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November 13, 2026 | Visit us online at wpma.com | WP-11-13-26

**Your WPMAEXPO Checklist Starts Here!**




**February 16–18, 2027 | MGM Grand Las Vegas, Nevada**

The countdown is on! Make sure you're ready for WPMAEXPO 2027 by following the checklist. Secure your hotel room, complete your show registration, and arrange your travel plans early so you can focus on making the most of your time in Las Vegas.

A little planning now means a smoother trip later. Don't wait until the last minute. Check each item off your list and get ready for an outstanding WPMAEXPO!

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

## EMA Calls on EPA to Ease Cargo Tank Vapor Testing Requirements and Prevent Unnecessary Costs

EMA filed **comments** yesterday with EPA, supporting its proposal to revise cargo tank vapor tightness requirements. EMA urged the agency to finalize the revision promptly and provide enforcement relief, so marketers do not incur avoidable testing and repair costs while the rulemaking is completed.

*Background*

EPA's 2024 rule set graduated vapor tightness certification limits of 0.5 to 1.25 inches of water pressure drop over five minutes, based on compartment capacity, across three gasoline distribution regulatory programs. The strictest 0.5-inch limit applies to compartments of 2,500 gallons or more, a common configuration in MC-306 and DOT-406 cargo tanks. Following sustained advocacy by EMA, EPA has proposed restoring the 1.0 to 2.5-inch limits that applied before the 2024 rule, which would make 1.0 inch the effective limit for most marketers. The proposal has not yet been finalized.

*Why EMA Supports the Revision*

EMA supported EPA's proposed revision and submitted real-world data in support of its comments in three areas:

*Fleet characterization.* The 2024 rule did not adequately account for MC-306 tanks, which remain in service although production ended in 1995. In an EMA member survey, 42 percent of 65 respondents operate MC-306 tanks. The actual makeup of the fleet matters when EPA assesses whether a standard can be reliably achieved nationwide.

*Testing reliability.* EPA has acknowledged that Method 27, the required test, has a reported precision of 0.5 inches of water column and that temperature changes can affect readings. At the 2024 rule threshold, normal testing variability can produce an initial failure even when there is no leak. Of six documented tests submitted with EMA's comments, five would have passed an earlier test run under the 1.0-inch limit, and, in five, the corrective action was additional equalization time rather than repair. The data show the risk of repeated testing and unnecessary repairs; they do not suggest that genuine leaks should go uncorrected.

*Cost and downtime.* Information supplied through Fueling Minnesota, an EMA member, estimates additional parts, labor, and retesting costs of approximately $364 to $740 per tank at one testing facility. Another testing firm estimated added costs of about $500 per DOT-406 tank and $500 to $1,500 for MC-306 tanks, with some older

MC-306 units requiring modifications exceeding $5,000. These are illustrative per-tank estimates, not cumulative costs. Extended testing also takes delivery equipment out of service.

*EMA Seeks Prompt Compliance Relief*

In its comments, EMA's requests differ by program:

- *NESHAP.* Extend the May 8, 2027 compliance dates for the subparts R and BBBBBB cargo tank requirements by at least one year through a separate, prompt action, and clarify that certifications under the prior limits satisfy federal requirements until the extended date.
- *NSPS. Provide appropriate interim relief. Because enforcement guidance alone does not change binding regulations or control state enforcement, EMA urged legally effective relief where feasible and, if prompt relief is unavailable, a 180-day compliance window following startup.*

EMA is not asking EPA to eliminate vapor tightness testing or excuse actual leaks. It seeks continued certification under the previously applicable limits while EPA completes its reconsideration.

*What Marketers Should Do Now*

Some terminals are already requiring certification at 0.5 inches. Until EPA acts, marketers should:

- Confirm the standard each loading terminal requires and how it will handle the May 8, 2027 compliance date.
- Coordinate with tank testers on upcoming recertification schedules.
- Evaluate substantial equipment modifications in light of current requirements and EPA's pending action, without deferring necessary repairs or compliance.
- Monitor EPA's final rule and any separate action on compliance deadlines.

"EPA has an opportunity to establish a standard that protects air quality while recognizing how cargo tanks are tested and maintained in the field," said EMA President Rob Underwood. "We appreciate EPA's willingness to engage with EMA and revisit this issue; hopefully, the agency will act promptly so marketers are not forced to incur avoidable costs while the rule is under reconsideration."

For additional information, contact EMA Regulatory Counsel Jeff Leiter **(jleiter@bmalaw.net**) or Jorge Roman **(jroman@bmalaw.net**).

**Inside the Beltway Update**

Congressional Republicans held their leadership elections this week. In the House, Republicans elected Rep. Jim Jordan (R-OH) as minority leader for the 120th Congress, after Speaker Mike Johnson (R-LA) decided to step down. Rep. Jordan defeated current House Majority Leader Steve Scalise (R-LA) for the position. In the Senate, Republicans reelected Senate Majority Leader John Thune (R-SD). As of this week, Democrats will hold a 254-166 margin in the House and a 55-44 majority in the Senate with races still to be decided in both chambers. Democrats have yet to elect their party leadership with House Minority Leader Hakeem Jeffries (D-NY) and Senate Minority Leader Chuck Schumer (D-NY) expected to lead their respective chambers. A full 2026 midterm election analysis examining implications for businesses and organizations in five key issue areas can be found **here**.

Also, this week, the Senate voted 73 to 25 to advance the bipartisan permitting bill (S.5653). Nearly every Republican and 22 Democrats indicated their support for the bill. However, many members who voted on the motion to proceed stated that they would not vote for the bill without changes. Democrats have introduced amendments that would change how the government handles permitting under the National Environmental Policy Act and Clean Water Act, as well as institute tribal protections. President Trump has also weighed in on the issue, declaring that he would not approve permits for wind turbines, which could jeopardize Democratic support for the legislation. Senate Environment and Public Works Ranking Member Sheldon Whitehouse (D-RI) shared that the next set of votes is likely to occur on Monday.

Meanwhile, the National Small Business Association (NSBA) led a coalition of 30 organizations, including EMA, in urging Speaker Johnson and House Minority Leader Jeffries to pass the Taxpayer Assistance and Service (TAS) Act (H.R. 5349). The legislation would make it easier for small businesses to track refunds, respond to IRS notices online, and resolve tax disputes. The Senate passed an amended version on September 30, and the coalition called for the House to act before the end of the year. Passing the TAS Act would help prevent fraudulent filings, allow businesses to agree to voluntary tax withholding, extend the timely-mailing rule to electronic filings and payments, and provide taxpayers a way to bring refund disputes to the US Tax Court.

Meanwhile, the Senate Appropriations Committee released the draft text of two FY27 spending bills, including the Agriculture, Rural Development, and Food and Drug Administration (FDA) funding bill. The draft contains three key provisions that impact SNAP and nicotine products, consequently affecting convenience stores. Section 726 blocks the stocking rule from being enforced until the US Department of Agriculture engages with stakeholders to identify pathways to satisfy stocking requirements and assesses compliance burdens as well as publishes written guidance clarifying rule requirements.

While the rule has already gone into effect, there will be an opportunity to work with Committee staff to ensure the language protects SNAP retailers. Additionally, Section 773 prohibits the FDA from authorizing any non-tobacco ENDS product unless the manufacturer demonstrates it is appropriate for the protection of public health. Finally, Section 764 includes language that sets aside $200 million of the FDA's tobacco user fees for enforcement against illegal ENDS products.

## President Trump Set to Extend Jones Act Waiver

The Trump Administration is set to temporary extend the Jones Act waiver. The extension continues shipping flexibility for foreign-flagged vessels transporting oil, energy products, and related commodities between U.S. ports. It will take effect when the current waiver expires on November 15 and keeps the case-by-case review process introduced in August. The waiver, first issued in March, is the longest in the more than 100-year history of the law.

The Jones Act generally requires cargo moving by water between U.S. ports to be transported on vessels that are U.S.-built, U.S.-owned, U.S.-flagged, and crewed by American workers. The temporary waiver allows qualifying foreign-flagged vessels to participate in domestic movements of covered products. This increases available shipping capacity and gives the market more options for moving fuel between regions of the country.

*Likely Under the extended waiver:*

- Coverage likely to remain focused primarily on energy products. Covered commodities [continue to] include gasoline, diesel, jet fuel, crude oil, naphtha, liquefied natural gas, liquefied petroleum gas, soy oil, fertilizers, and related energy commodities.
- Voyages are reviewed on a case-by-case basis rather than under a blanket exemption.
- The Department of War continues to consult with the U.S. Maritime Administration (MARAD) on the availability of U.S.-flagged, U.S.-owned, and U.S.-operated vessels before determining whether an individual voyage qualifies.

The waiver is one of the tools the Administration has used to ease diesel and gasoline prices, which have been driven higher by the wars in Iran and Ukraine. It has facilitated increased domestic deliveries of gasoline, diesel, crude oil, and jet fuel to supply-constrained markets, including the West Coast, New England, and Puerto Rico. Administration data show that about 300 voyages were approved under the blanket waivers issued in March and May. About 48 have been approved since the narrower case-by-case process took effect in August.

The case-by-case process is more limited than the earlier blanket waiver. Even so, the extension preserves an important tool for addressing transportation bottlenecks that contribute to regional supply tightness and price pressures, particularly as winter heating demand increases.

“EMA strongly supports the Administration’s decision to continue the waiver,” said EMA President Rob Underwood. “EMA will keep working with the White House and Congress to sustain this relief through the winter heating season and to advance meaningful, permanent reform of Jones Act restrictions on the transportation of petroleum products.”

## House Subcommittee on Environment Lawmakers Urge EPA to Finalize Workable Cargo Tank Vapor Tightness Standard

On Monday, members of the House Energy and Commerce Committee’s Subcommittee on Environment sent a **letter** to EPA Administrator Lee Zeldin urging the Agency to finalize a harmonized annual cargo tank vapor tightness certification standard of 1.0 to 2.5 inches of water pressure drop over a five-minute period and to exercise enforcement discretion while reconsideration of the 2024 gasoline distribution rules continues.

In the letter, the lawmakers commended EPA for reconsidering the burdensome aspects of the air quality standards applicable to gasoline distribution facilities under the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS) programs, particularly the annual cargo tank vapor tightness certification requirements. They urged EPA, as part of its ongoing rulemaking, to harmonize these requirements across the relevant Clean Air Act programs at the 1.0 to 2.5-inch level.

The members noted that discussions with small-business owners in their respective states highlighted the technical challenges and costly operational changes required to comply with the current 0.5-inch threshold established by the 2024 rule. When certification becomes harder to achieve, more time-consuming, and more expensive, the consequences are not limited to the cargo tank operator—they ripple through the entire fuel supply chain, affecting the availability and cost of gasoline delivered to retail stations, businesses, and consumers across the country.

“At a time when energy security and supply chain resilience are national priorities, regulatory requirements governing the movement of motor fuels should be grounded in demonstrated technical feasibility and cost-effectiveness,” the lawmakers wrote. “For these reasons, we urge EPA to finalize the proposed rule with a harmonized 1.0 to 2.5-inch standard as a more workable and reliable approach. Importantly, we urge the Agency to exercise enforcement discretion and consider delaying the current compliance deadlines while its reconsideration rulemaking proceeds. After all, requiring compliance with a certification requirement that is under active reconsideration through a proposed rulemaking risks imposing unnecessary burdens on fuel marketers at a sensitive time for gasoline prices.”

The lawmakers recognized EPA’s ongoing commitment to its mission and expressed appreciation for the Agency’s reconsideration of the 2024 rule for the annual cargo tank vapor tightness certification requirements.

“EMA thanks the House Subcommittee on Environment members, especially Chairman Gary Palmer (R-AL), for elevating the real-world impacts of the 2024 cargo tank vapor tightness requirements on America’s small-business fuel marketers,” said Rob Underwood, President of the Energy Marketers of America. “A harmonized 1.0 to 2.5-inch standard is a practical, achievable approach that protects air quality while safeguarding the reliability and affordability of the nation’s gasoline supply. We urge EPA to finalize the proposal promptly and provide enforcement discretion during the rulemaking process.”

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*Reviewing Your Risk Management Culture*
***Thursday, November 19, 2026, 2:00 PM ET***

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In this webinar, you will learn about the value of creating and upholding a risk management culture at your business. A strong company culture sets the stage for your business’ mission, and a focus on risk management highlights the importance of effective communication and establishing safety policies. Review what risk management looks like for your workplace and find out how to make it a cornerstone of your company’s culture.

What you will learn:

- The benefits of strong leadership and setting an example from the top down.
- Why a risk management culture can help shape initiatives, goals, and well-being.
- How culture can shape employee decisions and actions.
- What makes a risk management program effective and how to implement these practices at your workplace.

Anyone can view and join. Click **here** to Register Today!

For additional information or to discuss this in further detail, please contact your **Federated** regional representative or EMA’s National Account Executive **Jack West** at **507.455.5175** for any additional information or risk management questions.

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**Weekend Reads:**
**Federal Biofuel Mandate Adds Up To 37 Cents To Every Gallon Of Fuel, Estimates Show | Daily Caller**

**U.S. refineries shift production from gasoline to diesel and jet fuel, EIA says | BIC Magazine**

**US Senate to take up energy permitting bill votes next week, Whitehouse says | Reuters**

**Trump’s Plan to Import Russian Diesel Stalls on the High Seas - WSJ**

**12 Million Gallons of Russian Diesel Almost Reach New York — Then the Tanker Suddenly Turns Around | Freight Wire**




# GREAT SPEAKERS - GREAT WPMAEXPO

## KEYNOTE SPEAKER



ADAM CAROLLA

## CLOSING SPEAKER



JEB BUSH
Former Florida Governor 1999-2007

## LADIES LUNCHEON



SARAH WELLS
Olympian

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WPMAEXPO **Registration**



**PLEASE NOTE UPCOMING DATES FOR EVENTS**
**December 3, 2026 WOMA Holiday Party, Lucky Strike Bowling, Bellevue, WA**
**December 9, 2026 OFA Holiday Party, Waverley Country Club, Portland, OR**
**February 16-18, 2027 WPMAEXPO, MGM Grand, Las Vegas, NV**

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***Petro Pete:*** **Why did the invisible man turn down the job offer? He couldn't see himself doing it.**

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Got Something to Sell? Get the Word Out. Have equipment to sell? A position to fill?
WPMA members can place classified ads in the Weekly Update. Ads of 50 words or less are FREE! Classifieds are a great way to share items for sale and employment opportunities with the WPMA membership.

Please note: Classified ads are not intended for the promotion of an associate member's regular products or services.

Ready to place an ad? Information is due to Kim White at kimw@wpma.com by Thursday for the following day's Weekly Update.

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