



June 27, 2019

www.vpcma.com



Annual Meeting Registration Open

For the first time in our 71 year history, VPCMA will hold its Annual Meeting in the great state of Pennsylvania when we convene at the Nemacolin Woodlands Resort on September 21-24. Nemacolin was purchased in 1987 by Mr. Joseph Hardy, founder and president of 84 Lumber Company whose vision has established a 2000 acre world class resort which has received the Forbes prestigious 5 Star Award. While the venue will be new, many of the VPCMA traditions will remain intact including the gala opening reception hosted by ExxonMobil and the annual banquet and presentation of the Oilman of the Year award. For those who arrive on Saturday, join us for an informal cocktail hour honoring and sponsored by our VPCMA Partners!

Education is always a key component of the meeting and this year we will have an industry outlook from ExxonMobil, a safety update from Federated Insurance, a new credit card processing program for all members, one of our favorite all time speakers Ben Brockwell from OPIS and an executive overview of Virginia's new 2022 storage tank regulations by a DEQ senior staffer.

Please note that this year's meeting is one week earlier than usual and the cutoff date for hotel reservations is August 30th. In the meantime we encourage you to visit www.nemacolin.com to learn more about the resort.

Final Reminder! Annual Hazmat Registrations For 2019-2020 Registration Year Due July 1

From PMAA

The U.S. DOT's Pipeline and Hazardous Material Safety Administration (PHMSA) requires hazardous material transporters to register and pay a fee each year in return for a certificate of operation. PHMSA began mailing the 2019-2020 registration information to HAZMAT transporters in April. Only those with expiring DOT PHMSA HAZMAT registration certificates must re-register before July 1, 2019 or risk losing authority to operate and pay substantial civil penalty.

Petroleum Marketers should check their HAZMAT certificate for the expiration date as multiple year reservations are offered and 2019 may not be your expiration date. The validity of HAZMAT registration certificates is checked at roadside inspections.

Click [here](#) to view the compliance bulletin.

Interchange Fee Class Action Update

From PMAA

This is a reminder that you must send your Statement of Objections postmarked no later than July 23, 2019 regarding the pending \$6.24 billion settlement in the consolidated payment card interchange fee class action case (In Re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL-1720). The settlement class is comprised of all merchants that accepted Visa and Mastercard payment cards from Jan. 1, 2004 to Jan. 25, 2019. The settlement fund is designed to compensate class members for the interchange fees they paid, which were allegedly inflated as a result of certain violations of the antitrust laws by Visa and Mastercard and their participating banks.

PMAA General Counsel advises that all branded marketers and branded c-store operators object to the proposed settlement. Please understand that objecting to the settlement is different from opting out of the settlement. **PMAA DOES NOT recommend opting out of the class.** If you do so, you will not be able to participate in the settlement. If you do nothing, you will remain in the class (if you are, in fact, a member of the class) and if, and when, the settlement is finally approved in November 2019, you will be sent a claim form to fill out. If you object to the settlement (which is what we recommend), you will remain in the settlement class and receive a claim form if and when the settlement is finally approved. There are no

adverse consequences associated with objecting. Enclosed is a template (word doc) that PMAA General Counsel prepared for PMAA members who wish to **object to the proposed settlement**. If you read the [template PMAA prepared](#) as well as the [class notice](#) (pdf), you will be advised of the basis for objecting. Please note: Any Valero marketer who received a notice of ineligibility to participate in the settlement, please contact PMAA General Counsel at aalfano@bmalaw.net. Finally, PMAA has no reason to recommend that unbranded motor fuel marketers, heating fuels marketers, or unbranded c-store operators object to the proposed settlement.

Last December, PMAA filed objections to the settlement over concerns that branded marketers would not receive notice or payment because their major oil company suppliers are the only entity known to credit card processors. Although Judge Brodie of the US District Court for the Eastern District of New York addressed this issue by saying, "Class Counsel assured the court that Branded operators would in fact receive notice," PMAA does not count on Visa and MasterCard sending settlement notices to branded jobbers even though jobbers ultimately paid the excessive interchange fees that will fund the settlement. A Court hearing will be held on Nov. 7, 2019 to decide whether to approve the settlement. PMAA plans to file another objection to the settlement before the July 23rd deadline.