

September 8, 2023

Visit us online at wpma.com

WP-09-08-23

WPMA LAUNCHES NEW LOOK ON THEIR WEBSITE

We are thrilled to introduce the exciting new look of the WPMA website! After extensive efforts and dedication, we are proud to present a revitalized online platform that reflects our commitment to serving the needs of our members. Our redesigned website boasts a modern aesthetic and enhanced user experience, offering streamlined navigation for mobile device users. This website provides easy access to a wealth of resources, from our WPMAEXPO to each of the State Associations. Dive into our updated website and discover the dynamic world of WPMA, where innovation and progress thrive!

[CLICK HERE](#) to check it out!



RESOURCE INFORMATION FOR MAUI WILDFIRES ON HAWAII ENERGY MARKETERS ASSOCIATION (HEMA) WEBPAGE

It has been a heartbreaking time in Hawaii with the tragic loss of lives, homes, and businesses on Maui due to the devastating wildfires. As an organization, but also as individual citizens and operators in the communities, our thoughts will continue to be with all who have been affected by this tragedy.

HEMA is actively collaborating with Member Companies to provide practical aid during this crisis. For those seeking to extend a helping hand, our resources page offers avenues to donate, along with crucial information for those directly affected by the wildfires. Together, we strive to rebuild and heal.

[CLICK HERE FOR THE HEMA RESOURCES](#)



WPMA SCHOLARSHIP

Download a Scholarship Poster to let your employees know about the WPMA Scholarship opportunity. The program awards a \$4,000 scholarship to a deserving student within **each** of the eight WPMA member states each year, and one to a student from an associate member company.

[DOWNLOAD POSTER HERE](#)

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



STOP THE GOVERNMENT BAN ON GASOLINE & DIESEL VEHICLES

The House of Representatives is considering a vote on three important pieces of legislation. We need members and supporters from our industry to help ensure they come up for a vote by contacting our members of Congress. Here's more about the legislation:

- H.R. 4468, The Choice in Automobile Retail Sales Act would stop EPA's recent proposal to require roughly 70% of new car and truck sales to be "zero tailpipe emission" in less than 10 years. EPA's proposal, which ignores every category of emissions except for tailpipe emissions, is a de facto ban on liquid-fuel-powered cars and trucks and, by extension, the American-made fuels they run on.
- H.R. 1435, The Preserving Choice in Vehicle Purchases Act would stop EPA from giving California the green light to enact its ban on gas and diesel vehicles. California, and the roughly 20 states that copy California, cannot ban vehicles and fuels or mandate the electrification of semi-trucks, for instance, without EPA permission. This policy makes clear that EPA can't grant that permission if it's going to be used to ban or restrict liquid-fuel-powered vehicles.
- H.R. 4469, The No Fuel Credits for Batteries Act makes clear that EPA does not have the authority to add an electric vehicle provision to the RFS, a long-standing liquid fuel policy meant to support U.S. energy security and American-grown biofuels. Any decision to expand or redirect the RFS in this way needs to come from Congress.

[CLICK HERE TO URGE LAWMAKERS TO SUPPORT H.R. 4468, 1435 and 4469](#)

INSIDE THE BELTWAY UPDATE

The fiscal year ends in 22 days, and, at this point, there has been no discussion about any sort of Continuing Resolution (CR) to address the myriad federal authorizations that will terminate at midnight on September 30. The Senate returned September 5; the House returns on September 12. As a result, Congress is only going to have 12 in-session days to draft and avert a government shut down on October 1. Still, with Senate Majority Leader Chuck Schumer (D-NY) and House Speaker Kevin McCarthy (R-CA) agreeing that a CR is necessary, a "clean" CR is not a sure thing, as the House Republican caucus and the Speaker have a few lawmakers that will make this process more difficult for the Speaker. This group, the House Freedom Caucus, has already indicated they would not be supportive of a "clean" CR, instead desiring significant cuts and policy riders that Senate Democrats will not support in a million years.

As such, it is our belief that a government shut down gets more likely by the day. In fact, some lawmakers have indicated they don't think the FY 2024 appropriations process will be completed at all, given the automatic Continuing Resolution that was part of President Biden and Speaker McCarthy's budget deal, passed earlier this year. That CR would automatically fund the government at 99 percent of current funding levels for all government programs if all 12 appropriations bills are not signed into law by January 1, 2024.

Senate Majority Leader Schumer has pointed out that each of his chamber's appropriations bills have been approved by committee on a bipartisan basis and that he will bring them to the Senate floor this month. This is in stark contrast to the legislation in the House, where significant spending cuts and policy riders driven largely by far-right members of the House Republican caucus have made each bill fiercely partisan. In fact, some are so partisan, they cannot necessarily secure enough votes from within the Republican caucus to pass. As a result, to date, the House has passed only one of its 12 spending bills – Military Construction and Veterans Affairs. One area where there is agreement, however, is in eliminating funding for the East Coast's gasoline reserve, which holds 1 million gallons of fuel in case of an emergency, like Hurricane Sandy, which is what initially spurred the program. Since language to repeal this program was included by the House and Senate, whenever FY 2024 appropriations are ultimately resolved, it is likely this provision will become law. EMA is opposing this change and arguing for additional funding for the Northeast Home Heating Oil Reserve's (NEHHOR) storage capacity from one million to two million barrels. Both of these emergency reserves were created to buy time for industry to respond to supply disruptions which fuel state and local governments, hospitals and first responders after disaster strikes.

Separately, late last week, the House Energy and Commerce Committee sent [a letter](#) to Ford regarding its partnership with Contemporary Amperex Technology Co., a Chinese-owned manufacturer with which it intends to invest in a Michigan-based battery plant for its EV production. The committee is interested to "learn more about whether this partnership, and others like it, will potentially exacerbate our reliance on China." They noted further that "[s]hould China gain control of domestic electric vehicle production, the United States would be exposed to serious national security risks at a time of escalating geopolitical tensions."

Finally, while Congress is still grinding back to capacity before a very busy September, the White House is still quite active, with the Administration announcing yesterday that it would block drilling in 10.6 million acres of land in Alaska – about the size of Switzerland. This includes canceling many contracts approved by the Trump Administration.

The House returns to action next week, and with that, we expect to get a clearer picture of what may (or may not) be feasibly accomplished this fall. Regardless, we look forward to keeping you updated as we learn more.

POTENTIAL FDA BAN ON MENTHOL CIGARETTES AND FLAVORED CIGARS WILL LEAD TO ILLICIT SALES IN THE MARKETPLACE

Recently, the Energy Marketers of America (EMA), along with other trade groups, sent a letter to the FDA regarding its potential product standard regulations for menthol cigarettes and flavored cigars that are expected to be finalized soon. The letter

reiterated that prohibiting menthol cigarettes and flavored cigars will increase the illicit trade of these tobacco products and negatively impact the retailers that sell them.

EMA member companies' market large volumes of cigarettes and other tobacco products at convenience stores throughout the Nation and at kiosks located adjacent to the pumps at their gasoline service stations. The sale of tobacco products is an important component of their businesses, and their interests align with those of FDA in promoting protective measures aimed at eliminating unlawful sales to minors. The vast majority of these energy marketers qualify as small businesses under U.S. Small Business Administration size categories for both wholesale and retail entities.

"Retailers are extraordinarily attuned to their customers' evolving preferences and demands. Consumers do not buy products because retailers sell them; retailers sell products because consumers buy them. The menthol cigarette market, for instance, represents 37 percent of all retail cigarette sales in the and is comprised of 18.6 million adult consumers. An estimated 8.6 million adults smoke cigars. A ban on the legal sale of all menthol cigarettes and flavored cigars will move these popular products out of the regulated system and lead to illicit markets selling these products without any government oversight," the letter said.

[CLICK HERE](#) to read the letter.

THIRTY PERCENT OF HAZMAT COMMERCIAL MOTOR VEHICLES INSPECTED ISSUED VIOLATIONS DURING NATIONWIDE ROADSIDE INSPECTION BLITZ

Inspectors in the U.S. conducted 6,123 commercial motor vehicle inspections to those transporting hazardous materials (HM) during the Commercial Vehicle Safety Alliance's (CVSA) annual five-day unannounced roadside inspection and enforcement initiative conducted June 12 -16. Those inspections included 2,658 non-bulk packages, 3,256 cargo tank vehicles and 808 other bulk HM packagings. Inspectors identified 2,096 HM violations, of which 538 resulted in out-of-service orders (OOS).

Inspecting vehicles transporting HM is a complex and detailed process that involves inspection of both vehicles and drivers. Roadside Inspectors look for violations involving vehicle equipment, driver compliance with medical and CDL licensing requirements and compliance with shipping paper, placarding, marking, labeling, packaging and loading regulations. Vehicles and drivers subject to an OOS are taken immediately out of service at the inspection site. As a result, vehicles with an OOS must be towed away from the inspection site while drivers subject to an OOS must be replaced immediately before the vehicle is moved. Vehicles and/or drivers subject to OOS are removed from service until violations are corrected. Vehicles that passed the roadside [North American Standard Level I Inspection](#) without any critical violations received a CVSA decal and permitted to continue to their destination. The following table contains a list of all OOS violations including violations that did not result in an out-of-service order:

U.S. – Hazardous Materials OOS and Total Violations		
Category of Violation	# of HM OOS Violations	Total # of HM Violations
Shipping Papers	106	462
Shipping Papers – Shipper Related	9	75
Non-Bulk Packaging	103	452
Non-Bulk Packaging – Shipper Related	21	100
Bulk Packaging	76	403
Bulk Packaging – Shipper Related	2	32
Non-Bulk Labeling	0	107
Non-Bulk Labeling – Shipper Related	0	10
Bulk Packaging Placarding	41	149
Bulk Packaging Placarding – Shipper Related	2	17
Other Safety Marks (as per NAS OOSC Part III Item 4, 5)	16	103
Other Safety Marks (as per NAS OOSC Part III Item 4, 5) – Shipper Related	4	20
Loading and Securement	135	135
HM Package Integrity (Leaking)	23	23
Undeclared Packages	0	8
Total	538	2,096

EMA MEMBERS CODE FOR NACS SHOW 2023 REGISTRATION

Please register for the 2023 NACS Show in Atlanta, Georgia from October 3 – 6 and use the EMA NACS Show Registration Code below.

EMA Registration Code

EMANS2023

[CLICK HERE TO REGISTER FOR THE NACS SHOW!](#)

Questions registering? 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

[EV Boom Remakes Rural Towns in the American South | Wall Street Journal](#)

[Trump vows to end 'madness' of EV push | The Hill](#)

[The Coming Green Energy Bailout | Wall Street Journal](#)

[Biden EPA regulations would be 'catastrophic,' truckers say](#)

[Trends in electric light-duty vehicles](#)

[Biden to Cancel Alaskan Arctic Oil Drilling Rights Sold by Trump | BNN Bloomberg](#)



**IT'S OUR BUSINESS
TO PROTECT YOURS**

**FEDERATED
INSURANCE**
Risk Management
ACADEMY

LEARN
to help prevent the losses chipping away at your bottom line.

CONNECT
with industry peers facing similar challenges and insurance professionals committed to helping your business thrive.

NOVEMBER 7-9, 2023

You are invited to attend an exclusive, complimentary Risk Management Academy session hosted by Federated Mutual Insurance Company.

1. Losses impacting your industry,
2. Connect with industry peers facing similar challenges, and
3. Apply risk management best practices that make a difference at your business.

KEY AGENDA ITEMS:

- Risk Managing Your Drivers
- Managing Your Workers Compensation
- Employment Practices Risk Management
- Claims Management
- Fire Prevention – Best Practices
- Family & Business Succession Planning
- Underwriting Your Business
- Employee Selection and Retention
- Cyber Risk Management
- mySHIELD® – Federated's Online Client Portal

Business owners are encouraged to attend.

REGISTER HERE



The **WPMA NEWS** currently serves EIGHT independent petroleum and convenience store associations.

CLICK HERE FOR THE CURRENT ISSUE OF THE WPMA NEWS MAGAZINE

EMA JOURNAL - The Official Publication of the Energy Marketers of America

Check out the EMA Journal anytime online by clicking [here](#).

The EMA Journal summer issue is now available.

Interested in a previous *WPMA News* issue? Click [HERE](#).

PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

- October 25-27, 2023 - UPMRA Utah Convention - Hilton Garden Inn - St. George, UT
- February 20-22, 2024 - WPMAEXPO - Mirage/Hard Rock Resort - Las Vegas, NV
- April 25-26, 2024 - Nevada (NPM&CSA) Big Dogs - Red Rock & Siena Golf Course - Las Vegas, NV
- June 4-5, 2024 - Montana (MPMCSA) Convention - Fairmont Hot Springs Resort - Fairmont, MT
- June 17-19, 2024 - Washington Energy Convention - Suncadia Lodge - Cle Elum, WA
- August 7-9, 2024 - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort, Coeur d'Alene, ID

REGISTRATION IS OPEN FOR THE FOLLOWING EVENT



UTAH CONVENTION

Click [here](#) to to see Schedule of Events for the UPMRA Convention held October 25-27 at the Hilton Garden Inn, St. George, UT.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)



Petro Pete: My friend was explaining electricity to me, but I was like, 'Watt?'

© 2023 Western Petroleum Marketers Association - All rights reserved. No part of this work may be reproduced or copied in any form or by any means - graphic, electronic, or mechanical, including photocopying, recording, or otherwise. The information herein is also intended for the sole purpose of members of the Western Petroleum Marketers Association (WPMA). Any other use is strictly prohibited without the express written consent of the WPMA.

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.