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Energy: Arkansas Oil Marketers Association/Petroleum Marketers Association of America Identify Key 2015 Issues Resolution/Status

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The Arkansas Oil Marketers Association and Petroleum Marketers Association of America (collectively, "PMAA") issued a *Final 2015 PMAA Priorities Report ("Report")* that addresses the resolution/status in 2015 of a variety of issues of importance to the marketing segment of the petroleum industry.

PMAA is a federation of 47 states (including Arkansas) and regional trade associations representing approximately 8,000 independent petroleum marketers nationwide.

Some of the issues addressed in the PMAA *Report* include:

- Final blending volumes for 2014-2017 in the December 1st Environmental Protection Agency ("EPA") rule addressing the Renewable Fuel Standard

	2014	2015	2016	2017
Final Renewable Fuel Volumes				
Corn Ethanol (billion gallons)	13.61	14.05	14.50	n/a
Cellulosic biofuel (million gallons)	33	123	230	n/a
Biomass-based diesel (billion gallons)	1.63	1.73	1.90	2.00
Advanced biofuel (billion gallons)	2.67	2.88	3.61	n/a
Total Renewable fuel (billion gallons)	16.28	16.93	18.11	n/a

PMAA notes its opposition to volume metric ethanol blending mandates for gasoline that would require the introduction of E15 until all practical and legal underground storage tank ("UST") liability issues are settled for petroleum marketers.

- EPA's publication of the final UST system testing and inspection rule on July 15, 2015
- EPA setting of a revised ozone standard at 70 parts per billion (a reduction from the 75ppb level set in 2008) - PMAA notes that a coalition of industry groups filed suit against EPA over the finalized ozone standard arguing it is unattainable.

- Manager Overtime – on July 7, 2015 the Department of Labor announced new proposed overtime rules setting forth three key proposed changes to the current FLSA regulations. The Report describes those regulations and the potential impact on PMAA retailers
- Menu Labeling – In November 2015 the U.S. House of Representatives Energy and Commerce committee passed the “Common Sense Nutrition Disclosure Act” which is described as modifying the Menu-Labeling language in Obamacare to permit retailers to identify a single primary menu while not having to include nutrition labeling in other areas of the store.
- Biodiesel Tax Credit – Congress’ passage of tax extenders which would revive over 50 expired tax incentives through 2016 which include the \$1 per-gallon biodiesel blender’s tax credit and a 30% investment tax credit for alternative fuel pumps.
- Motor Carrier Financial Responsibility Requirement Report notes Congress passed a 5-year \$305 billion highway spending bill with language supported by PMAA which requires the Federal Motor Carrier Safety Administration to conduct a comprehensive study of commercial motor vehicle accidents and claims histories before initiating any proposed rule what would increase minimum levels of financial responsibility pursuant to 49 CFR 387.9.
- Last-In, First-Out (LIFO) – PMAA expresses concern that Congressional repeal of LIFO would force PMAA member companies currently using this method to report their LIFO reserves as income, resulting in a massive tax increase for small business petroleum marketers across the country.
- Highway Bill/Gas Tax Increase/LUST Fund Raid – PMAA notes that the \$305 billion highway bill does not include a gasoline tax increase but did remove \$300 million from the LUST Fund to the Highway Trust Fund.

[Click here to download a copy of the *Report*.](#)