



September 9, 2022

EMA Bulk Plant Vapor Recovery Survey

From EMA

The EPA is proposing to require vapor balance balancing equipment installed at bulk plant facilities with gasoline design capacity throughput of 4,000 gallons or more per day. The vapor balancing equipment would be required for tanks, loading racks and cargo tank vehicles loading and unloading at these facilities. The EPA currently defines a bulk gasoline plant as any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank, and subsequently loads the gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities and/or ultimate purchasers with a gasoline throughput of less than 20,000 gallons per day.

EMA believes these proposed rules could have a significant regulatory and cost impact on bulk plant operators. Your answers to the following questions will provide EMA with the information it needs to oppose EPA's proposed rule. Time is of the essence. EMA must respond to EPA's proposal by September 12, 2022. [PLEASE CLICK HERE TO TAKE THE SURVEY.](#)

Governor Youngkin appoints O'Connor to Litter and Recycling Board

Last week Governor Youngkin announced the appointment of VPCMA President Mike O'Connor as one of five members of the state's Litter Control and Recycling Advisory Board. This board was established in 1995 and exists to promote the control, prevention and elimination of litter from the Commonwealth and encourage the recycling of discarded materials to the maximum practical extent. It also reviews and approves local litter prevention and recycling grants to localities funded by the state's litter and soft drink taxes.

Roadside Inspections: Tips for Owners, Fleet Managers and Drivers

From EMA

Roadside inspections of drivers and vehicle can happen any time. Federal, state and local enforcement authorities are all authorized to stop and conduct roadside inspections. Sometimes the inspection will be limited to driver qualifications or a particular vehicle

equipment system. Frequently, a more comprehensive inspection of both driver and vehicle is performed. When this happens, certified inspectors conduct the North American Level I Inspection; a 37-step procedure that includes an examination of driver operating requirements and vehicle mechanical fitness. Inspectors may also opt to conduct less comprehensive inspections including the Level II Walk Around Driver/Vehicle Inspection, Level III Driver/Credential/Administrative Inspection, or the Level IV Vehicle-Only Inspection.

If a critical vehicle violation is found during any of these inspections, an immediate out of service order will likely be issued. This means the vehicle cannot be operated until the violation(s) are corrected. A driver can also be placed out of service for driver credential-related issues or driver conditions, such as fatigue or impairment. Out-of-service orders and the number, type and severity of safety violations affect a motor carrier's Compliance, Safety, Accountability (CSA) score and its Safety Fitness Determination rating. Lower fitness ratings may invite closer regulatory monitoring and an onsite inspection of your company and records. Out of Service will also raise insurance premiums. It is more cost effective and makes better business sense to avoid driver and vehicle violations. There is no mystery about roadside inspections. Avoiding violations is simple and easy if you know what the inspectors are looking for. The following North American Inspection Standards provide all the information drivers, fleet managers and owners need to stay in compliance with state and federal motor carrier regulations by conducting preventative maintenance, routine pre-trip inspections and accurate recordkeeping:

North American Standard Level I – Comprehensive Driver and Vehicle Inspection

An inspection that includes; examination of driver's license; Medical Examiner's Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver's record of duty status, as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; electrical cables and systems in engine and battery compartments, seating, federal specification cargo tank requirements, as applicable.

North American Standard Level II – Driver/Vehicle Walk Around Inspection

An examination that includes each of the items specified under the North American Standard Level II Walk-Around Driver/Vehicle Inspection Procedure. As a minimum, Level II Inspections must include examination of: driver's license; Medical Examiner's Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver's record of duty status as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; wheels, rims and hubs; windshield wipers; electrical cables and systems in engine and battery compartments, seating, and federal cargo tank specification requirements.

North American Standard Level III Inspection – Driver Credential and Record Inspection

An examination that includes those items specified under the North American Standard Level III Driver/Credential/Administrative Inspection Procedure. As a minimum, Level III Inspections must include, where required and/or applicable: examination of the driver's license; Medical Examiner's Certificate and Skill Performance Evaluation (SPE) Certificate; driver's record of duty status; hours of service; seat belt; vehicle inspection report(s); and carrier identification and status. For more details on North American Standard Inspections go to:

<https://www.cvsa.org/inspections>

CDL Driver Tips for Roadside Inspections

It is important drivers are ready for the possibility of a roadside inspection every day. Whether a violation notice or warning is issued at a roadside inspection may depend simply on the driver's appearance, manners and attitude. The following driver tips for roadside inspections will help your company avoid unnecessary fines and out of service orders:

- Be polite - If you get pulled for a random inspection at a weigh station or for having an infraction, being combative, defensive or rude will more than likely lead to the inspector to issue a violation when a warning would have otherwise been appropriate.
- Stay in the Cab - Stay in the truck with both hands on the wheel when stopped. Remain in the cab during inspection unless asked to exit by the enforcement officer.
- Know Your ELD - If using an ELD to record hours of service, know how to operate it fully without undue delay or confusion.
- Conduct Pre-trip Inspection - Conduct pre-trip inspections and take care of any issues you find BEFORE starting your shift. Keep the pre-inspection paperwork in the cab.
- Be Clean- Keep your truck and equipment clean. This may be nearly impossible in inclement weather but if it's been more than a few days since it snowed or rained and your vehicle is covered in mud, you're asking for trouble. Also, make sure that the interior of the cab is neat and organized.
- Know the Routine - Be familiar with roadside inspection procedures by knowing the North American Standard Inspection Levels.
- Be Legal - Don't use a radar detector; the FMCSR, along with several state and local jurisdictions, prohibit the use and possession of radar detectors. Many state troopers and even scale houses use radar detector detectors.
- Buckle-up - Wear your seatbelt at all times. Failure to wear a seat belt is the most common driver violation for many years running.
- Be Current - Ensure that the truck and trailer are both current on their annual inspections and are displaying the appropriate decals and placards.
- Be Sober - Be compliant with FMCSR drug and alcohol requirements.
- Be Qualified - Drivers need to ensure they meet the Federal Motor Carrier Safety Regulations (FMCSR) qualification requirements be at least 21 years of age; able to read English; experience necessary to operate the equipment used; maintain the proper endorsement for hazardous materials; make sure CDL is up to date; be compliant with hours-of service limitations; do not use a handheld phone unless it can be operated with a one touch system.
- Be Prepared for Emergencies- Make sure the cab is equipped with an emergency kit including a working and up to date serviced fire extinguisher, extra fuses/circuit breakers, emergency hazard triangles,
- Maintain Paperwork - Maintain, organize and have immediate access to all required paperwork including:
 - Medical Examiners Certificate
 - Record of Duty Status (long haul drivers)
 - Daily Vehicle Inspection Report
 - Periodic Inspection Reports
 - Shipping Papers, Bills of Lading
 - Vehicles Inspection Certificate
 - Skill Performance Evaluation Certificate
 - CDL License and Endorsement
 - Vehicle Insurance and Registration Information
 - Record of Duty Status (if required)Emergency Guidebook Information.

Thank You EMA PAC Donors

We want to thank the following individuals for their contributions to the EMA Federal Political Action Committee. This is the only time of the year when we solicit the membership for contributions which helps members of the Virginia delegation as well as other members of Congress on key committees impacting petroleum marketers.

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We have made our federal PAC goal in each of the last 22 years. We have a ways to go for 2022. If you are not on this list and would be willing to contribute, please make out your **personal check** in the amount of \$150.00 payable to **EMA PAC** and send to:

VPCMA
7275 Glen Forest Drive
Suite 204
Richmond, VA 23226

Don't Forget to Register for the 74th VPCMA Annual Meeting September 25-27, The Greenbrier

It's not too late to make plans to attend the 74th Annual Meeting being held Sunday, September 25 through Tuesday, September 27th. We have put together a great program of social and educational events that you can access below. Although our room block has expired, act quickly to still reserve your room and get our rate on a space available basis.

For a full Annual Meeting brochure, [click here](#).
To register with VPCMA, [click here](#).

For hotel reservations, (starting at \$219,) [click here](#).