

# PRARA NEWS

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April 2024



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# ADVERTISING RATES

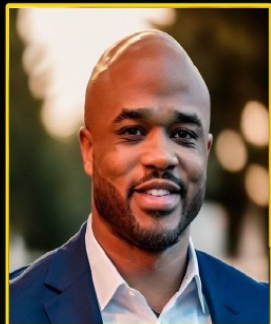
Full page	\$900
1/2 page	\$600
1/4 page	\$450
1/8 page	\$330
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# PRESIDENT’S PAGE

BY: KEVIN FORSYTHE

Dear PRARA Members and Board:

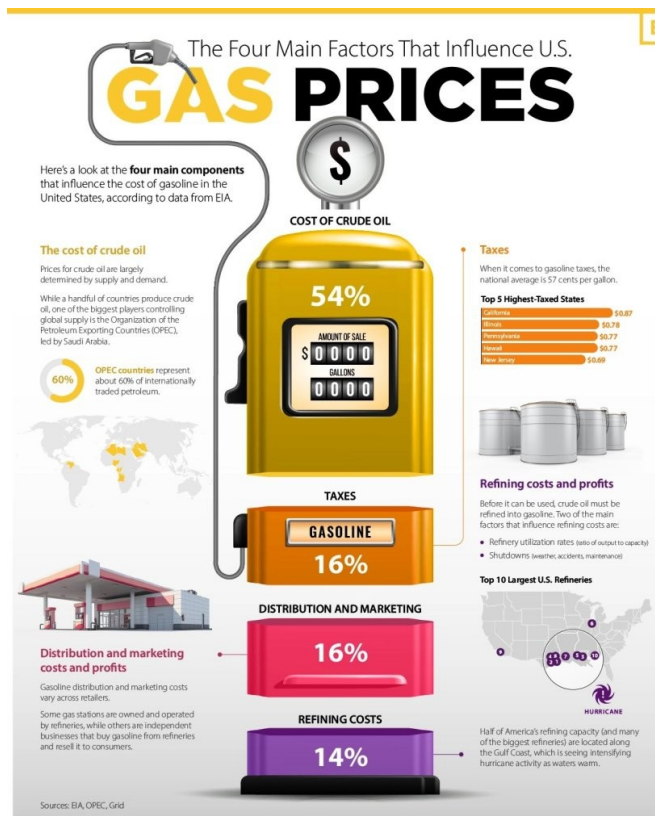
## Is an Oil Supply Shortage coming...

Occidental Petroleum (Oxy) is one of the largest oil and gas producers in the U.S., and a major money-maker for investors such as Warren Buffett. Recently, Oxy’s CEO predicted a shortage of crude oil by 2025. This may seem surprising, given that Occidental’s CEO also said “the U.S., Canada, Brazil and Guyana are producing “record high volumes of crude oil.” Both these statements can be true, because, while these countries may be producing an abundance of oil, they aren’t producing enough to replace the crude oil reserves. Falling reserves will result in an oil supply shortage. A shortage will impact the economy overall.

At a personal level, here’s what the coming oil supply shortage could mean for your wallet at the gas pump:

- 1. Higher gas prices:** The United States relies on imports of crude oil to make up for any shortfall in domestic production. Americans can expect the price at the pump to shift based on the supply and prices in the global crude oil market. Presently, this is expected to be an upward shift that will cost you more at the pump.
- 2. Rising electric vehicle sales:** As gas prices rise, electric vehicles will look desirable to more consumers despite their higher purchase cost. The question for your wallet will be whether buying an electric vehicle saves you enough money compared to paying for gas for your conventional vehicle.
- 3. Fewer trips:** Higher gas prices will have a negative impact on consumer behavior. With each tank costing more money, consumers on a budget will be forced to make fewer trips. Feeling constrained will also cause consumers to take a more pessimistic view of the economy. This, in turn, will impact how ready consumers are to make larger purchases for things like homes.
- 4. Less in your wallet:** Higher prices at the pump also mean less money in your wallet for other purchases like food, rent or entertainment. Each person who cuts back, even “just a bit,” to stay within their budget causes lower sales that negatively impact the economy.
- 5. Lower profits:** Freelancers who rely on transportation gigs like Uber or Door Dash as a source of income might find the refueling costs too much, lowering their net profit. This in turn may force them to look elsewhere for jobs that don’t have them inherently visiting gas stations as often.

There are four main factors that influence the price of gas:



**The Bureau of Workers' Compensation Health & Safety Division  
will be offering the following safety webinars in April 2024:**

	<b>Monday, April 1</b>		<b>Thursday, April 18</b>
1:30pm	Carbon Monoxide Poisoning	9:30am	Flood Safety
	<b>Tuesday, April 2</b>	11:00am	Job Safety Analysis
9:30am	Distracted Driving	1:30pm	Workplace Safety Committee Certification Renewal
11:00am	Governor's Award for Safety Excellence - GASE	1:30pm	OVR - Disability Etiquette Jeopardy
1:30pm	Emergency Action Plans		<b>Friday, April 19</b>
	<b>Wednesday, April 3</b>	3:00pm	Safety Incentive Programs
9:30am	Workplace Safety Committee Certification Renewal		<b>Monday, April 22</b>
1:30pm	Aerial Work Platform & Scissors Lift Safety	3:00pm	Lock-out Tag-out LOTO
	<b>Thursday, April 4</b>		<b>Tuesday, April 23</b>
9:30am	Snakes	9:30am	Groundskeeping Safety
11:00am	Ergonomics	11:00am	Hand & Arm Protection
1:30pm	Driving in Inclement Weather Safety	1:30pm	Workplace Safety Committee Certification Initial
	<b>Monday, April 8</b>		<b>Wednesday, April 24</b>
3:00pm	Root Cause Analysis	9:30am	Housekeeping Safety
	<b>Tuesday, April 9</b>	1:30pm	Personal Protective Equipment - PPE
9:30am	Slips, Trips & Falls		<b>Thursday, April 25</b>
11:00am	Effective Safety Training	9:30am	Medical Marijuana
1:30pm	Hazard Communication	11:00am	Governor's Award for Safety Excellence - GASE
	<b>Wednesday, April 10</b>	1:30pm	Opioid Use Disorder
9:30am	Workplace Safety Committee Certification Initial		<b>Friday, April 26</b>
1:30pm	Workplace Harassment	3:00pm	Slips, Trips & Falls
	<b>Thursday, April 11</b>		<b>Monday, April 29</b>
9:30am	Aggressive Driving & Road Rage	3:00pm	Summer Safety
11:00am	Governor's Award for Safety Excellence - GASE		<b>Tuesday, April 30</b>
1:30pm	Risk Management	9:30am	Hazard Identification
	<b>Friday, April 12</b>	1:30pm	Workplace Violence - Healthcare Facilities
3:00pm	Personal Protective Equipment - PPE		
	<b>Monday, April 15</b>		<b>May 2024</b>
3:00pm	Distracted Driving		<b>Wednesday, May 1</b>
	<b>Tuesday, April 16</b>	9:30am	Child Labor Laws
9:30am	Flagger Safety		<b>Thursday, May 2</b>
11:00am	Governor's Award for Safety Excellence - GASE	9:30am	Caught In/Between
1:30pm	Walking & Working Surfaces	11:00am	West Nile Virus
	<b>Wednesday, April 17</b>		
9:30am	Warehouse Safety		
1:30pm	Work Zone Safety		

To register for any of these events just copy and paste the link into your browser and follow the links:  
<https://www.dli.pa.gov/Businesses/Compensation/WC/safety/paths/calendar/Pages/default.aspx>

*Remember, registration closes the day before the presentation is scheduled to begin.*

## EPA's Tailpipe Emission Standard Expected to Promote EV's at the Expense of Cleaner Fuels

On March 20, the EPA finalized stringent new greenhouse gas (GHG) emission standards for light-duty cars and trucks. The final rule is predicted to significantly increase the domestic market share for electric vehicles (EVs) over the 2027-2032 phase-in period. By 2032, the rule calls for automakers to meet a fleetwide average emissions rate of 85 grams per mile, down from 192 grams for current model year 2024 vehicles. In other words, the final rule aims for a 50 percent EV sales target by 2030 compared to the 67 percent EV sales target by 2032 from the proposed rule. While the final rule does not mandate any particular technology to meet the new tailpipe emission standard, auto manufacturers are expected to comply by significantly ramping up the manufacture of EVs. The EPA estimates the final rule will increase EV market share to 55 percent of all new cars sold nationwide by 2032 while electric plug-in hybrid vehicle sales will increase to 13 percent over the same period, according to the agency. By contrast, in 2023 EVs made up just 7 percent of vehicle sales and plug-in hybrids another 2 percent. Automakers were able to convince the EPA to relax annual GHG reduction goals during the early part of the phase-in period to give them more time to retrofit for EV manufacturing. The new GHG standards for light duty cars and trucks comes just one year after the EPA proposed GHG tailpipe emission reductions for heavy-duty trucks through model year 2032. Under the proposed rule, the EPA projected 50 percent of heavy-duty vehicles, 35 percent of short-haul trucks and 25 percent of long-haul trucks would be electric by 2032. The heavy-duty truck rule is expected out this Spring.

Congressional Republicans seeking to overturn the rule are already sharpening their strategy. Sens. Pete Ricketts of Nebraska and Dan Sullivan of Alaska said Wednesday that they plan to introduce legislation to overturn the regulation. In addition, lawsuits by the major refiners and some environmental groups may slow down implementation of the stringent new GHG standards.

Earlier this year, EMA's 48 state and regional trade associations, along with the American Farm Bureau, American Fuel & Petrochemical Manufacturers, API, Clean Fuels Alliance America, Growth Energy, National Corn Growers Association, NACS, NATSO, Renewable Fuels Association, SIGMA, U.S. Chamber of Commerce and several other organizations urged the Biden Administration to reconsider its GHG standards proposed rule for light and medium-duty vehicles for model years 2027 and later. Unfortunately, the focus on EV production will fundamentally eliminate an opportunity to provide clean green liquid fuels such as renewable diesel, biodiesel, renewable gasoline, clean hydrogen and ethanol that immediately lower emissions not only for new vehicles, but for the vehicles currently on the road. In addition, the rule will limit consumer choice on cleaner internal combustion engines and threaten the viability and jobs of small business energy marketers around the country.

Even though automakers are committed to boosting EVs, many of them, as well as members on Capitol Hill, are raising questions about the Biden Administration's new approach, from securing critical materials needed for EV batteries, to the availability of EV charging stations and the ability of electric grids to meet power needs. China's stranglehold on the critical minerals industry and mining in Africa is a major concern.

"Unfortunately, President Biden's aggressive attempt

to electrify the transportation sector will limit consumer choice on cleaner greener ICEs, increase Americans' utility bills to subsidize a massive expansion of the electric grid for EV charging and threaten the viability and jobs of small business energy marketers around the country, whether they deliver gasoline and diesel or renewable fuels like ethanol, biodiesel and renewable diesel," said EMA President Rob Underwood.

### Legal Challenges Playing Out

EMA is part of business groups and States who have already asked the courts to review EPA's prior tailpipe emissions standards for model year 2025 and 2026 vehicles and the Agency's reinstatement of California's Clean Air Act waiver to issue climate-based vehicle emissions standards. Whether California can blaze its own trail on combatting climate change also implicates the "major questions doctrine," which holds that courts should not defer to agencies on questions of "vast economic or political significance" unless Congress has provided explicit authority to the agencies. The appeals court will be asked to decide whether Congress authorized California in the Clean Air Act to regulate vehicle emissions to target a phenomenon like climate change which has a global cause and effect.

Additionally, EMA joined as amicus curiae challenge to the National Highway Traffic Safety Administration's fuel-economy standards. EMA also endorsed the American Fuel & Petrochemical Manufacturer's (AFPM) comments regarding EPA's GHG standards for light-duty and medium-duty vehicles for model years 2027 and later. EMA urged the EPA to consider lifecycle emissions and a technology neutral approach when it comes to promoting policies to reduce emissions.



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# PRARA 2024 Scholarship Fund

For the thirtieth year, the Petroleum Retailers & Auto Repair Association is sponsoring two \$500 College Scholarships to be awarded to a member’s son or daughter. The applicant must be the child of a current **member** of PRARA and must be graduating from high school in 2024 or are already attending a college, trade school, business school, etc. Applicant **must** be enrolled as a full time student. **Postgraduate students are not eligible.** The student must begin classes within 13 months of the award date.

To be eligible, the member must submit the name, address, and telephone number of the child, along with the name of the high school the applicant will graduate from or the name of the college, trade school, business school, etc. already attending to the Association office. **The application below must be mailed to the PRARA office by June 1.** (The postmark) ***No phone applications will be accepted.***

Every applicant will be given a list of three-digit numbers. The child, who holds the three-digit number corresponding to the Pennsylvania lottery on Monday, June 10 and Tuesday, June 11, will be the winner. Who ever won Monday’s lottery **is not eligible** to win Tuesday’s lottery. The applicant closest to the number on Tuesday’s lottery will be the winner. The winners will be based on the **7:00 pm** drawing for both nights. **Winners of previous scholarships are not eligible to participate.** The PRARA Board of Directors will vote to resolve any disputes.

The scholarship maximum is \$500 each. The check will be made out to the student **and** the school of his/her choice. Proof of registration must be provided before check is issued. The scholarship is not limited to potential college students, but to anyone wanting to further their education, whether it is college, trade school, business school, etc.

## PRARA

1051 Brinton Road Suite 304  
 Pittsburgh, PA 15221  
 412-241-2380

### SCHOLARSHIP FUND 2024 APPLICATION

Member’s Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant’s Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Did you or will you graduate this year? \_\_\_\_\_

High school graduated from: \_\_\_\_\_

Choice of college, etc. (if known): \_\_\_\_\_

**All Applications Must Be Completed In Full  
 And Returned To The PRARA Office By June 1, 2024**

# SSDA-AT Legislative Updates

## Bill Introduced to Prevent DOL from Finalizing, Implementing, or Enforcing the Overtime Proposed Rule

Congressman Eric Burlison (R-MO-07) introduced the Overtime Pay Flexibility Act, which will prevent a newly proposed rule from the Biden Administration entitled Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees from taking effect.

“It’s essential that we support American companies and workers and protect them from the unnecessary federal government mandates. The Biden Administration’s policies continually stifle growth with its “one-size-fits all” approach. The Overtime Pay Flexibility Act would ensure that businesses can manage overtime compensation in a way that benefits both the business and employees,” said Rep. Burlison.

“When the government wages a war against American businesses, it inevitably hurts workers. Democrats love to sell a dream to workers, but in the end their agenda against the free market only harms the people they claim so vocally to support.”

### BACKGROUND:

The Biden Administration's Department of Labor (DOL) proposed rule entitled Defining and Delimiting the Exemptions for Executive Administrative, Professional, Outside Sales, and Computer Employees imposes significant regulatory compliance burdens and higher costs on businesses while also limiting workplace flexibility for employees.

The proposed rule, if finalized, would increase the salary threshold from approximately \$35K to \$55K annually under which employers are compelled to pay time-and-a-half for working more than 40 hours per week, under the Fair Labor Standards Act.

In 2019 the DOL under President Trump appropriately finalized a rule in which the salary threshold was raised, but only after extensive buy-in from stakeholders. A new rule coming less than four years after the prior increase is unnecessary and irresponsible and will lead to harm felt by millions of American workers and businesses.

## SSDA-AT Sends Letter to Congress Supporting the Overtime Pay Flexibility Act

Dear Members of the House of Representatives:

SSDA-AT urges your support of H.R.7367, the Overtime Pay Flexibility Act, which would prohibit the Department of Labor (“DOL”) from finalizing, implementing, or enforcing its proposed rule titled “Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees,” published in the Federal Register on September 8, 2023 (“Proposed Rule”).

This legislation, introduced by Representative Burlison, would protect workers, employers, and the economy from this ill-considered and ill-advised regulation while preserving DOL’s authority to make future adjustments to the overtime rules as appropriate.

SSDA-AT members believe that employees and employers alike are best served with a system that promotes maximum flexibility in structuring employee hours, employees’ career advancement opportunities, and clarity for employers when classifying employees.

If allowed to be finalized, DOL’s Proposed Rule will dramatically and negatively impact businesses, nonprofits, colleges and universities, states, cities, towns, and public schools as well as the workers they employ and the consumers, students, and people they serve.

The Proposed Rule would force the reclassification of millions of employees from salaried to hourly. This change means these employees will lose access to critical benefits, their hard-fought status in the workplace, opportunities for career advancement, flexible work arrangements, and potentially their jobs entirely.

These consequences will be disproportionately borne by entry level workers, particularly those from rural and economically struggling areas or those graduating with degrees that do not traditionally command high salaries.

Moreover, the costs and organizational changes required to comply with the Proposed Rule could immediately destabilize an economy that is still vulnerable following the COVID-19 pandemic, and DOL has failed to provide any evidence that current regulations, which were last updated only four years ago, are insufficient in protecting American workers.

The employer community has repeatedly cautioned DOL about the real-world consequences of its proposed changes to the overtime regulations, but these concerns have been ignored.

The Overtime Pay Flexibility Act would force DOL to abandon its misguided Proposed Rule, safeguarding the American economy from its disastrous repercussions, protecting workers’ jobs, benefits, and future career growth, and shielding American businesses in all sectors from the administrative costs and burdens of the Proposed Rule.

Meanwhile, the bill preserves DOL’s authority to make future adjustments to the overtime rules as appropriate. If the Department decides to move forward with a rule in the immediate future, it will need to initiate a new rulemaking process.

SSDA-AT urges Members of the House of Representatives to support this legislation.

We urge Congress to force DOL to abandon this dangerous proposal and go back to the drawing board for any changes it wishes to make to the overtime pay regulations.

# SSDA-AT Legislative Updates

## SSDA-AT Sends Letter Calling for CTA Delay

As you're likely aware a federal court recently declared the Corporate Transparency Act unconstitutional. However, federal regulators have made clear they intend to continue enforcing the statute, stoking confusion among the more than 32 million affected entities.

In light of these developments we have prepared the letter below, which asks the Senate to move legislation delaying the CTA by one year. (Its companion bill passed the House late last year 420-1.)

Dear Chairman Brown and Ranking Member Scott:

SSDA-AT and the undersigned organizations, representing millions of small businesses, urge you to delay the filing deadlines of the Corporate Transparency Act by passing S. 3625, the Protect Small Business and Prevent Illicit Financial Activity Act introduced by Senator Tim Scott.

The companion to this legislation (H.R. 5119), introduced by Representatives Zach Nunn (R-IA) and Joyce Beatty (D-OH) was adopted by the House of Representatives on a bipartisan vote of 420-1 on December 12, 2023.

A one-year delay of the CTA's filing deadline would 1) allow the court process begun with the recent decision in *National Small Business Association v. Yellen* to work its way through the Appellate and Supreme Courts, 2) be consistent with congressional intent to give covered entities two years to comply with the CTA's reporting requirements, and 3) provide the business community and the Financial Crimes Enforcement Network (FinCEN) additional time to educate millions of small business owners regarding the new reporting requirements and the onerous penalties resulting if they fail to comply.

### **Background**

The CTA began as an earnest attempt to combat illicit financial activity but has morphed into a bureaucratic nightmare targeted squarely at America's smallest businesses. It subjects covered entities and their "beneficial owners" to vague and complex reporting requirements while putting their sensitive personal information at risk. Failure to comply with the new statute – even in cases amounting to nothing more than a paperwork violation – can result in stiff fines and criminal penalties.

This burden is not evenly distributed across the business community. In general, the CTA's reporting requirements apply only to entities with 20 or fewer employees or less than \$5 million in revenue. Thus, of the 32.5 million entities that FinCEN estimates will be affected by the law, the vast majority will be small businesses – the very companies least equipped to shoulder the regulatory burden imposed by the CTA.

### **Court Challenge**

Earlier this month, the United States Court for the Northern District of Alabama ruled that the CTA exceeded the Constitution's enumerated powers and was therefore unconstitutional. The Court's injunction, however, was narrow and applied to the plaintiffs named in the case only: members of the National Small Business Association (NSBA).

Following the ruling, FinCEN indicated it would continue to enforce the CTA against all small businesses and other entities not named in the lawsuit. This decision effectively creates two classes of small businesses: those that were members of the NSBA as of March 1st will enjoy the protections of the Constitution while the remaining 32 million small businesses targeted by the CTA will not.

Meanwhile, many small business owners will hear about the ruling and conclude that they are no longer obligated to comply, unaware that they are making themselves vulnerable to the CTA's stiff fines and criminal penalties. FinCEN, meanwhile, has no practical means of distinguishing between NSBA members and other small businesses. The NSBA's membership is not public, and the courts have previously ruled that the government cannot compel trade associations like the NSBA to turn over their membership lists.



# SSDA-AT Legislative Updates

## Congressional Intent

The CTA statute, adopted as part of the National Defense Authorization Act for Fiscal Year 2021 , called for a reporting deadline of “not later than 2 years after the effective date of the regulations” for existing entities. This timeframe was designed to give affected entities sufficient time to learn of, understand and comply with the new reporting regime. The two-year initiation period is in keeping with the legislation’s preamble which instructs FinCEN to “seek to minimize burdens on reporting companies associated with the collection of beneficial ownership information.”

In its rulemaking, however, FinCEN shortened this deadline and gave existing entities just one year to comply. That decision is problematic both in its disregard of congressional intent and its practical implications for CTA compliance rates. The CTA covers tens of millions of legal entities plus all those millions of individuals defined as their so-called “beneficial owners,” yet the vast majority of the law’s targets remain wholly unfamiliar with their new compliance obligations. They simply need time to learn about the new law.

## CTA Education

Filing under the CTA began more than two months ago, yet fewer than 2 percent of covered entities have submitted their required information to FinCEN . At this rate, it will take more than ten years for filings to reach FinCEN’s estimates of 32 million submissions.

One reason for this low compliance rate is that most business owners are ignorant of the new law. A recent survey conducted by the National Federation for Independent Business found that four out of five small business owners are “not at all familiar” with the new reporting requirements. Meanwhile, as a Tax Notes article highlighted, while the accounting community is best positioned to educate their small business clients regarding their filing obligations under the CTA, they are precluded from doing so it could constitute practicing law without a license.

Both the business community and FinCEN have made strenuous efforts to educate small business owners as to their new obligations, but it is obvious more time is needed. Congress did not enact the CTA in order to turn millions of law-abiding small business owners into felons.

## Action Requested

Fortunately, there are multiple efforts underway to give small businesses the relief they need from this onerous statute. A group of 80 of your colleagues recently wrote to Secretary Yellen urging a delay of the CTA , citing its myriad flaws and FinCEN’s inadequate efforts to educate affected stakeholders on their new obligations.

Legislation which would delay implementation of the CTA (H.R. 5119) passed the House late last year with a bipartisan 420-1 vote, while its companion introduced by Senator Scott (S. 3625) has been referred to the Senate Banking Committee. A one-year delay, as called for in H.R. 5119, would give the court process time to reach a conclusion, grant small businesses much-needed time to fully understand these latest developments and afford FinCEN and the business community the opportunity to continue their education and outreach efforts to ensure that all covered small businesses are aware of their new reporting obligations.

For these reasons, SSDA-AT and the undersigned organizations strongly urge you to adopt S. 3625 and give America’s small businesses the time they need to learn about the new CTA compliance obligations, as well as the Courts time to fully consider the NSBA’s challenge.

Signed,

SSDA-AT and other trade associations



# MEMBER TO MEMBER SERVICES

**ACCOUNTANTS**

J.E. Robinson  
Murrysville, PA  
412-423-1093

**ATM**

ATM Cash World  
Tom Ranallo  
Pittsburgh  
800-937-5169

**ATTORNEY**

Andrew Klaber  
Chartwell Law Offices  
Sewickley, PA  
412-741-0600

**CLEANING CHEMICALS**

Apter Industries  
Rick Gobel-McKeesport, PA  
412-672-9628

**COMPLIANCE TESTING**

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Sean Tosadori-East Butler  
724-285-4258

**COMPUTERS**

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**CONSULTING**

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**ENVIRONMENTAL TANKS & UPGRADES**

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Donald Rothey Jr.  
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412-384-6051

Total Tank Works LLC  
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724-285-4258

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- 2 ALM 9001 Lift
- ESP Emissions tester
- Branick model 7200 Spring compressor
- Snap On Evap Smoke machine with nitrogen tank model EELD 302B
- R134A AC machine
- Snap On ZEUS scanner
- Snap On Tire balancer model EEWB 304D
- Snap On Tilt back Tire changer model EEWH 311B
- Gray Lift Portamatic air powered lift
- NAPA Coolant Flush pulsating tool
- Power Probe bleeding adapters kit
- Branick Pressure bleeder
- Hoppy Headlight aimer
- 3M wheel weight tape system
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Sean Tosadori-East Butler  
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# Calendar of Events

April Fool 's Day	April 1
Tax Day	April 15
Earth Day	April 22
Arbor Day	April 26

## Business Hours:

Monday	Closed
Tuesday	8:30-3:30
Wednesday	8:30-3:30
Thursday	8:30-3:30
Friday	Closed

## Contact:

Phone: 412-241-2380

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**Hello April.  
Be a month of  
rebirth, regrowth,  
and renewal.**

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