

# SD OIL & LP GAS CHRONICLE NEWS

January 2017 Newsletter

The official publication  
of the South Dakota  
Petroleum and  
Propane Marketers  
Association

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## 2017 Legislative Session

The South Dakota Legislative Session is underway. The session has started very slowly with fewer bills than usual. To date, these are the bills of interest.

### **SB 36 An Act to revise the time to file certain tax returns and remit certain taxes.**

The original bill will be amended to make the following changes. This bill will move the date of reporting electronically filed taxes to the 20th of each month. It will also requires the payment to be made on the 25th. In this form, the South Dakota Petroleum and Propane Marketers Association and the South Dakota Retailers Association are supporting this bill with these changes.

### **HB 1029 An Act to update reference to certain federal motor carrier regulations.**

This is the annual bill which updates the Federal Motor Carriers Code. This bill is supported by the association. There are no significant changes to the code that would effect petroleum or propane marketers. This bill is brought each year by the South Dakota Highway Patrol and Motor Carriers.

..... [continued on page 3](#)

# NACS News

## Update from Washington, DC

### SNAP Retailer Redemption Data is Not Confidential, Ruling Says.

*USDA expects to release the information in the coming days.*

January 26, 2017

WASHINGTON – In late November, the U.S. District Court for the District of South Dakota issued a ruling on whether annual Supplemental Nutrition Assistance Program (SNAP) retailer redemption data should be disclosed to the public or whether it should be protected as confidential business data. The case arose from a Freedom of Information Act (FOIA) request made by Argus Leader Media, a newspaper. Argus sought individual store-level SNAP redemption data. The U.S. District Court found in favor of Argus, stating that retailer SNAP data is not protected from disclosure under FOIA. A month and a half later, on January 18, 2017, the U.S. Department of Agriculture (USDA) released a memorandum, stating that it decided to comply with the court decision and would not appeal the court order to release SNAP retailer redemption data.

Over the past few days, NACS members who participated in the SNAP program between 2005 and the present may have been notified by the USDA that their store-level SNAP redemption data may be released to the public. If you have been contacted, the USDA message likely stated that USDA's Food and Nutrition Service (FNS) "received a request for records that will disclose each of your store's individual annual SNAP sales amounts." USDA expects to release the SNAP data in the coming days. This matter is resolved unless NACS members elect to litigate this issue on a unique set of facts, i.e. instance by instance. NACS members wishing to continue participating in SNAP must comply and be aware that the data they submit to FNS is susceptible to release upon demand.

Back in September 2014, NACS filed comments with the USDA urging the agency to treat aggregated SNAP redemption data at the individual store level as "confidential

business information," which would prevent it being released to the public in response to FOIA requests. Regrettably, the court's ruling and USDA's decision not to appeal the ruling means this information will not be shielded under FOIA.

For more information about the litigation and the pending release of the SNAP data, visit [FNS online](#). NACS will continue to monitor the issue and provide additional updates as they arise.

### Railroads, Truckers Join Fight to Change the Renewable Fuel Standards

*The organizations sent a letter to the Environmental Protection Agency, asking the agency to keep the RFS the same.*

January 19, 2017

WASHINGTON – The Association of American Railroads, the American Short Line and Regional Railroad Association, the American Trucking Associations, and the Owner-Operator Independent Drivers Association have entered their opposition to changing the Renewable Fuel Standards (RFS). This week, the associations [sent a letter](#) to Gina McCarthy, administrator of the U.S. Environmental Protection Agency (EPA) asking her to not move the point of obligation under the RFS.

The letter said that the EPA "has acted responsibly in denying previous petitions for a rulemaking to change the point of obligation and support EPA's current regulatory action to deny similar petitions. The current petitions are proposing to move the point of obligation to entities that have never been obligated previously and that are not equipped to comply. Granting these petitions would disrupt the fuels markets, raise consumer fuel prices, and do so with no added benefit to the consumer or the program. We represent diverse interests but we are in agreement about this point."

..... [continued on page 3](#)

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**HB 1124 An Act to exempt a person with a commercial drive license from the requirement to have a hazardous materials endorsement on the license under certain conditions.**

**NEW SECTION:** A person with a commercial driver license is not required to obtain a hazardous materials endorsement pursuant to this chapter if the person is:

- (1) Acting with the scope the of the person’s employment as an employee of a custom harvester operation; and
- (2) Operating a service vehicle that is transporting diesel fuel in quantity of one thousand gallons or less and that is clearly marked with a flammable or combustible placard.

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In December, NACS, along with seven other fuels groups, requested the EPA reject recent petitions to change the point of obligation for RFS. On November 22, the EPA formally announced plans to retain the existing “point of obligation” under the RFS program in a Federal Register notice. In support of its position, EPA completed a comprehensive analysis of the existing structure of the RFS, highlighting why and how the current point of obligation furthers the objectives of the RFS: to displace petroleum from unstable sources with renewable substitutes. The current RFS structure incentivizes the blending and sale of renewable fuel products by fuel retailers and marketers, while supporting continued supply and stable prices.

“The coalition letter sent to EPA today further demonstrates the broad range of stakeholders who support keeping the point of obligation where it is,” stated Paige Anderson, director, government relations for NACS. “It is rare to see such a diverse and unique set of interests come together in support of a fuels issue. We hope EPA and Congress take note and oppose efforts to shift the point of obligation.”

## Biodiesel Infrastructure Reimbursement Grants Available



The South Dakota Soybean Research & Promotion Council (SDSRPC) is accepting applications from fuel distributors and diesel retailers for investment in biodiesel infrastructure. Eligible equipment may include:

- Blender Pumps
- Heated storage tanks
- Underground storage

Biodiesel supply is now available in Rapid City. If you have considered offering biodiesel for fuel diversification and additional profits, call or email for an application. SDSRPC and MEG Corp will handle all grant inquiries, receive official requests and evaluate each request for funds. Applications will be reviewed and awarded based on potential for increasing biodiesel availability in South Dakota. Those that are awarded grants will also receive technical support and education and promotion outreach to customers.

For More Information:  
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 South Dakota Soybean Research & Promotion Council  
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# NPGA News

## News from Washington, DC

### REMINDER: Change to DOT Cylinder Requalification

On Monday, January 23 2017, the requalification period for DOT specification cylinders will change. The Pipeline and Hazardous Materials Safety Administration (PHMSA) changed the requalification period for DOT specification cylinders detailed in [49 CFR 180.209\(e\)](#) of the hazardous material regulations as follows:

- **The initial requalification period for DOT cylinders following volumetric expansion testing changes from 12 years to 10 years;**
- **The requalification period for DOT cylinders following a proof pressure test changes from 7 years to 10 years.**

### NPGA Actions to Overturn This:

- On January 13, 2017, NPGA filed a formal petition for a stay of the rule. The filing asserts PHMSA did not follow the prescribed legal process outlined in the Administrative Procedures Act, is inconsistent with previous PHMSA directions, and has negative consequences for small businesses and consumers. PHMSA has received the petition but has not formally responded to any inquiries.

\*\*NPGA has highlighted to PHMSA the error in the agency's actions that implement these changes to DOT cylinder requalification requirements. The changes were part of a broader PHMSA rulemaking ([HM-233F](#)) that incorporated nearly 100 special permits into the federal hazardous materials regulations. Nowhere, in either the proposed rule or final rule, did PHMSA provide any rationale or substantiation for the changes or address them in any form.

- NPGA is having conversations with Members of Congress on the relevant oversight Committees and urging intervention. These conversations have been productive and has already resulted in Congressional communications to the agency regarding this issue.
- NPGA is working with PERC to update the relevant training and testing materials.
- Please contact [Stuart Flatow](#) for inquiries related to safety materials.

If you have any questions, please feel free to contact Mike Caldarera at [mcaldarera@npga.org](mailto:mcaldarera@npga.org) or Sarah Reboli at [sreboli@npga.org](mailto:sreboli@npga.org).

### DOE Deployment Funding Solicitation Presents Opportunity for Propane Vehicles

The Department of Energy's (DOE) Vehicle Technologies Office (VTO) has issued a funding solicitation (DE-FOA-0001639) for deployment of alternative fueled vehicles that could be a prime

..... [continued on page 7](#)



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## EPA Notifies Fiat Chrysler of Clean Air Act Violations

*Agency says that Fiat allegedly installed and failed to disclose software that increases air pollution in certain light-duty diesel models.*

WASHINGTON – The U.S. Environmental Protection Agency (EPA) issued a notice of violation to Fiat Chrysler Automobiles N.V. and FCA US LLC (FCA) for alleged violations of the Clean Air Act, for installing and failing to disclose engine management software in light-duty model year 2014, 2015 and 2016 Jeep Grand Cherokees and Dodge Ram 1500 trucks with 3.0-liter diesel engines sold in the United States.

According to the EPA, the undisclosed software results in increased emissions of nitrogen oxides (NOx) from the vehicles. The allegations cover roughly 104,000 vehicles. The California Air Resources Board (CARB) has also issued a notice of violation to FCA, and both EPA and CARB have initiated investigations based on FCA's alleged actions.

EPA says in a statement that the Clean Air Act requires automakers to demonstrate to EPA through a certification process that their products meet applicable federal emission standards to control air pollution. As part of the certification process, automakers are required to disclose and explain any software, known as auxiliary emission control devices, that can alter how a vehicle emits air pollution.

EPA is also investigating whether FCA's auxiliary emission control devices constitute defeat devices. On September 3, 2015, Volkswagen disclosed at a meeting with EPA and CARB that emissions software in four-cylinder diesel vehicles from model years 2009-2015 contained a defeat device, which is hidden software that recognizes whether a vehicle is being operated in a test laboratory or on the road. The software made those vehicles emit lower levels of nitrogen oxides during laboratory testing rather than when the vehicles were driven on the road.

When EPA instituted an expanded testing program to screen for defeat devices on light-duty vehicles in September 2015, the testing found that the FCA vehicle models in question produce increased NOx emissions under conditions that would be encountered in normal operation and use. As part of the investigation, EPA has found at least eight undisclosed pieces of software that can alter how a vehicle emits air pollution.

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area of interest for those interested in deploying propane vehicles. The specific area of interest within the solicitation is referred to as **Alternative Fuel Vehicle Community Partner Projects**.

The objective is to "accelerate the deployment of commercially available alternative fuel vehicles, as well as supporting infrastructure, through community-based partnerships among state and local governments and the private sector. In particular, projects that integrate alternative fuels with new mobility systems or "smart cities" are encouraged."

Additional information describing the projects is shown below:

- \* **"Projects may include the deployment of commercially-available, on-road alternative fuel vehicles (AFVs). Vehicles may be light-, medium-, or heavy-duty. Projects may include planning for and strategic deployment of fueling infrastructure to support alternative fuel vehicles. Fueling infrastructure projects can include new dispensing facilities and additional equipment needed to increase the throughput of existing AFV fueling sites."**
- \* **"Project teams are anticipated to include fuel suppliers, auto dealerships, fueling retailers, public or private fleets, equipment manufacturers, energy marketers, and energy companies. Teaming arrangements that include one or more designated Clean Cities Coalition(s) or U.S. Department of Transportation Smart Cities Challenge applicants are encouraged."**

Those interested will have to identify a city and a site-specific team with a fuel partner. Also, project applications for more rural areas or from smaller or mid-size cities would likely have a strong chance of success recognizing there will likely be a greater number of applications for larger cities.

Concept papers are due February 3, 2017. To view the solicitation, click on <https://eere-exchange.energy.gov/> and then click on DE-FOA-0001639.



## NPGF Scholarship Applications Close on February 15, 2017

Do you have a dependent child attending college or technical college? Or will they graduate from High School senior this Spring? They can apply for an NPGF Scholarship. To start your application [click here](#) or visit our website at <http://www.npga.org/scholarship> then select the "Apply Online" link.

Now is the time to start and/or finish up the application and ensure that the official transcript(s) are sent by the school to Joanne Casey. The applications must be completed and all required documents must be received by February 15, 2017. Successful applicants will be notified by May 2017.

If you have questions about the scholarship program or wish to have publication information sent to you please contact Scholarship Foundation Manager, Joanne Casey, at 202-355-1328 or email her at [jcasey@npga.org](mailto:jcasey@npga.org).

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## Good Reasons to Have a Drug- and Alcohol-Free Workplace Program

In its simplest form, *managed care* describes a variety of techniques that, when properly deployed, can help support an effective risk management program. These strategies can be most effective when they concentrate on both injury prevention and post-injury techniques.

### Testing May Equal Savings

One effective managed care strategy is a **drug-free workplace program**, which, when used where appropriate, often includes **pre-employment, random, or post-incident drug testing**. An appropriately utilized and compliant program can help monitor and prevent drug and alcohol use. A drug-free workplace program can also offer benefits over and above its initial intent.

**Direct savings** may come in the form of premium credits. Some states offer work comp discounts for a certified drug-free workplace program. Insurance carriers in other states may have discretionary underwriting credits available.

**Indirect savings** are those realized by simply reducing the negative consequences of workplace drug and alcohol use. Intuitively, it makes sense that employees who are under the influence of drugs or alcohol are more likely to experience a workplace injury. These workers jeopardize their productivity, safety, and the safety of others. Estimates indicate more than 70 percent of illegal substance users are employed<sup>1</sup>. Few businesses are immune from this issue.

### What Can a Drug/Alcohol Policy Impact?

An effective drug-free workplace program can have an impact on your business in a few different ways.

**Pre-employment drug testing** can help sidestep the risk before you hire it into your business.

**Random drug testing** sends a strong message to employees that workplace substance abuse will not be tolerated. It may also help you identify and manage employees with risky behavior.

**Post-incident drug testing** can be a critical component of claims management. The mere presence of this type of test may result in fewer claims.

### The End Result

When using any of these drug testing measures, a worthwhile goal is to help eliminate negative consequences of drugs and alcohol. You're not testing to "catch" anyone; in fact, it could be argued that the best testing program is one that catches no one. Success can be defined by the absence of these substances.

Taking appropriate measures to help reduce the number of claims could create a distinct competitive advantage, not to mention the overall positive effect on your business. A compliant and well-managed program is a technique you can use to enhance your work environment. It is important to note, however, that legal rules and restrictions may apply to policies that involve workplace drug use or testing; therefore, be sure to seek qualified legal counsel before developing and implementing a policy.

Federated Insurance offers clients access to vendors who provide drug and alcohol testing resources. For more information, contact your **local Federated representative** or log in to **Federated's Shield Network**<sup>®</sup>.

<sup>1</sup> "Drugs and Alcohol in the Workplace"; National Council on Alcoholism and Drug Dependence, Inc. <https://www.ncadd.org/about-addiction/addiction-update/drugs-and-alcohol-in-the-workplace>; accessed November 2016

*This article is intended to provide general information and recommendations regarding risk prevention only and should not be considered legal advice. Following these guidelines does not guarantee reduced losses or elimination of any risks. This information may be subject to regulations and restrictions in your state. Qualified counsel should be sought regarding questions specific to your circumstances and applicable state or federal laws. © 2017 Federated Mutual Insurance Company. All rights reserved.*

# FDA ISSUES DRAFT GUIDANCE ON FREE Tobacco Samples and Vape Shops

*The documents may be applicable to NACS members who engage in tobacco sales.*

January 19, 2017

WASHINGTON – In recent days, the U.S. Food and Drug Administration (FDA) issued draft guidance documents with respect to certain prohibitions on free tobacco samples and on the application of certain [tobacco regulations](#) on Vape Shops. The draft guidance documents may be applicable to NACS members who engage in tobacco sales, including sales of e-cigarettes and other recently deemed tobacco products.

As a reminder, in August 2016, the FDA's final rule extending the agency's regulatory authority to products such as e-cigarettes, cigars, hookah (waterpipe) and pipe tobacco, certain dissolvables, and nicotine gels, went into effect. NACS counsel has prepared [a memo](#) for NACS members summarizing the major provisions of the rule for tobacco retailers.

## Prohibition on Free Samples

Under FDA's tobacco regulations, retailers are prohibited from giving out free samples of any tobacco products, including e-cigarettes, vape pens, other electronic nicotine delivery systems (ENDS), cigars, hookah tobacco, pipe tobacco, nicotine gels, dissolvable tobacco, or components or parts of these items. This prohibition applies even to those components or parts that are not made from tobacco.

FDA's [draft guidance](#) states that, in general, retailers may only distribute tobacco products to consumers through sales transactions and only in exchange for money (cannot be provided solely in exchange for a consumer's contact information or signing up for a mailing list). However, the agency does note that certain practices may not violate the prohibition on free samples, and thus would be permissible under certain conditions. Those scenarios, with various restrictions noted in the draft guidance, include certain coupons and discounts,

membership and reward programs, and contests and games of choice. The draft guidance document contains more specific information regarding permitted and prohibited activities.

With these potential exceptions, the FDA notes that it intends to "consider the specific facts of potential violations on a case-by-case basis" to determine whether a certain practice would violate the ban on free samples.

## Vape Shops

While this particular [draft guidance](#) is not applicable to much of the convenience store industry, some convenience store retail outlets may be considered a "tobacco product manufacturer" if that outlet mixes and/or prepares e-liquids or assemble vaporizers – much like the activities of Vape Shops. These outlets, due to these activities, must comply with additional FDA regulations, including registration requirements, submitting lists of products and ingredients to the FDA, and submitting pre-market tobacco product applications to the FDA for review and authorization. Failure to comply with these requirements could subject retailers to fines and enforcement action from the FDA.

The draft guidance is intended to assist retailers who sell newly deemed products (such as e-cigarettes) by explaining whether engaging in certain activities subjects such establishments to additional requirements of the Federal Food, Drug, and Cosmetic (FD&C) Act and the limited circumstances under which FDA does not intend to enforce compliance.

For instance, if not already covered by a marketing authorization order, refilling an open system electronic nicotine delivery systems (ENDS) product would generally result in a new tobacco product for which the vape shop/retailer is required to seek premarket authorization.

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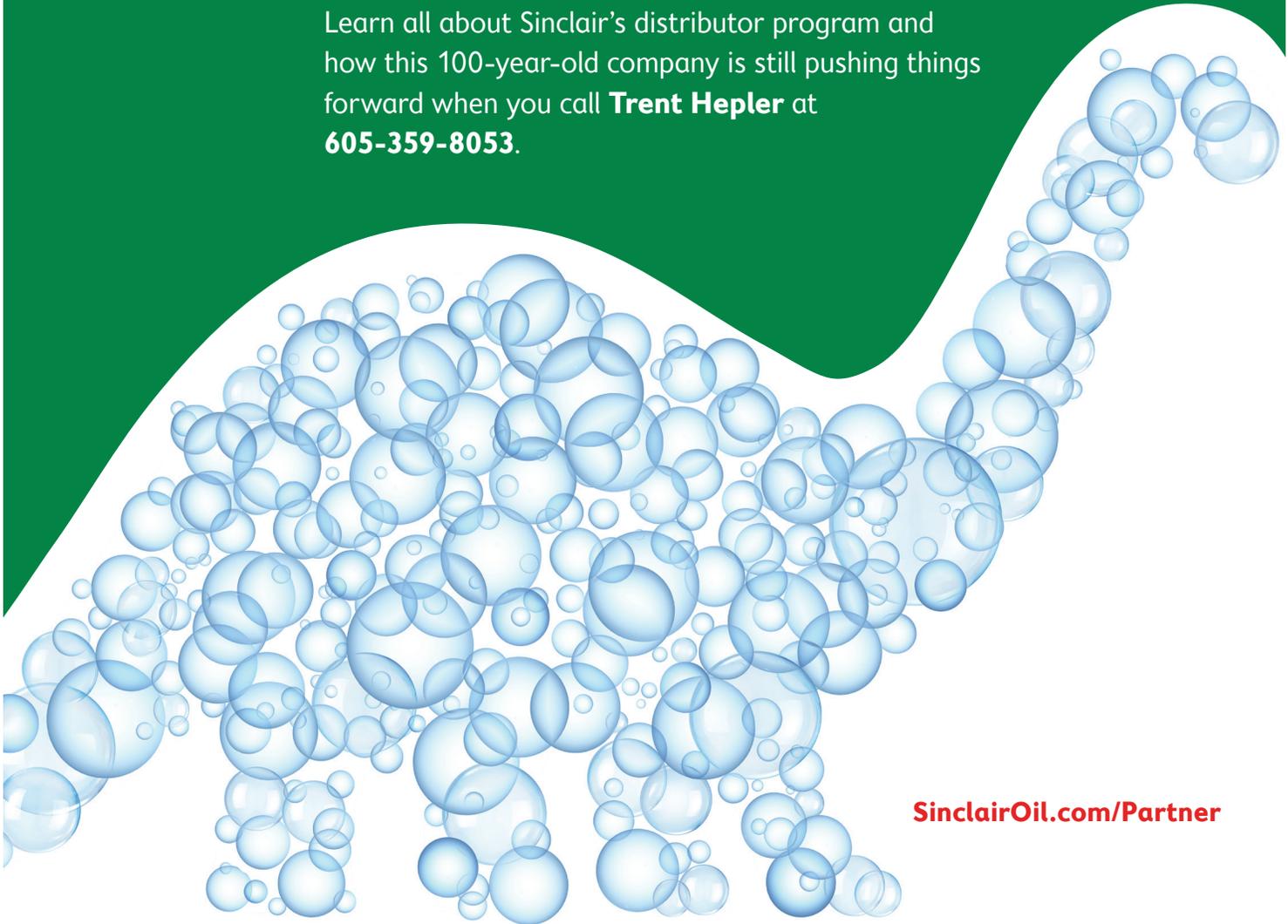


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Under the draft guidance, however, “if the vape shop does not make any further modifications to the device or to the e-liquid before, during, or after the refill ... then FDA does not intend to enforce these requirements,” meaning simply refilling an open system ENDS (those designed to be refilled with e-liquid) would not subject a retailer to additional regulatory requirements. Other activities that do not modify the product, such as demonstrating/explaining the use of an ENDS product without assembling the product and cleaning/tightening fixtures of an ENDS product would also not subject a retailer to additional requirements at this time.

In addition, the FDA does include instances in which a retailer would be subject to additional FDA requirements and/or enforcement activity. For instance, modifying a product outside the marketing authorization order would generally result in a new tobacco product for which the vape shop/retailer is required to seek premarket authorization. Refilling a closed system ENDS (those not designed to be refilled and that come prefilled with e-liquid or with cartridges with e-liquids that are not re-fillable) would subject a retailer to additional requirements.

Further, under the FD&C Act, a tobacco product in package form is misbranded if its label does not include an accurate statement of the percentage of foreign and domestic grown tobacco used in the product. FDA interprets this provision as applying only to tobacco products that are made or derived from tobacco, which includes such products as tobacco-derived liquid nicotine and e-liquid made or derived from tobacco. Those products also include products that contain tobacco, such as cigars, smokeless tobacco, and waterpipe tobacco. According to the draft guidance, at this time, FDA does not intend to enforce this section for those products made or derived from tobacco.

Both draft guidance documents are open for public comment for sixty days. NACS will update its members with any further developments on the guidance documents.

## Register today for the NACS Government Relations Conference March 6-8, 2017 on Capitol Hill

ALEXANDRIA, Va. – With a new Congress in D.C., it’s especially vital to make a personal connection with your legislators to make sure your business concerns are heard. That’s why attending the 2017 [NACS Government Relations Conference](#) March 6-8 in Washington, D.C., will be one of the most important meetings this year.

Register today to join your industry peers; retailers, state association executives and industry suppliers to walk the halls of Congress and talk about the key issues facing the industry. “I found that attending the NACS Government Relations Conference allows me to represent our company and our industry, face to face with members of Congress. It’s building relationships and providing education that are critical to the ongoing success of our business and the industry. It truly is an opportunity to facilitate change, even if that change is sometimes slow to be recognized,” said past attendee Rich Spresser, president of Pester Marketing Company (Alta Convenience).

NACS will prep attendees with talking points and guidance on how to effectively host a meeting and tell the story on how proposed legislation and policies impact convenience retailing. Two timely are protecting hard-won debit reforms and the need to provide menu labeling flexibility.

Learn more about the NACS Government Relations Conference and [register online](#).



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# Keystone, Dakota Access Pipelines Receive Presidential Nod of Approval

WASHINGTON, D.C. – As one of his first official acts in office, President Donald Trump signed five executive orders to allow the Keystone XL and Dakota Access pipelines to advance, [NBC News](#) reports. The orders also allow for high priority projects to receive expedited environmental review.

“The regulatory process in this country has become a tangled up mess,” Trump said. His actions may be subject to the terms and conditions currently under negotiation by the United States in relation to the Dakota Access and Keystone projects.

His action has triggered an angry response from environmental activists, who have been protesting the proposed pipeline because of the perceived negative impact along the route. The Standing Rock Sioux tribe has opposed the Dakota Access project because of the potential to harm cultural sites.

“The Trump administration's politically motivated decision violates the law and the tribe will take legal action to fight it,” Standing Rock Sioux Chairman Dave Archambault said. “We are not opposed to energy independence. We are opposed to reckless and politically motivated development projects, like DAPL, that ignore our treaty rights and risk our water. Creating a second Flint does not make America great again.”

Earlier yesterday in a meeting with automakers, Trump said, “I am, to a large extent, an environmentalist. ... I believe in it, but it's out of control and we're going to make a very short process and we're going to either give you your permits or we're not going to give you your permits, but you're going to know very quickly.”



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# PRCF Fact Sheet

## South Dakota Petroleum Release Compensation Fund December 2016 Fund Statistics

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Total Tank Inspection Fee Revenue Collected in December 2016	\$1,455,293
Amount of December 2016 Tank Inspection Fee Distributed to PRCF	\$153,469
PRCF Balance (January 1, 2017)	\$2,402,765
Average Payment Per Site - Regular Program Only	\$51,256
Average Payment Per Site- Abandoned Tank Program	\$3,341

**Current Involvement - Regular Program (Does not include Abandoned Tank Program Sites)**

Active Cases	25 Sites
Active/Monitoring Cases	26 Sites
Pending Cases (spill report not yet filed)	3 Sites
<b>TOTAL</b>	<b>54 Sites</b>

**Past Involvement - Regular Program (Does not include Abandoned Tank Program Sites)**

Closed-Active Cases	44 Sites
Closed-Inactive Cases (sites closed and all claims settled)	1,482 Sites
Closed-No Pymt Cases (sites opened, but closed without PRCF payment)	2,477 Sites
<b>TOTAL</b>	<b>4,003 Sites</b>

**Abandoned Tank Removal Program**

Total Applications (includes 258 applications that have been withdrawn)	3,431 Sites
Completed Sites (tanks removed)	3,160 Sites
Total Paid to Date	\$10.6 million

**Projected Future Obligations**

Amount of Claims in Office Pending Review (0 claims)	\$0
Cost Remaining for Sites that have Received at Least One PRCF Payment	\$338,300
Projected Costs for Release Sites Where No Payment Has Yet Been Made	\$1,600,000
Estimated Remaining Costs for Abandoned Tank Removal Program	\$600,000

**This Past Month's Activity**

Claims Received During Month (6 pay requests)	\$22,423
Claims Processed by Staff (8 pay requests)	\$24,239
Avg. Days in Office for Claims Processed in Past Month	3 Days
Amount Paid Since Fund Began (4680 sites)	\$88.5 million

### **Breakdown of Payments Made to Date**

Type of Facility	No. of Sites Receiving Payments to Date	Cleanup Payments Made to Date
Abandoned Sites (Includes ATP Sites)	3,335	\$18,234,074
Commercial, Co-op	149	\$9,874,208
Commercial, Petroleum	616	\$39,294,455
Commercial, End User	322	\$11,497,914
Farmers	4	\$65,977
Federal Government	9	\$121,519
Local Government	151	\$5,278,393
State Government	79	\$3,792,140
Non-Profit	13	\$285,117
Residential	2	\$21,878
	<b>4,680</b>	<b>\$88,465,675</b>

# 2017 Training Programs

Certified Employee Training Program

January 3-4	Basic Principles and Practices	Pierre
February 7-9	2.2/2.4 Propane Delivery	Pierre
March 7-8	Basic Principles and Practices	Sioux Falls
April 4-6	2.2/2.4 Propane Delivery	Sioux Falls
May 2-3	Basic Principles and Practices	Rapid City
June 6-8	2.2/2.4 Propane Delivery	Rapid City
July 11-12	Basic Principles and Practices	Aberdeen
July 18-20	3.0 Basic Plant Operations	Mitchell
August 1-3	2.2/2.4 Propane Delivery	Aberdeen
August 15-17	4.1 Distribution Systems	Mitchell
August 29-30	4.2 Distribution Systems	Mitchell
September 25-26	Basic Principles and Practices	Deadwood
October 10-12	2.2/2.4 Propane Delivery	Rapid City
November 1-2	Basic Principles and Practices	Mitchell
December 5-7	2.2/2.4 Propane Delivery	Mitchell

## 2017 UST Owner/Operator Training

March 21	Yankton Kelly Inn
March 22	Sioux Falls Ramkota
March 23	Rapid City Ramkota
May 3	Rapid City Ramkota
May 4	Pierre – Location TBA
Sept 5	Sioux Falls Ramkota
Sept 6	Watertown Event Center
Sept 7	Aberdeen Ramkota
Nov 1	Rapid City Ramkota
Nov 2	Sioux Falls Ramkota

**March 21 & Sept 5 classes: 1 - 5 pm.**  
Remaining Classes 8 am to 12 noon.

Please go to the [sdp2ma.com](http://sdp2ma.com) website. Class schedule will be posted under Education and Training.

Or visit SD DENR website:  
To register: <http://denr.sd.gov/des/gw/tanks/TankOperatorTraining.aspx>



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UST Owner/Operator

# Consumers Enter 2017 Quite Optimistic Despite Rising Gas Prices

ALEXANDRIA, Va. – Consumer optimism remains very strong at the start of 2017 despite a continued rise in gasoline prices. For the third month in a row, a majority of consumers (57%) say they are optimistic about the economy—despite gas prices rising all three months, according to the latest National Association of Convenience Stores (NACS) Consumer Fuels survey of 1,114 U.S. adults who purchase fuel for a vehicle such as a car, truck, or van at least once per month.

Fuel consumers report a median gas price of \$2.30 per gallon, an 11-cent increase from the December 2016 reported median of \$2.19 per gallon. This month's reported price represents a cumulative increase of 15 cents since November 2016 (\$2.15), and a year-over-year increase of 32 cents from January 2016's reported price of \$1.98.

Over the past three months, there has been a nationwide trend of consumers noticing rising gas prices. In December 2016, one in three (38%) reported noticing higher prices, and in November 2016, one in four (27%) reported noticing higher prices. In January 2017, three in five (61%) drivers report noticing that gas prices are “much” or “somewhat” higher than they were last month. There is also a noticeable difference by region: 71% of consumers in the Northeast reported higher pump prices, while only 46% in the West reported higher prices.

U.S. gasoline consumers expect this trend of higher fuel prices to continue in the new year. A 56% majority predict that gas prices in 30 days will be “much” or “somewhat” higher than they are this month. By comparison, only 32% of consumers at the same time last year said that they expected gas prices to be higher in 30 days.

Despite expectations of rising gas prices, consumer economic optimism held strong and steady this month, with 57% of gasoline consumers saying they feel “very” or “somewhat” optimistic about the economy. This represents only a minor decline from the historic, all-time high noted in the December 2016 study (60% optimistic).

Consumers were least optimistic in the Northeast (50%)—the region more likely have reported higher prices—and consumers were most optimistic in the West (60%)—the region least likely to have reported higher pump prices.

Also, in a noteworthy shift from monthly findings in the past, consumers over age 50 are more optimistic about the economy than those ages 18 to 34 (59% vs. 54%).

Gasoline consumers enter 2017 significantly more optimistically than they did entering into 2016; at that time, less than half of consumers (47%) reported feeling optimistic about the economy they faced entered.

“Strong economic sentiment may help continue to push sales at convenience stores and other retail outlets,” said Jeff Lenard, NACS vice president of strategic industry initiatives. “Nearly one in five consumers (18%) say they will shop more this month—despite January traditionally being one of the slower shopping months of the year. And virtually all drivers (89%) expect to be driving either the same amount (67%) or more (22%) than they did last month.”

The survey was conducted online by Penn Schoen Berland; 1,114 U.S. adults who purchase fuel for a vehicle such as a car, truck or van at least once per month were surveyed January 4-6, 2017. Summary results are available at [nacsonline.com/fuelssurvey](http://nacsonline.com/fuelssurvey).