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Thursday, November 16th at 12 PM Pacific Time

Registration is required.

[**CLICK HERE TO REGISTER FOR WEBINAR**](#)

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Pictured: Mike Green, Seneca Companies (left) and Lonnie Reed, Easton Sales & Service (right)

CONGRATULATIONS UPMRA GOLF TOURNAMENT \$10,000 CASH WINNER MIKE GREEN!

We are delighted to share the exciting news of Mike Green's extraordinary accomplishment at the recent UPMRA Convention Golf Tournament. Amidst a sea of talented golfers, Mike Green managed to achieve what every golfer dreams of – a hole-in-one. His remarkable feat earned him a generous \$10,000 cash prize.

Attendees at the UPMRA Convention Golf Tournament, held at the scenic Southgate Golf Course, were thrilled as they watched Mike Green's precision and skill come together in a magnificent stroke of luck.

Green's victory is not just a testament to his golfing prowess but also to the spirit of camaraderie and competition that the UPMRA Convention Golf Tournament fosters. It brings together professionals from different fields, offering them a chance to

network and bond over a shared love for the sport.

Mike Green's unforgettable hole-in-one will undoubtedly be a highlight of the UPMRA Convention Golf Tournament for years to come. His achievement is a testament to the unpredictable beauty of golf and the significance of sponsorship from companies like Eaton Sales & Service, which make such moments possible.

Congratulations once again to Mike Green on this well-deserved victory, and thank you to Eaton Sales & Service for their ongoing support of this fantastic event!

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



INSIDE THE BELTWAY UPDATE

This week EMA joined a coalition of transportation and energy sector organizations to support Sections 488 and 489 of H.R. 4821, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024. In the [letter](#), the coalition voices its support for reducing greenhouse gas emissions, however, any federal policies designed to achieve GHG reduction goals must preserve consumers' access to affordable, reliable and efficient transportation.

Sections 488 and 489 would prohibit funds made available from H.R. 4821 from being used to finalize, implement, administer or enforce the regulations being considered for the Light-Duty and Medium-Duty vehicles (88 FR 29184, May 5, 2023), Heavy Duty vehicles (88 FR 25926, April 27, 2023), or substantially similar rules. Sections 488 and 489 are needed as the EPA has not appropriately recognized that there are a broader range of emissions-reducing transportation pathways that can help guard against an over-reliance on foreign adversaries and on volatile global supply chains associated with critical minerals necessary for the rapid expansion of electric vehicle markets.

While this may sound like a broken record, this week Congress took steps to prevent a government shutdown when the current Continuing Resolution (CR) expires on November 17. The House continued considerations of appropriations bills while House Speaker Johnson (R-LA) signaled another CR is likely. Speaker Johnson suggested that the next CR should extend until January 15, 2024.

Senate Commerce Committee Ranking Member Ted Cruz (R-TX) continues to voice his frustration with the National Highway Traffic Safety Administration's (NHTSA) acting leader Ann Carlson. This week, Senator Cruz introduced an amendment designed to remove Carlson from the position. "[Carlson's] record is radical, she is not qualified and she has no background in safety," Cruz said in an interview. "What she does have is a background as a radical environmentalist activist pushing the Green New Deal, and she wants to abuse the role of NHTSA to try to eliminate the internal combustion engine — that is not a traffic safety manner." Cruz's amendment attempt is the latest move from Senate Republicans aiming to block the Biden administration from implementing back-to-back standards from EPA and NHTSA that call for major passenger vehicle emission decreases and boosted fuel efficiency over the next 10 years as a way to encourage more production of electric vehicles.

Meanwhile, the Treasury Department plans to release guidance in the coming weeks on the Inflation Reduction Act's (IRA) EV tax credit. At issue is the law's failure to identify specific companies located in China, Russia, North Korea, and Iran, who would be restricted from participating in the battery supply chain for EV vehicles eligible for the tax credit.

Further, proposed rules from the Federal Reserve could also slow President Biden's clean energy investments. The Fed's proposed regulation would raise capital requirements for the biggest banks, making it more expensive to provide the financing that large-scale clean energy projects rely on to take advantage of federal tax incentives, like those in the IRA. In turn, large banks are telling developers that – if the regulation goes into effect – they would drastically reduce their exposure to clean energy investments.

EMA MEETS WITH WHITE HOUSE OMB TO DISCUSS PROPOSED BULK PLANT VAPOR RECOVERY RULE

EMA met with the White House Office of Management and Budget (OMB) this week to make certain a recent EPA proposed rulemaking contains language eliminating small business energy marketers from installing expensive vapor recovery equipment at their bulk plants with gasoline storage. All major agency rulemakings, including EPA's vapor recovery proposal must go through OMB for final approval. The OMB has the authority to order changes to a proposed rulemaking before it is finalized.

Last June, the EPA proposed a new hazardous pollutant air emissions standard to control gasoline vapors at downstream gasoline bulk plants. The proposed rule would require nearly every bulk plant with gasoline storage to be equipped with vapor recovery systems on storage tanks, loading racks and cargo tank vehicles. A prohibitively expensive cost that many energy marketers would avoid by eliminating gasoline bulk storage altogether. The rule would accomplish this by reducing the current threshold trigger for compliance with vapor recovery equipment from 20,000 gallons of gasoline or more per day of **actual** gasoline throughput, to a **maximum design capacity** daily throughput of 4,000 gallons or more of gasoline. EMA opposes the change because while virtually every bulk plant can **theoretically** pump more than 4,000 gallons of gasoline per day, actual gasoline throughput at downstream bulk plants is typically far less.

EMA met with the EPA earlier this year to oppose the proposed daily throughput trigger. At EMA's request a bipartisan group of 84 members of Congress sent a letter to EPA supporting EMA's position on the proposed rule. The Small Business Administration's Office of Small Business Advocacy also weighed in on EMA's behalf. As a result, EMA has had productive conversations with the EPA and recommended a new trigger of 4,000 gallons or more of actual gasoline throughout per day averaged over 365 days. This trigger would eliminate all bulk plants with gasoline throughput of 1,460,000 gallons or less per year from vapor recovery requirements. EMA told the EPA that this new trigger would be acceptable since nearly all bulk plants have gasoline throughputs of less than 1,460,000 per year, relieving small business energy marketers from expensive compliance requirements. EMA urged the OMB to make certain the alternative throughput trigger language favorable to downstream energy marketers is included in the final rulemaking. The EPA is expected to issue a final rulemaking by February 2024.

CONTINUE TO URGE CONGRESS TO SUPPORT THE CREDIT CARD COMPETITION ACT!

EMA continues to urge all jobbers and retailers to reach out to their Senators and ask them to **VOTE YES** on the Credit Card Competition Act. This bill would reduce swipe fees and allow retailers a choice of network to handle the transaction through competition which would save Americans and businesses around \$15 billion in swipe fees per year. Our industry's share of that comes to around \$9,000 per store per year.

[CLICK HERE TO URGE SENATORS TO SUPPORT THE CREDIT CARD COMPETITION ACT](#)

EMA STATE ASSOCIATIONS CALL ON PRESIDENT BIDEN TO ABANDON MISGUIDED MENTHOL BAN

On Tuesday, 47 state and regional energy marketing trade associations representing tens of thousands of small businesses united in a single voice to oppose a federal ban on menthol cigarettes. The FDA is concluding a federal rulemaking process to ban menthol as a characterizing flavor in cigarettes and has submitted its rule to the Office of Management and Budget. The FDA is already failing to enforce the tobacco market in the United States as illicit tobacco trafficking continues to fuel a multibillion-dollar criminal enterprise. Beyond the lucrative criminal cigarette trade, the FDA's failure to enforce its ban on flavored vapes has led to a flood of illegal, disposable vapes manufactured in China and marketed to children.

A menthol prohibition will drive legitimate transactions out of stores and into the illicit market, hurting small businesses and funding violent crime. The criminal sale of tobacco has been proven to fund violent gangs, organized crime, Mexican drug cartels, and international terrorism.

There is no scientific evidence to support a nationwide public health policy that would treat menthol cigarettes differently than other cigarettes. Nonetheless, the controversial policy proposal, advanced by special interest groups that have threatened the federal government with litigation, will create the largest prohibition of a legal adult product in modern history. As menthol cigarettes are the product of choice for smokers in communities of color, the policy will disproportionately impact those communities.

Peter Brennan, the executive director of the New England Convenience Store & Energy Marketers Association, which represents thousands of merchants throughout New England said, "Tobacco bans and taxes don't change consumer demand. These bad policies steal from hardworking American small businesses and fund violent crime. At a time when we are already struggling as a nation to police our international borders, a nationwide menthol ban will pour fuel on a raging fire."

Peter Krueger, of Fueling Nevada, said, "History shows us that prohibition policies are doomed to failure and a nationwide menthol ban would be the biggest prohibition of the 21st century. How can our lawmakers push to legalize cannabis to remedy the harmful war on drugs while simultaneously seeking to criminalize menthol cigarettes? A menthol ban won't reduce consumer demand, but it will hurt small businesses while funding violent criminal enterprises and international smuggling syndicates."

Amanda Gray, executive director of the Arizona Petroleum Marketers Association, representing thousands of merchants throughout Arizona, said, "As a border state, we see the harmful effects of misguided bans and taxes every day as criminals traffic illegal products, counterfeit goods, and other contraband across our border to exploit foolish regulation. A ban on menthol cigarettes is a billion-dollar gift to Mexican cartels. We can't stand by and let this happen."

Traci Nelson, president of the West Virginia Oil Marketers & Grocers Association (OMEGA), said, "At a time when small businesses continue to struggle amidst the headwinds of inflation and a flagging economy, the last thing the retailers of West Virginia need is policy that will take revenue out of our stores and give it to the criminal market. We deserve more than this from our elected officials, but they continue to kick us while we're down."

Rob Underwood, president of the Energy Marketers of America (EMA), said, "Banning the use of menthol in cigarettes would have a cascading effect on companies who supply fuel to independently owned and operated small business gas stations. Retailers will likely be unable to pay for their next load of fuel and pay for EV charging equipment due to the potential major revenue loss from a menthol flavor ban."

Tobacco bans and taxes don't work. Enlightened public health policy supports harm reduction as a strategy. Many countries have embraced less harmful alternatives to smoking instead of resorting to total prohibition. Places like the United Kingdom have established government-funded programs that are proven to be more effective in assisting smokers to quit.

A potential federal menthol ban has implications that reach far beyond policy. Prohibition of menthol cigarettes will negatively impact the economy, public health, and the countless families relying on small businesses. The trade associations urge that the White House consider these broad consequences before causing irreparable harm.

[CLICK HERE TO URGE THE WHITE HOUSE OMB TO SEND THESE RULES BACK TO THE FDA](#)

DEPARTMENT OF HUMAN SERVICES RELEASES \$3.7 BILLION IN LIHEAP FUNDING

The U.S. Department of Health and Human Services (HHS), Division of Energy Assistance (DEA), released \$3.7 billion in Low Income Home Energy Assistance Program (LIHEAP) funding this week. This is the first release of LIHEAP funds for fiscal year (FY) 2024. The announcement includes approximately \$3.6 billion regular LIHEAP block grant funding for FY 2024 provided

under the Continuing Appropriations Act, 2024 (CR). An additional \$100 million in supplemental LIHEAP funding for FY 2024, is made available under the Bipartisan Infrastructure Investment and Jobs Appropriations Act (IIJA). However, total FY 2024 funding for LIHEAP has not been established since Congress has yet to pass annual appropriations bills for the current fiscal year. As a result, the first LIHEAP release is funded at FY 2023 level under the current CR, which expires on November 17. After this date, Congress must pass either an appropriations bill that includes new LIHEAP funding or pass another CR that will provide funds for the second release typically disbursed in late January. If the federal government is still operating under a CR on January 1, 2024, an automatic 1 percent cut in FY 2023 funding levels will take affect across all agencies including a cut in the second round of LIHEAP funding by the same amount. The following link provides a state-by-state breakdown of LIHEAP funding under the first release. [First LIHEAP Funding Announced Award of FY 2024 for States and Territories \(hhs.gov\)](#).

The Division of Energy Assistance (DEA) also announced the launch of the [LIHEAP Eligibility Tool](#), a user-friendly online tool that allows households to quickly identify whether they are eligible for LIHEAP assistance by inputting basic information including income and household size.

DEA has also released the [LIHEAP Heating Season Toolkit](#), which includes a variety of outreach materials, spotlight videos, and winter safety resources designed to help keep families safe and warm during cold weather.

WEEKEND READS

[Are EVs Losing Their Charge? | CSP Daily News](#)

[Ford again warns on EV results, withdraws 2023 forecast](#)

[U.S. crude, gasoline stocks rise as refiners ramp up slowly- EIA](#)

[World Bank warns oil price could soar to record \\$150 a barrel | The Guardian](#)

[US crude oil production hits record high in August](#)

FEDERATED INSURANCE: RISK MANAGEMENT CORNER

Mitigating the Risk of Social Inflation at Your Business

A devastating company vehicle crash can leave a lasting impact at your business in more ways than you may realize. Businesses may need to consider the negative repercussions stemming from "social inflation," or, negative public sentiment and mistrust toward businesses among jury members, leading them to return larger financial judgments and penalties than in the past when businesses were the defendants.

[Take these action steps now](#) to prevent an avoidable and devastating crash. Please feel free to reach out to your **Federated** regional representative or EMA's National Account Executive [Jon Medo](#) at 800.533.0472 for any additional information or risk management questions.

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. © 2023 Federated Mutual Insurance Company.



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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.



SEND HOLIDAY GREETINGS!

Want a unique way to send holiday greetings? Reserve space for your **BUSINESS CARD** in the Winter issue of the *WPMA News* quarterly magazine for only \$100.

Click [here](#) for the fillable PDF form.

THANK YOU **WPMA EXPO 2024** TOP SPONSORS

as of November 03, 2023



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PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

December 6, 2023 - OFA Holiday Party - Portland Golf Club - Portland, OR

December 7, 2023 - WA Holiday Party - Topgolf - Renton, WA

February 13, 2024 - Utah UPMRA Day on Capitol Hill - 12:00 - 1:30 pm - Salt Lake City, 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 EVENTS



OREGON HOLIDAY PARTY

Click [here](#) to register for the Oregon Holiday Party at the Portland Golf Club in Portland, OR.



WASHINGTON HOLIDAY PARTY

Click [here](#) to register for the WA Holiday Party at Topgolf in Renton, WA

Always Thankful
THERE IS SOMETHING TO BE FOR

SCHOLARSHIP \$4,000 OPPORTUNITY!

WPMA
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SCHOLARSHIP
2024
Information

Petro Pete: When the cannibal showed up late to the buffet, they gave him the cold shoulder.

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