMPLOYMENT PRACTICES NETWORK HR QUESTION OF THE MONTH

Federated Insurance's HR Question of the Month focuses on employment-related practices liability issues. This month's question is: Remote Employees? We just hired our first remote employee. The employee will be completely remote and will be living and working in a different state than where our company is located. Which state laws apply to this employee—the laws of our company's state or the laws of the employee's state? What are some additional considerations we should be aware of? Please click [here](#) to read the response.

For additional information or to discuss this in further detail, please 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.**

FEDERATED INSURANCE URGES MEMBERS TO PREPARE FOR SEVERE WEATHER AND NATURAL DISASTERS NOW - DURING THE CALM BEFORE THE STORM

Severe weather and natural disasters that were once considered unpredictable now feel inevitable. Hurricanes, tornadoes, and wildfires are occurring regularly across the United States. Members need to take action now – in the calm before the storm – to help avoid becoming one of the 1 in 4 businesses that fail following a natural disaster. Federated Insurance is encouraging member clients to take action today with the help of disaster planning and recovery risk management resources.

[Learn more.](#)

For additional disaster preparedness resources, log into [mySHIELD@](#) or call Federated's Risk Management Resource Center at [1-888-333-4949](#). 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.**



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 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: "Today is your opportunity to build the tomorrow you want."

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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.