

REGISTER NOW FOR WOMA'S VIRTUAL SPOTLIGHT SERIES

Necessity is the mother of all invention! And without any face-to-face meetings, WOMA is rising up and offering connection with our membership! WOMA has developed a weekly series that will allow exhibitors, marketers, and major oil companies to come together and share products, services, and education about what we will face in the coming months. Join us every Wednesday from 10:00-11:00 a.m. (Pacific Time) for the 8 weeks (September 23-November 11) where we will be highlighting industry-related topics with a variety of reliable speakers! A second 8-week series will happen January - March with details to follow. If you are interested in owning your own Spotlight Week, please email Lea McCullough at lea@waoil.org for weeks available! More information and registration click here.

(<https://www.wpma.com/washington/calendar-of-events/woma-spotlight-series-2020/registration>)

WPMA COVID-19 - CRITICAL REFERENCES FOR MEMBERS

Please visit our web site for up-to-date information related to your business and the COVID-19 pandemic. You will find the link on our home page at www.wpma.com.

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.

PMAA URGES STATE AND LOCAL GOVERNMENTS TO HELP RESOLVE IRS UV CLAIM BACKLOGS

PMAA sent a letter today asking the National Governors Association, National Association of Counties, National League of Cities and the National Association of Towns and Townships, to express their concern to the IRS Commissioner over the lengthy delays in processing ultimate vendor refund claims for the tax free sale of motor fuel to state and local government entities.

"Many small business petroleum marketers have not received payment from the IRS on ultimate vendor claims since April. Consequently, these marketers are in grave financial peril due to loss of essential operating capital which places severe cash flow problems on their businesses. If the IRS delays continue much longer, state and local governments may be required to pay the FET, thus placing on them the burden of making reimbursement claims and suffering the resultant financial and budgetary consequences," said PMAA President Rob Underwood.

Click here to read the letter.

https://www.pmaa.org/weeklyreview/attachments/PMAA_IRS_UV_Claims_100220.pdf

EPA QUESTIONS LEGALITY OF CALIFORNIA'S PLAN TO BAN GASOLINE POWERED VEHICLES BY 2035

The U.S. EPA raised concerns this week over California's plan to ban the sales of new gasoline and diesel-powered passenger cars by 2035, arguing that the mandate is unworkable and likely illegal. The California ban is an ambitious step to bolster electric vehicles and slash greenhouse-gas emissions. The ban is aimed at new-car sales and will not prohibit Californians from owning or selling existing gas-powered cars.

In a letter to California Governor Gavin Newsome, EPA Administrator Andrew Wheeler expressed concern that the electric vehicle mandate would strain California's already overloaded electric grid. Wheeler questioned how California plans to handle the unprecedented increase in electricity demand that will result from the ban when the state is already experiencing rolling blackouts and seeking additional power from neighboring states. Wheeler also said the ban is likely illegal in the wake of the Trump Administration's recent revocation of California's Clean Air Act waiver that allowed the state to set its own air pollution standards.

California is currently suing the Administration over the revocation. If successful, California would be the first U.S. state to ban gas and diesel powered vehicles. However, some states could soon follow California's lead. Twelve states already adopt California clean air standards (NJ, CT, WA, VT, NY, ME, RI, MA, OR, PA, MD, and DC), though none have announced similar bans as yet.

SHORT-HAUL DRIVER HOURS OF SERVICE AMENDMENTS NOW EFFECTIVE

The Federal Motor Carrier Safety Administration's (FMCSA) long awaited CDL hours of service (HOS) amendments for short-haul drivers are effective as of Tuesday. The FMCSA issued an HOS final rule earlier this year that adopted several provisions requested by PMAA that provides regulatory relief for short haul drivers. The final rule adopted the following PMAA reforms:

Expands the short haul driver exception from recording driver hours of service from 100 air-miles to 150 air-miles.

Increases the maximum daily on duty time for short haul drivers from 12 hours to 14 hours.

Extends the maximum daily 11 hour driving window by two hours during adverse weather conditions and allows drivers (in addition to dispatchers) to determine if the weather conditions exist to trigger the extension.

These reforms are important for motor fuels and heating fuels marketers because the majority of drivers they employ are short-haul drivers. The reforms provide short haul drivers additional on duty time and expanded operating range without losing their current exception from having to record daily hours of service. In addition, many long-haul drivers may now be reclassified as short-haul drivers so long as they stay within the newly expanded 150-mile air radius limitation. As a result, these former long-haul drivers are no longer required to use electronic on-board HOS recorders mandated by the FMCSA several years ago. Instead, their HOS can now be demonstrated the same way as all short-haul drivers - by timecards and/or other business records if requested by the DOT during an audit. This will reduce the recordkeeping burden on both motor and heating fuels marketers and provide them with more flexibility to schedule drivers while adding a significant number of on-duty hours per company across all drivers.

CONGRESS AND PRESIDENT NARROWLY AVOID GOVERNMENT SHUTDOWN

Congress passed a stopgap spending bill to keep the federal government funded at current levels through December 11, one month after the elections. President Trump signed the spending bill into law just after the midnight deadline on Wednesday. Republicans and Democrats had been at odds over how long the stopgap spending bill should have provided funding for the government, with many Republicans wanting to have it last through the elections into December, while many Democrats had hoped for the bill to last until next year in hopes that the party could take back the Presidency and Senate.

The bill extends nearly \$1.4 trillion in government funding until December 11, setting up another fight over spending between the two parties in December. Notably, the bill prohibits providing financial assistance to oil refiners that were recently denied biofuel blending waivers for blending requirements under the RFS. The Trump Administration had been working on a plan to provide financial assistance to those small refiners who were dealt a blow by the EPA when the agency denied their biofuel blending waivers under the RFS.

HOUSE DEMOCRATS APPROVE NEW COVID-19 STIMULUS BILL

Last night, House Democrats approved a new \$2.2 trillion COVID-19 relief proposal which provides a second round of stimulus checks, \$1,200 per adults and \$500 per dependent, and it would be extended to those without a social security number, including those in the country illegally and who file taxes via an Individual Taxpayer Identification Number. The updated stimulus legislation also includes changes to the Paycheck Protection Program to include the smallest businesses and non-profits, second loans for the hardest hit, and targeted assistance for the restaurant industry.

Several moderate blue dog democrats, especially those in districts won by President Trump in 2016, voted against the bill and urged Speaker Pelosi to reduce the total cost of the bill and compromise with the GOP. The bottom line: Do not expect a COVID-19 deal before the November elections as the House is expected to leave town today.

Click here for the story. <https://www.politico.com/news/2020/10/01/pelosi-no-coronavirus-deal-likely-424438>

HOUSE BILL SEEKS TO ELEVATE DEMAND FOR BIOFUELS

Rep. Cheri Bustos (D-IL) recently introduced a bill known as the "Next Generation Fuels Act" (H.R. 8371) that seeks to establish a minimum 98 Research Octane Number (RON) standard for gasoline and require sources of additional octane resulting in at least 30 percent fewer GHG emissions than unblended gasoline.

In 2018, the American Fuel & Petrochemical Manufacturers argued that a fuel-neutral, 95-RON octane performance standard could address the needs of all stakeholders: the auto industry, marketers, biofuel producers, refiners, and, most importantly, consumers. 95 RON is similar to today's premium fuel that would lower emissions and preserve the liquid fuels distribution network. Given ethanol's octane boost, E10 would likely be used to meet the 95 RON standard. A move to a 98 RON would more than likely require E10 plus blends which would impact underground storage tank compatibility systems.

The complexities involved in the transition to a single high-octane gasoline would require a federal mandate, similar to the one used in the transition from leaded to unleaded gasoline. Such a mandate would require Congressional action since

EPA lacks the authority to implement the transition nationwide. Even with a federal mandate in place, the transition to a single high-octane fuel would likely take decades to achieve given the need for both Congressional and EPA action to make it happen.

PMAA JOINS OTHERS IN SENDING DATA PRIVACY LETTER TO SENATE

The Senate Committee on Commerce, Science and Transportation, led by Chairman Roger Wicker (R-MS) and Ranking Member Maria Cantwell (D-WA), recently held a hearing titled “Revisiting the Need for Federal Data Privacy Legislation.”

During his opening remarks, Chairman Wicker argued the COVID-19 pandemic has increased the potential for privacy violations, and thus the need for uniform privacy legislation is “greater than ever.” He also referenced the “SAFE DATA Act” (S. 4626), which is legislation he recently introduced that he believes would hold businesses accountable for their data practices and establish a nationwide privacy standard.

On the other side of the aisle, Ranking Member Cantwell spoke in favor of federal data privacy legislation, but pointed to her bill from last year, the “Consumer Online Privacy Act” (S. 2968), which she says provides “real enforcement measures” and “foundational privacy rights.” She added that she opposes other bills that have been introduced because they preempt “stronger” state laws.

In advance of the hearing, the Main Street Privacy Coalition sent a letter for the record urging lawmakers to pass a comprehensive data privacy bill with Main Street businesses in mind. In the letter, the coalition said it is pleased that Chairman Wicker “has introduced legislation from which the Committee can work, but we would like to point out areas in which MSPC believes that the “SAFE DATA Act” would benefit from additional consideration, especially with the input of Main Street businesses that would be obligated to comply with nearly all of its provisions.” Click here to view the letter. https://www.pmaa.org/weeklyreview/attachments/MSPC_Statement_100220.pdf

WPMA EXPO

February 16-18, 2021. The Mirage Las Vegas, Nevada.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

POSTPONED – Hawaii (HPMA) Golf Tournament – Oahu Country Club – Honolulu, HI

February 16-18, 2021 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

WPMA MEMBER SERVICES



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: “A perfectionist walked into a bar...apparently, the bar wasn’t set high enough.”

© 2020 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: janr@wpma.com. Thanks.