

**Testimony of Sal Risalvato**  
**Executive Director, New Jersey Gasoline, Convenience, Automotive Association**

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NJ DEPARTMENT of ENVIRONMENTAL PROTECTION  
ENVIRONMENTAL MANAGEMENT  
DIVISION OF AIR QUALITY

Notice of Rule Proposal

Fees for Permits and Certificates for Minor Facilities and Operating Permits, N.J.A.C. 7:27-8.6  
and 22.31

My name is Sal Risalvato. I am Executive Director of the New Jersey Gasoline, Convenience Store, and Automotive Association (NJGCA). There are thousands of gasoline stations, convenience stores, and auto repair/body work businesses in New Jersey, most of which are independently owned and operated. These are America's quintessential small businesses and I thank you for the opportunity to testify on their behalf today regarding a very important matter.

I am here today to testify in opposition to the huge new fee increases being proposed by this Department. Let me be clear, I am not here because oppose any form of fee increase. I acknowledge that it is reasonable for businesses to be required to pay a fee along with a permit they submit, and I even recognize that after five years, it is fair to propose an increase in those fees.

However, when the Department comes forward with a fee increase as egregious as this, I must speak out against it. The last time fees were increased, it was more reasonable.

General Permits, to use the example that is most relevant to the small businesses I represent, increased by \$60 in 2010. This proposal would have them increase by \$410 come January, doubling their cost. The permit for renewing the authorization of a used oil space heater, owned by many auto repair shops, increased by \$45 in 2010 but would increase \$525 in 2015. Preconstruction permits increased by \$255 in 2010 but would go up \$772 in 2015 for the first new piece of equipment. For comparison, the transfer of ownership fee increased \$20 in 2010, and would increase \$53 in 2015, a much more reasonable amount.

These fees add up, especially for businesses that file multiple permits. A gas station with an auto repair shop with a waste oil heater and a backup power generator would have to file 3 general permits, meaning a loss of over \$1,200 as a result of these increases.

Backup power generators are something widely encouraged for motor fuel retailers to install; indeed the Economic Development Authority is currently administering a program to provide economic assistance to certain stations to install permanent generators. The reason so many stations do not have these generators is because of the high cost involved. It sends the wrong message for the DEP to drive up the costs of a generator even further.

I understand the argument that if the cost of the regulatory oversight is not borne entirely by the regulated community, then part of it will fall on the general taxpayer. However, the regulated community is not the only one who benefits from a clean environment. Since small businesses cannot afford to carry the entire program on its back, I believe it is fair for the taxpayers who want a clean environment to continue to shoulder some of the weight.

New Jersey already has one of the worst business climates in the country. Property taxes continue to increase and the cost of employees continues to go up, especially after the recent minimum wage increase. Small businesses are getting squeezed, and dramatically increasing the fees they are required to pay pushes them further to the point of breaking.

Every dollar the government takes from the small business community is one dollar less for them to invest in their business, hire a new employee, donate to charity, or otherwise make their community stronger, healthier, and more vibrant.

I hope that you will reevaluate this proposal and lower the proposed fees to a more reasonable level.

Thank you.