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PASSING OF DOLLY JEAN PANDIS

Dolly Jean Pandis, 68, wife of retired MPMCSA member and past president Buck Pandis of Great Falls, Montana passed on December 5, 2021, surrounded by her loving husband and their three children, Dena, Bill, and Kelli. Dolly and her twin sister Donna were born April 1, 1953 to Ernest and Helen Kunesh in Glendive, MT. She grew up in Brockway, Circle, and Ryegate. She spent her high school years in Circle and met Buck there in July of 1970. On October 16, 1971, they were married in Great Falls. In 1973, Buck and Dolly welcomed their first daughter, Dena. Three years later they welcomed their only son, Bill, and in 1979, their youngest daughter Kelli finished out their family. Their young family moved around Montana, living in Circle, Augusta, Joliet, and Butte, but they always found their way back to Great Falls.

Some of the most cherished belongings of Dolly's family are the quilts that she made. Those quilts were never far from her grandchildren, children, or her husband, whether they were at home, traveling, at hunting camp, or college. Family time was especially important to Dolly. She had a large family and loved spending as much time as she could with all of them.

The family sends their thanks for all the support shown to Dolly as she was fighting her horrible illness. No services are planned at this time and a memorial service will be scheduled at a later date.



PASSING OF SONYA ADAMS

WPMA is saddened to announce the passing of Sonya Adams, age 63, wife of NMPMA member and past president Doug Adams, on Monday, November 29, 2021, after a hard-fought battle against multiple cancers. Sonya was born January 12, 1958, in Del Rio, TX, to Jose and Estela Lujan. She graduated from Angelo State University in 1980 with a B.A. in Psychology, and applied her degree in various positions, including Social Work and advocacy for persons with special needs. In May of 1980 she married Doug Adams of Abilene, TX, and they raised two children in Albuquerque, New Mexico.

Sonya was an active member of the community throughout her life. She was a volunteer board member at the ARC of Albuquerque and was involved in various non-profits throughout the local

area. She was passionate about interior design, the arts, and spending time with her three grandchildren. Sonya was always willing to help others and made meaningful impacts on the lives of everyone she touched.

Private services will be held at a later date. In lieu of flowers, please consider a donation to St. Bernadette or the ARC of New Mexico.

2022 FEDERAL MOTOR FUEL EXCISE TAX RATES AND CREDITS

Federal motor fuel excise tax rates below *include* the 1/10th cpg non-refundable LUST tax imposed on both dyed and clear liquid fuel. There is no refund of the LUST tax. Tax exempt parties are required to pay the .001 cpg.

Product	Rate	Cents Per/Gal
Gasoline	\$.184	18.4 cpg
Gasoline (removed for alcohol blending)	\$.184	18.4 cpg
Alcohol (for use in downstream gasoline blending)	\$.184	18.4 cpg
Aviation Gasoline	\$.194	19.4 cpg
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Biodiesel Blender's Credit	\$1.00	100.0 cpg
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Heating Oil	\$.001	1/10th cpg
Diesel (clear)	\$.244	24.4 cpg
Diesel (dyed)	\$.001	1/10th cpg
Diesel (dyed used in trains)*	\$.001	1/10th cpg
Diesel (removed for blending with biodiesel)	\$.244	24.4 cpg
Diesel (used in certain intercity and local buses)	\$0.17	17.0 cpg
Biodiesel (removed for blending with diesel)	\$.244	24.4 cpg
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Kerosene (clear)	\$.244	24.4 cpg
Kerosene (dyed)	\$.001	1/10th cpg
Kerosene (clear - non-commercial aviation)**	\$.219	21.9 cpg
Kerosene (clear - for use in non-taxable aviation)	\$.001	1/10th cpg
Kerosene (clear - for use in commercial aviation not foreign trade)	\$.044	4.4 cpg
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Alternative Fuels - On Highway Use in a Motor Vehicle		
Propane (liquefied propane gas) (gasoline gallon equivalent)***	\$.183	18.3 cpg
Compressed Natural Gas (CNG) (gasoline gallon equivalent)***	\$.183	18.3 cpg
Liquefied Natural Gas (diesel fuel gallon equivalent)***	\$.243	24.3 cpg
"P" Series Fuels	\$.184	18.4 cpg
Liquefied Fuel (derived from biomass)	\$.244	24.4 cpg

IMPORTANT! The 50 cent per gallon alternative fuel credit and alternative fuel mixture credit expire on December 31, 2021. However, the Build Back Better reconciliation bill that democrats aim to pass before the end of the year does include an extension of both credits through 2026.

OIL SPILL LIABILITY TAX

The oil spill liability tax (OSLT) is \$0.09 cents per barrel of crude. The OSLT expressed in cents per gallon (CPG) on finished product is as follows:

Finished Product	Oil Spill Liability Tax Expressed in CPG
Diesel Fuel	\$0.002143 cpg
Biodiesel 5%	\$0.002036 cpg
Biodiesel 20%	\$0.001714 cpg
Gasoline 100%	\$0.002143 cpg
Gasoline E10	\$0.001929 cpg

IMPORTANT! The OSLT is paid by refiners and passed downstream as a cost, not a tax. Some terminal operators break out the OSLT on product transfer documents for their own accounting purposes even though there is no requirement to do so. When downstream marketers break out the OSLT as a separate line item on customer invoices and/or contract bids, it looks like a tax. Tax exempt customers get confused when the OSLT is broken out as a separate line item and may mistakenly demand a refund or refuse to pay it.

Notes

***This tax is paid by the railroads, NOT by the ultimate vendor.**

**** Marketers pay \$.244 cpg at the rack, user's rate is \$.219. Ultimate vendor claim is 2.5 cpg. The ultimate vendor is the only party that can make the claim for 2.5 cpg. Ultimate vendor must have a certificate from the ultimate purchaser verifying the fuel is used for non-commercial aviation. Ultimate vendor must have an IRS 637 UA registration to file claim.**

*****For taxation purposes, one gasoline gallon equivalent (GGE) is equal to 5.75 pounds (lbs.) of propane and 5.66 lbs. of CNG. One diesel gallon equivalence (DGE) is equal to 6.06 lbs. of LNG. (Reference 26 U.S. Code 4041 and 4081).**

EPA PROPOSES TO SLASH ETHANOL BLENDING MANDATES FOR 2020 AND 2021

The EPA issued proposed RFS annual blending mandates this week that significantly lower renewable fuel (ethanol) volumes for 2021. The EPA is proposing to set the 2021 renewable fuel blending mandate at 13.3 billion gallons. Also, in an unprecedented move, the agency is proposing to retroactively reduce the 2020 renewable fuel (ethanol) blending mandate previously set at 15 billion gallons to 12.5 billion gallons. According to the EPA, the retroactive reduction is due to lower demand for transportation fuels during the COVID-19 pandemic. The EPA already set the 2021 biomass-based diesel (biodiesel) blending mandate at 2.43 billion gallons in a previous rulemaking. The EPA delayed decisions on 2021 blending obligations by more than a year and recently missed the November 30th deadline to finalize 2022 blending mandates.

EMA has for many years called for lower annual corn ethanol blending volumes that would allow marketers to determine for themselves whether to sell E15 rather than be required to do so through a de facto mandate. EMA sent multiple letters to the EPA and the National Economic Council this year requesting urgent action to reduce the corn ethanol mandate to address the current E15 crisis.

EMA fully believes in renewable fuels and their importance in the liquid fuels market and plans to ask the Biden Administration to ensure that future federal grant funds be available for small business energy marketers to upgrade their underground storage tank system equipment to safely and legally sell E10 plus blends.

"Today's EPA announcement is important to marketers because if the RFS continued to go unchecked, the majority of retail sites across the country would be unable to legally sell E15 due to non-compatible UST system equipment. To point out the facts of infrastructure compatibility issues is not being anti-ethanol. To the contrary, we must ensure that ethanol continues to be sold in a safe and legal manner for it to have a promising future," said EMA President Rob Underwood.

PROPOSED RFS VOLUME REQUIREMENTS (IN BILLION GALLONS)

	2020	2021	2022
Cellulosic Biofuel	.051	.062	.077
Biomass-based Diesel (biodiesel)	2.43	2.43	2.76
Advanced Biofuel	4.63	5.2	5.77
Renewable Fuel (Ethanol)	12.5	13.3	15.0
Supplemental Standard	n/a	n/a	0.25

The agency's proposal also includes a call to add a 250 million gallon "supplemental obligation" to the volumes proposed for 2022 and another 250 million gallons in 2023, in response to a 2017 court ruling that invalidated an EPA waiver of 500 million gallons. In addition, the proposal would deny the 65 petitions pending refinery exemption requests before the agency and opens comment on its outlook on future waivers.

CAPITOL HILL UPDATE

This week, the Senate passed a Congressional Review Act to formally disapprove of President Biden's vaccine mandate on private employers. The vote was 52-48, with Senators Joe Manchin (D-WV) and Jon Tester (D-MT) joining all 50 Senate Republicans. The Senate legislation is largely symbolic as it is highly unlikely to pass the House. The bill does send an important bipartisan rebuke of the Biden Administration's plan. Next week, the Senate is poised to advance a complex, but necessary, deal that will allow Senate Democrats to raise the debt ceiling through the 2022 midterms. Senate Minority Leader Mitch McConnell (R-KY) agreed to a procedural method that will allow Senate Democrats to raise the debt ceiling without Republican support.

Meanwhile, the Senate continues to negotiate a path forward for the Build Back Better Act (BBB) – President Biden's \$1.75 trillion climate change, education, health care, and tax package. This week, Senators from both parties are meeting with the Senate Parliamentarian to conduct the "Byrd Bath" process where many policies are either removed or modified to comply with Senate rules. Many of the most harmful provisions (such as increases in individual tax rates, estate taxes, or corporate taxes) were not included in the House-passed bill, but there are many clean energy provisions that may be modified, such as the Electric Vehicle tax credits. **It was reported yesterday that Senate Democrats are eliminating the increased tax on vaping and nicotine products that was included in the House-passed version.** EMA and its state associations worked hard to strip the vape tax out of the bill.

Meanwhile, Senator Joe Manchin (D-WV) and others believe that the Senate will not act on the bill until after the Christmas break, though Senate Majority Leader Chuck Schumer (D-NY) is still publicly insisting that the Senate will consider the bill next week. Many provisions in the House-passed version will be removed or modified to satisfy Senate rules.

TAX PROVISIONS IN THE FINAL BUILD BACK BETTER ACT

On November 19th, the House passed the Build Back Better Act (the "BBB") (HR. 5376).

In the tax area, many of the provisions which could have been very detrimental to small businesses and their owners were removed from the final House passed version of the BBB. For instance,

- **No changes to the individual tax rates for the vast majority of Americans.** No change to income tax or capital gains rates. Only those with modified adjusted gross income ("MAGI") of more than \$10,000,000 will see an increase in income taxes through a new surtax;
- **No change to the estate and gift tax exemption amounts or rates for anyone;**
- **No change to the step up in basis for assets going through an estate.** This provision could have been devastating to many small business owners and had the potential to impose a new capital gains tax on many Americans who are not "wealthy" and could have potentially caused the forced sale of family homes, farms and businesses to pay the new tax;

For a full accounting of the tax provisions that are in the final bill, go to [SBLC Alert BBB Tax Provisions](#).

BIOFUEL PROPONENTS SEEK TO EXCLUDE REFINERS FROM PROPOSED SUSTAINABLE AVIATION FUEL CREDIT

Biofuel proponents and several fuel marketer groups want more information from Congress on a proposed tax credit for sustainable aviation fuel. In a letter Thursday, the groups asked congressional leaders to exclude fuels made by co-processing biomass with petroleum at oil refineries from the Sustainable Aviation fuel Credit. The group argues that doing

so would ensure a level playing field for emerging technologies. The letter was signed by biofuels advocates Growth Energy and the National Biodiesel Board as well as NATSO and SIGMA.

According to the letter, the group argues the “definitions of Sustainable Aviation Fuel in the legislation appear to allow eligibility for the federal tax incentives to expand as ASTM further develops SAF and aviation fuel specifications.” Co-processed fuel is not eligible for the existing biodiesel and renewable diesel blenders’ tax credit. According to the letter, making co-processed diesel at an oil refinery does not “generate the same economic, environmental and societal benefits as producing renewable diesel at a stand-alone, greenfield facility.” The group asks that the definitions be clarified to make certain refiners co-processing biomass are not eligible for the sustainable aviation credit.

JUSTICE DEPARTMENT URGES SUPREME COURT TO DENY REVIEW OF LOWER COURT DECISION VACATING E15 RULE

The U.S. Department of Justice this week filed a brief with the U.S. Supreme Court urging the Court to deny a request by ethanol producers to review a decision by a lower federal court earlier this year vacating EPA rule allowing for the year-round sale of E15. The controversial EPA rule issued in 2019, extended the one-pound RVP allowed for E10 under the Clean Air Act, to E15 blends. Without the waiver, E15 can only be sold during the winter months due to its higher volatility in warmer weather that violates evaporative emission limits. The Justice Department argued in its brief that the ethanol producers request should be denied because the language under the Clean Air Act is plain and clearly limits the one-pound waiver to ethanol blends between 9-10 percent. The Justice Department also pointed out that the EPA’s rule is not the only mechanism by which ethanol supporters can seek to produce increased use of E15.

Ethanol producers could ask Congress to extend the one-pound waiver to E15. Or they could utilize a separate Clean Air Act provision allowing a State to request that EPA remove the one-pound waiver for all fuel blends containing gasoline and 10 percent ethanol for any area of the State in which the waiver would “increase emissions that contribute to air pollution.” According to the Justice Department brief, “If EPA granted such a request, E10 and E15 would be placed on equal footing in the affected areas, potentially prompting the development of fuel blends that can satisfy the 9.0 psi volatility limit using either E10 or E15—just as has occurred in areas of the country that use reformulated gasoline.” A decision by the Court on whether to hear the case will be made at a later date.

NEW TOOL FOR COUNTY-LEVEL INFORMATION ON HAZARDS RISKS

This week, NOAA announced a new innovative, interactive [NOAA mapping tool](#) that provides county-level information on natural disaster hazards across the United States. Developed by NOAA’s National Centers for Environmental Information (NCEI) with data from NOAA, FEMA and academic institutions, this new feature provides significant enhancements to the state-level data on [NOAA’s Billion-Dollar Disasters website](#), and provides detailed information on a location’s susceptibility to weather and climate hazards that can lead to billion-dollar disasters—such as wildfires, floods, drought and heat waves, tornado outbreaks, and hurricanes.

The tool expands upon FEMA’s National Risk Index to provide a view of a location’s risk for, and vulnerability to, single or multiple combinations of weather and climate hazards for every county and county-equivalent in all 50 states, and the District of Columbia.

EDISON ELECTRIC INSTITUTE (EEI) FORMS THE NATIONAL ELECTRIC HIGHWAY COALITION

The Edison Electric Institute (EEI) is forming the National Electric Highway Coalition which currently consists of 51 investor-owned electric companies, one electric cooperative and the Tennessee Valley Authority. The coalition aims to provide electric vehicle (EV) fast charging ports along major U.S. travel corridors by the end of 2023.

FEDERATED INSURANCE: RISK MANAGEMENT CORNER

Don’t Let Your Guard Down Around Cold Weather

Although extreme cold weather has traditionally been isolated to certain parts of the country during the winter months, we are seeing shifts in how long cold weather will linger, where it is hitting, and the impacts it can have for those who are not prepared.

Even if you think you will never have to face certain cold weather safety conditions, having a plan could be your saving grace if there is an unexpected cold weather event.

For additional information or to discuss further, please contact your [Federated](#) regional representative or EMA’s National Account Executive [Jon Medo](#) at 800.533.0472.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

- December 14, 2021** – Oregon (OFA) Holiday Event – Portland Golf Club – Portland, OR
- February 22-24, 2022** – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV
- April 25, 2022** – Hawaii (HPMA) Golf Tournament – Ko Olina Golf Club – Kapolei, HI
- May 5-6, 2022** – Nevada (NPM&CSA) Big Dogs – Las Vegas, NV
- June 7-8, 2022** – Montana (MPMCSA) Convention – Fairmont Hot Springs Resort – Fairmont, MT
- June 20-22, 2022** – Washington (WIED) Convention – Suncadia Resort – Cle Elum, WA
- June 23, 2022** - Utah (UPMRA) Summer Golf Classic - Stonebridge GC - West Valley City, UT
- July 17-19, 2022** – Oregon (OFA) Annual Convention – Sunriver Resort – Sunriver, OR
- August 3-5, 2022** – Idaho (IPM&CSA) Convention – Coeur d’Alene Resort – Coeur d’Alene, ID
- 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

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: "Christmas is a magical time of year... I just watched all my money magically disappear."

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