

SPRING 2023



VOLUME 15 - ISSUE 2

ON THE ROAD

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President's Message



Spring is here and as the saying goes, April showers bring May flowers. Let's wash away the winter doldrums and spruce up your facility for spring. How about some landscaping, flowers, paint touch up or new signage? Make your place stand out above the crowd! What can you do to attract customers?

Everyone is ready to move, and you are the perfect person to get them moving. Capitalize on spring fever. I know the economy is a little unpredictable, pricing is all over, but you can make it work for you. Do not get caught up in the doom and gloom and propaganda floating around our country.

New ideas, new equipment and services, social media marketing, etc. Grab hold and plan for a very prosperous summer. Take a look at some of our Member Benefit Partners (MBPs) for deals and services. **Frank Eberhart** from **Lending Capital.Net** has some good financing deals available if you are looking to borrow to expand your services—maybe you need more working capital or you are planning to purchase another site. Give Frank a call, 908-269-8878 business, 973-479-2558 cell or frank@lendingcapital.net, let him tell you how he can help you. **Ron Urban** from **Advance Solar** has some great energy solutions and there's a good chance he can find some grant monies or tax credits that are available. He can also help you get an EV charging station for little or no cost. Call Ron at 732-396-8277 business, 732-496-0804 cell or ron@advancesolarnj.com.

You should have also just received an updated version of our MBP brochure. There are other new additions there as well. Spring cleaning is a great time to sit down and look through all our providers and compare their rates with your current suppliers. You may think you're getting a fair rate currently, but the marketplace is always changing, and we hear from members all the time about the savings they were shocked to find when they made a few phone calls to our MBPs.

Don't waste time. Press into all the opportunities waiting for you through NJGCA. This is your organization and we work very hard to bring you as

many resources as possible. Run your business, pay attention to details and you will come through this strange time better, stronger, and ahead of the competition.

We are still conducting our Scholarship Drive. We need your help. No donation is too small or too big, and it is tax deductible. This scholarship can benefit your family and employees' families. Send in your donation today. You can either mail a check or donate online. Hurry, hurry, hurry. We want to offer substantial scholarships to our applicants. And speaking of applicants, they can apply online—let's show this year's recipients the generosity of NJGCA members.

We all know how important education is in today's marketplace. COVID is finished and we at NJGCA are again offering educational classes for our members. Call the office and get in touch with Nick to see classes, dates, and times available. We are also looking into offering new types of classes on new subjects, so please let us know what subjects you'd be interested in taking a class on, or sending an employee to learn more about.

We here at NJGCA are still a work in progress. You will still be seeing me, but also our office staff with MBP's out and about visiting our members and potential members. We want to hear from you. What do you need? How can we assist? Let's make NJGCA bigger and stronger than ever. Reach out to your colleagues and let them know the opportunities available through NJGCA. Remember, there is power in numbers whether dealing with vendors, educators, or state and local government. NJGCA has your back.

As always, I and the staff are just a phone call away. We are here for you. Stay well and I hope to see some of you on my travels.

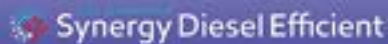
Joe Ocello, President NJGCA
848-333-9257
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A business card for MPX Merchant Pro Express. The card is white with a blue border. The logo 'MPX' is in large blue letters with 'MERCHANT PRO EXPRESS' in smaller blue letters below it. To the right of the logo, the name 'Louis Puglisi' is printed in blue, followed by 'Senior Account Executive' in a smaller font. Below this, three phone numbers are listed: '609-957-1784 Direct', '609-269-2256 Fax', and '888-333-1374 Support'. An email address 'lpuglisi@merchantproexpress.com' is listed below the phone numbers. At the bottom left, the text reads 'Your Referrals Are The Sincerest Compliment I Can Receive'. At the bottom right, the website 'www.MerchantProExpress.com' is listed.



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Horror Highlight

Compliance Testing, Scheduling, and Penalties

Despite good intentions and advanced scheduling, failing to complete routine tests will cost you.

By: Nick De Palma, Counsel Director of Member Services



We've recently heard from numerous members who have received excessive fines from the New Jersey Department of Environment Protection ("DEP") for failing to complete routine underground storage tank ("UST") maintenance and testing. The uptick has resulted in fines for simple, inexpensive assessments -- that ultimately cost shop owners thousands of dollars.

As this edition of On the Road focuses on "renewal" and "spring cleaning", your Association invites you to take a second look your UST compliance regimen, your compliance company, and if any improvements can be made.

There are many station owners who are often confused (or forgetful) about their UST compliance responsibilities. Thankfully there are some resources out there to help you keep it all straight, including the NJDEP's own Compliance Calendar (which we send the downloadable link to station owners each year, or you can visit www.njgca.org and find it on the banner at the top of the website).

Such resources aside, most station owners rely heavily on their compliance company and associated professionals to keep it all straight and help them avoid any mishaps.

There are daily checks, monthly inspections, yearly tests, and more. Despite all the good intentions and outside resources, it can get very confusing and often leads to unintended consequences.

A fellow member recently fell prey to the above scenario, and it unexpectedly cost him thousands of dollars. His story is worth repeating.

Our member runs a service station and repair shop with a stellar record. He never has violations from state authorities, and is on good working terms with officials from DEP, MVC, and DOL, among other agencies.

Our member was having routine testing done by his compliance company. During the testing, a routine torque test was skipped and forgotten altogether by the

compliance vendor. A week later, our member realized the torque test was missing, called up the vendor, and scheduled the test.

As it seemingly always happens, a few days later DEP officials paid a visit to our member's shop on a routine audit. After going through all the usual UST compliance reports, DEP noticed that the torque test was incomplete. Our member explained the mishap and even showed the DEP official his email exchange with the compliance company to demonstrate that the test was scheduled a few weeks out.

The DEP official stated that he understood and to email a copy of the final report once it was completed.

Our member walked away from the encounter believing that there was an understanding between him and the DEP auditor. He also felt that, as he was never in any trouble with DEP on compliance matters, he was being given the benefit of the doubt as it related to the missing torque test.

Unfortunately, our member was wrong on both counts. Even though the torque test was done one week after the visit, and a copy of the completed (and passed) test was emailed to the auditor, our member received a violation and a \$5,000 fine three months after the DEP auditor's visit.

The fine amount seemed unjustifiably high. After all, the torque test was several hundreds of dollars, and it took only 20 minutes to complete.

Our member was upset and called DEP officials to complain. He cited the conversation between him and the auditor (who stated he understood the situation, and allowed him time to cure the oversight), and even pointed out that his 20+ year compliance record had nary a blemish.

To the DEP, none of this mattered. As unfairly as he felt he was treated, our member had very little recourse but to settle for a slightly reduced fine amount, and was permitted to pay that amount in small installments over a year.

Once NJGCA caught wind of the situation, we were understandably upset for our member and made a few phone calls to officials in Trenton in hopes of improving the fine amount. Though some progress was made, the fine still had to be paid.

Does any of this sound familiar? Have you experienced a related incident?

Ultimately, you can learn from our member's mistake. Using this month's focus on "renewal" and "spring cleaning" as an excuse to revisit all aspects of your business, take a moment to reexamine your compliance company arrangement and consider the following:

1 – Ask your compliance company what their policy is when routine tests are not performed; and you are served with a violation and fine. In the instance above, our member reached out to his compliance company to point out that his torque test was missed; and that he was ultimately fined for it. In such instances, members are encouraged to reach out to their compliance company and ask them to take financial responsibility for missing the test requirement. Perhaps they will "do the right thing" and offer some kind of amends for the mistake. While our member ultimately came to an understanding with this compliance company (they split the fine), our member still had to pay toward an avoidable fine.

2 – If you are unhappy with your compliance company, don't feel trapped. You are paying your compliance company to help you navigate this confusing labyrinth of rules and regulations. You must trust them and feel comfortable working together. Knowing this, remember there are many reputable local vendors competing in this space. Some of them are our own Member Benefit Partners (MBPs). There's nothing wrong with having a look around to see if there's a better fit to meet your compliance obligations. And that's not only true in this facet of your business, but all others, too.

3 – Don't take what is said by DEP officials in passing as the final word on a matter. In this example, our member had a great working rapport with the auditor who came to his shop and gave him that verbal "okay" to send in the torque test results later. Even with that cordial understanding, our member was fined. This is likely because field staffers and auditors must report their findings back to their superiors in Trenton; and those supervisors have the ultimate authority to issue a fine. You should make it a practice to memorialize such field interactions; write down names, dates, times, and what was promised. And if you can have that MVC auditor send you a "confirming email" with those representations, even better! It may not ultimately "help" if a supervisor pushes to fine you later, but at least you'll have something in hand that underscores the "promise" made.

4 – Regardless of your rapport with DEP officials or your own compliance company, the ultimate responsibility for your shop stands with **you**. State staffers come and go. Your retained compliance company may change many times over the years. However, the responsible party holding the bag (and paying the fines) will always be you. Knowing this means that you must be especially careful with who you decide to do busi-

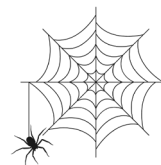
ness with and rely on. That means you may have to check (and double check) the work performed at your location to make sure you're getting what you've paid for.

At above noted, the ultimate takeaway is, of course, **"Please do not let this happen to you!"**

Today, nothing can be done to help our member; but such lapses can serve as a strong warning for others that are similarly situated.

With the above in mind, and so to avoid future violations, review your compliance obligations and make sure all your required testing is scheduled.

If you have any questions about this Horror Highlight, or ever get into any trouble with the State, please email Nick at nick@njgca.org





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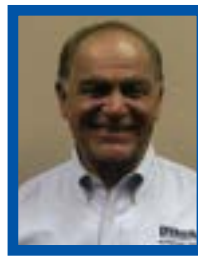
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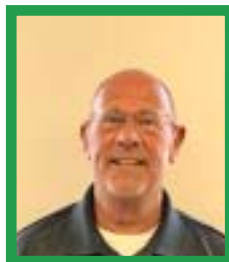
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- Ebbie Ashabi
- Saad Abbasi



Michelle Horowitz Jackson
Director of Communications & Information
michelle@njgca.org

The legislature recently approved significant increases in campaign contribution limits. Raising more funds for our causes is more important than ever!



The NJGCA Political Action Committee (PAC) is one of our most important tools in fighting for our industries. With 120 legislators all looking for campaign support, and their events running \$400+ each, we need all the support we can get to stay relevant and stay in the conversation. When you contribute to the NJGCA PAC, you enable us to show support and say Thank You to those legislators who have championed our efforts and stood by our side. Our contributions are small compared to those of our opponents, but legislators understand that our small contributions represent a giant effort to do our part to support them.

Even a \$100 donation will allow our association, and that means you and your business, to be more influential in Trenton. Money is support, and support is what gives us our foot in the door, makes us new friends, makes old friends stronger, and makes potential enemies think twice about trying to go after your business.

The strength of our association has always been our numbers, if everyone gives a little it will add up to a whole lot. You can make a contribution payable to NJGCA PAC and mail to 615 Hope Rd., Bldg. 2, 1st Floor, Eatontown NJ 07724.



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MEMBERSHIP MEMO

By: Greg Cannon



Winter? What Winterrrr!?! That was a Midnight Run!

I hope everyone is doing good, geared up for some good weather and an uptick in business.

Just a couple of updates to keep you in the loop. In the coming months a project will be underway to revamp the NJGCA website. It's been quite a few years since our last remake and we're looking forward to presenting a new, fresh look that is informative,

user-friendly and most importantly efficient. We'll keep you posted.

Also, as some members have already experienced, the NJGCA office staff will be back on the road stopping in to see what's going on with our members and listening to your feedback on our performance and noting any helpful suggestions.

If you haven't already, you will soon be receiving our 2023 MBP Brochure. We have added some new partners this year and we're always exploring even more programs to help your operation run easier and save you money. Keep it handy as a useful reference.

That's it for now. Until next time remember this: No matter where you go ... There you are.

Thank you for reading. Have a great summer!

Cheers!
Greg



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Legislative Roundup

Important Issues Affecting Your Business

By: Eric Blomgren

Self-Serve

NJGCA continues to advocate for our proposal to legalize the option of self-serve by allowing stations with four or fewer gasoline dispensers to choose whether to offer full-serve or be entirely self-serve. Larger stations would be required to offer full-serve. We believe this is a fair compromise that allows full-serve to be available for customers who want it while allowing small businesses to choose what is best for them. Unfortunately, it is this very provision which is increasingly our biggest holdup. Oregon, which still prohibits self-serve in the most populated half of the state, has passed a self-serve bill through one of its legislative houses by a big majority, though that bill requires every station be offer full-serve, dedicate half their pumps to full-serve, and have the same price for full or self. Our odds of passing something would be much higher if we adopted this Oregon compromise, but since most locations only have a single attendant to start with, such a change would have little benefit to station owners. The best argument in favor is just that it's a foot in the door, and maybe later we can get full self-serve at smaller locations once the public are more used to it. However, that would take three to five years at least.

We have also been investigating the potential for a lawsuit against the state challenging the constitutionality of our self-serve ban as being an unfair and unjustifiable restriction on trade. Legal minds are split on how good the chances of success would be, but winning would take an investment of hundreds of thousands in legal fees over several years. Changing public opinion enough to get them comfortable with self-serve would require a huge advertising campaign in one of the most expensive states in the country, literally a few million dollars would be needed to make enough of an impact. We have been unable to raise near those kinds of funds, not even from oil companies or big corporate chains. What are your thoughts on strategy? Email Eric@njgca.org

Right to Repair

There has been some progress in the last few weeks in the national fight to expand Right to Repair protections to telematics data. Auto manufacturers have been using the shift to wireless data to restrict the ability of independent repairers to fix vehicles, a problem that is growing every year as new vehicles equipped with this tech make up a larger and larger portion of the fleet.

The new Congress began with a comprehensive bill being introduced by a bipartisan group of members in the House of Representatives (H.R. 906). In Maryland a hearing was held on the issue by their House Economic Matters Committee. In Maine enough signatures were gathered by the advocates to put the issue on the ballot this November. The expansion approved by Massachusetts voters in November 2020 is still on hold in the same court case it has been since it was approved, but thankfully the new Massachusetts Attorney General announced that she was fed up with the delays by the car manufacturers and would start enforcing the law on June 1st. If manufacturers don't comply, repairers will be able to sue.

Ban on Gasoline Cars

Governor Murphy announced he would order the NJDEP to adopt regulations that would completely ban the sale of all new passenger motor vehicles powered by any amount of gasoline or biofuel. The ban would take full effect in 2035, though it would begin being phased in in 2026. Used cars with internal combustion engines (ICE) could continue to be owned or purchased, and it appears the State won't be able to stop New Jerseyans from buying ICE cars in other states where they will presumably still be legal. NJGCA opposes this unjust and unfair restriction on consumer choice. Any transition to zero emissions vehicles should be entirely through incentives and through the choice of motorists, the government should not take away an effective mode of transportation that was chosen by over 93% of consumers last year.

The Governor and DEP should also not take such drastic action without the Legislature weighing in. In addition to causing a massive increase in electrical demand, the Governor also wants to eliminate all natural gas power generation, which supplies about half of our current electricity. Is it possible to create so much new wind and solar generation in the next twelve years to replace all our natural gas, and meet the demand caused by switching to EVs, and remove natural gas from 400,000 buildings, and upgrade the grid enough to handle all this power, and to do so without massive increases in utility bills? Almost certainly not, and there's basically no plan or cost estimate for how to do it. This plan will shift where most motorists buy their transportation energy from mostly small businesses to huge utility companies, in order to stop or slow this mandate (or more likely convince the legislators and the next Governor to do so), they will need to hear from you loudly and frequently.

Vaping Flavor Ban Enforcement

As you should know, the sale of any vaping product with a flavor other than tobacco has been illegal in NJ since March 2020. However, this law has largely gone unenforced, and as a result many c-stores are openly selling these products. Doing so gives them an unfair competitive advantage over stores that are obeying the law. Now Reynolds Tobacco is engaging in a major effort to force stores into compliance and has hired not only a top NJ law firm but investigators to go to stores, collect evidence they are breaking the law, and threaten the store with a lawsuit for the violation. Thankfully, they are not looking to cash in at the expense of small businesses, but are looking to increase compliance, and will not pursue legal action if a store that receives a warning letter lets them know they will come into compliance. Be aware if you do get one of these letters, it is not an idle threat.

Credit Card Fees

NJGCA was in Washington DC last month working with the National Association of Convenience Stores (NACS) and representatives from across the country to support the Credit Card Competition Act. Credit card fees are now the second largest operating expense retailers have, and this bipartisan bill would inject real competition into the marketplace, ultimately lowering credit card interchange fees for retailers. If we had any doubt that this bill couldn't get passed or wouldn't have a real effect, it was removed when it became clear the big banks were spending big money fighting against our proposal, even paying for physical and digital advertising attacking gas stations and convenience stores specifically for allegedly making big profits (meanwhile their profit margins are over 30% and interchange fees in the US are seven times higher than in Europe).

Limited Fine Forgiveness

Governor Murphy signed bipartisan legislation into law that NJGCA supported and passed the Legislature unanimously. It would give small businesses (50 or fewer full-time equivalent employees) a 60-day grace period if they are fined by the state for noncompliance with certain laws and regulations. If the business is able to correct the issue before the end of the grace period, they would not be subject to the fine. Unfortunately, this does not apply to all legal compliance issues—labor laws and/or anything that would have an immediate impact on the environment are excluded, and the grace period only applies if it's the first time the businesses owner has been fined for that issue. The legislation becomes effective in late June. NJGCA supported this legislation which allows honest business owners to correct their mistakes. The purpose of state agencies should be to maximize compliance, not to raise revenue. All that should matter is that the laws are being followed.

DTW/Zone Pricing Problems?

We've heard complaints recently from some members who have really been taken advantage of by their suppliers through their dealer tank wagon pricing. While most of the industry has shifted to rack-based pricing, some are still stuck paying whatever price their supplier chooses. It seems they have been using their market power to gouge their dealers, giving them prices that are literally 30¢ a gallon above rack, sometimes the same price that their competitors are charging on the street. We are looking into ways to push back on this, including through legislation. If you feel your supplier is taking advantage of you with excessively high, uncompetitive prices, reach out to me at Eric@njgca.org or 732-256-9646. The more people involved the stronger our effort.

Another Minimum Wage Increase?

In January the minimum wage increased to \$14.13 an hour for most employers (more than six employees), and will increase again to \$15 an hour January 2024, with small businesses hitting that level by January 2026. But the recent spike in inflation is the excuse that some on the political left are using to call for yet another minimum wage increase, with some advocates in neighboring New York state calling for the minimum wage to be increased to \$21.25 an hour in the next three years. We will be monitoring this effort should it start picking up support. While the idea is being promoted because of inflation, it's a policy like this that would drive further inflation since such an increase in labor costs would just be passed on through higher prices.

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Member Spotlight

Levent Sertbas: Quick & Fresh, East Rutherford, Hawthorne & Paramus

By: Michelle Horowitz Jackson



It was shocking for all of us to see and hear about the devastation that occurred following the 7.8 magnitude earthquake that struck Turkey and Syria. The combined death toll is nearly 60,000 between the two countries, with many more injured, displaced from their homes, and without basic necessities. The devastation continues in

the area; even as of March 1, more than 11,000 aftershocks occurred according to Turkey's Disaster and Emergency Management Authority (AFAD), with more aftershocks expected for the foreseeable future.

NJGCA member Levent Sertbas, who was already involved with charitable organizations in Turkey before the earthquake, began mobilizing efforts to collect funds and supplies for those effected by the disaster. As of this writing, Levent and his colleagues and friends have donated over \$40,000 to several Turkish organizations, including the Turkish Philanthropy Funds and Bridge to Turkey Fund. In addition to the funds, they were able to purchase six container homes for those who had been displaced from the earthquake (seen in photographs). Each of the container homes came with supplies such as sleeping bags, carpets, toilet paper, and other necessities to live, and totaled about \$30,000 for all of the homes and supplies. They also donated an additional \$15,000 of supplies that were delivered on a trailer and were packed up in boxes and delivered.

Aside from Levent's efforts in Turkey to help following the devastation of the earthquake, he has been involved with an organization "Bridge to Turkish Funds" that is working to build a school for autistic children in the country. Last year, Levent and his colleagues were able to raise \$150,000, and the group is looking for more locations for schools. They hope to raise more funds in order to build a temporary school for children whose

schools were destroyed by the earthquake, working in coordination with the Turkish government. If you would like to help contribute to Levent's efforts in Turkey, you can either visit the link below, or use the QR code provided:

bit.ly/3ZCzjmQ



(To use the QR code, open your camera and aim it at the image. When a bit.ly link pops up, click the link which will take you to the donation website.)

Are you involved in any charitable organizations or community efforts that you would like members to know about? Email Michelle at michelle@njgca.org today and let us know how we can spread the word!





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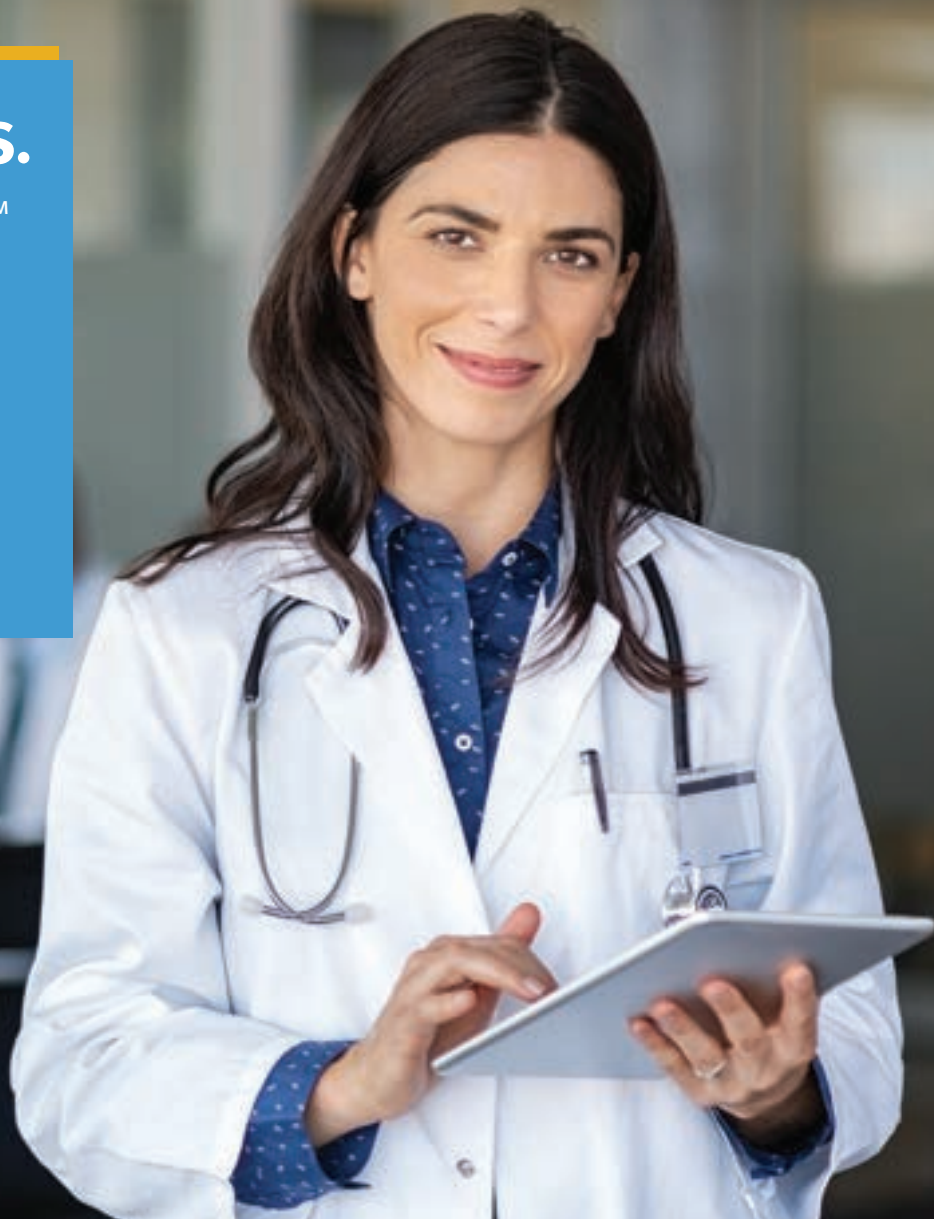
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Compliance Corner

*Compliance – Governance – Regulatory –
Administrative Updates*



By Nick De Palma, Counsel and Director of Member Services

THE ADVANCED VAPOR RECOVERY UPGRADE:

**Spill Buckets, P/V Valves, And (Possible) Fines...
Oh My!**

We have sent multiple messages to our members regarding the upcoming Enhanced Vapor Recovery ("EVR") upgrade mandate.

While we've beaten this drum for a while, a recent member question and chance conversation with a trusted Member Benefit Partner ("MBP") compelled us to touch on this subject again, if only to reiterate that this process demands your attention well before the deadline.

A month ago, we heard from a member who needed to have his spill buckets replaced. His contractor suggested that, if he were going to go through the expense of replacing them, he should upgrade his spill buckets to comply with the coming EVR requirement.

If you've been reading our updates, you'll recall this upgrade affects all locations with tanks installed prior to December 23, 2017. Any tanks installed on/after December 23, 2017 are unaffected; and should have had these enhancements made at the time they were constructed.

That means, for any station build before December 23, 2017, you must upgrade to new, full EVR requirements by December 23, 2024.

For those affected, the upgrade is a California Air Resources Board (CARB) Certified Phase 1 system, and includes enhanced rotatable fill adapters, dust caps, spill buckets, hoses, and other requirements. Stations that do not upgrade their facility by December 23, 2024 may face fines or penalties for non-compliance.

Turning back to our member's spill bucket question above, he had missed these repeated updates altogether. When he reached out us, he was inquiring if his compliance contractor was being truthful with him about the spill bucket enhancements. Why? Because the recommended buckets were more expensive than the ones currently specified for his location. Our member was questioning if his

contractor was being honest or merely trying to "upsell him" to make more money on the replacement.

After walking through some of the requirements, and reminding him of the December 2024 deadline, we assured him that paying once to upgrade to the newer, more expensive spill buckets would save time, resources, and aggravation later as the deadline approached.

After all, why pay twice when you can pay once today and future-proof against a potential fine later?

Spill buckets aside, we also spoke to the member about other EVR requirements and if he was lining up the appropriate contractor to meet the deadline. Even if we've touched on this for months, he unfortunately had no idea.

We informed him that the EVR upgrades focus on the parts of the tank top that are either venting or opened on a regular basis, and consider which of those elements need to be replaced. That's more than just spill buckets, fill, dry break, but also speaks to ATG probe risers, pressure/vacuum vent caps, and other related equipment.

"The EVR update shouldn't be taken lightly. This is more than just buckets, collars, caps, seals, and rotatable fill adapters. Every station is unique, with its own unique equipment features and situational elements. That means there is no one-sized-fits-all solution. If a station is going to make these upgrades, a contractor needs to be called in early so they can assess the materials and products needed for that site. We need to order parts and schedule the work months in advance", said Manny Alvarez of C-3 Technologies.

While some of these upgrades are relatively affordable, spill buckets and drop tubes have the potential to be very expensive. In fact, depending on the installation and existing equipment configuration, it can be tens of thousands of dollars in labor, parts, and materials. That means that not only do parts need to be ordered ahead of time, but the station owner needs to plan ahead and allocate appropriate financial resources to the upgrades.

“When you visit a station, you never see the exact same set up twice. That’s because every station was built, outfitted, or upgraded at different times. But it is also because the hardware and equipment used may differ from manufacturer to manufacturer and location to location. The EVR upgrade solution at one station may not look the same at another. To properly figure it out, we need to be called in early,” said Tom Ruga of Spark Contractors.

The mandate is nothing new to those working in the UST field. There has been a seven-year phased-in EVR upgrade integration. That means DEP officials are not likely to allow any special considerations or extensions for those station owners who do not meet the deadline. In fact, a trusted MBP recently explained that, at a recent Petroleum Equipment Contractors Association (“PECA”), state DEP officials made it clear that there will not be any special considerations or extensions to the deadline. Period.

“We’re in April of 2023 and the deadline is December 2024. You’d think you have plenty of time to make the upgrades. But what many owners don’t realize is that materials can be in short supply, and that there are only so many quality licensed contractors doing this kind of work. Our schedule is filling up quickly, so time is of the essence. If you procrastinate you risk not having your project completed by the deadline and with that comes additional penalties and increased costs”, said John Lynch of Salomone Bros.

“We’re already seeing how this will play out in the field. Our staff is out there warning station owners about the lead time and expense these updates require; but we know we will get calls a month before the deadline asking for help. Unfortunately for them, by that time it will be too late”, said Garrett Brodie of OWL Services.

Have you spoken to a contractor and laid out plans to meet the EVR deadline? If you haven’t done so, you should act now!

“Station owners are not helping themselves by putting this off,” said Tony Tedeschi of Boulder Petroleum. “Every compliance company and contractor will be scrambling from here until the deadline. And that’s not only because there are so many stations that need upgrading; we still need to keep up with regular, ongoing compliance work and contractor projects along the way. And just like every other industry, skilled workers are in short supply. That stretches out project times. It only benefits owners to speak with their compliance company now.”

Please don’t wait until the last second. As we saw with the end of Stage II and the EMV credit card reader deadlines, many station owners waited until the final

few weeks before the compliance deadline --- and were harmed by longer wait times and higher costs.

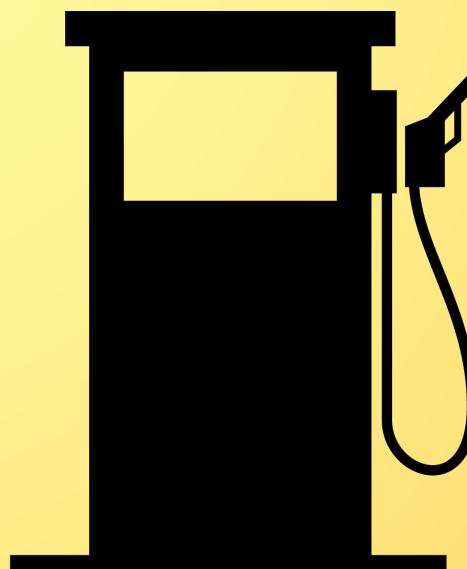
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THE ENERGY EXAMINER

FROM TRADITIONAL RESOURCES TO ALTERNATIVE ENERGY INNOVATIONS

By Michelle Horowitz Jackson



Since our debut in 2007, NJGCA *On The Road* has brought you timely updates on changes in the energy and automotive industries. Today, each new issue of *On The Road* will bring you more update and information in our *Energy Examiner*. The *Energy Examiner* will offer readers news from around the energy/transportation industry and how it will affect your small business. If you have any questions or comments on what you review in these quarterly pieces, please feel free to reach out to NJGCA.

New Jersey Climate News:

Following headlines from environmentalists that Governor Murphy wasn't doing enough for the environment, the state made national headlines this quarter when the governor announced he was directing the DEP to follow in California's footsteps and ban the sale of new gasoline-powered passenger cars by 2035, the most aggressive clean energy target of any large state. It would be a phased-in ban that would begin in just a few years. These vehicles cannot use any gasoline or diesel fuel at all, including hybrid vehicles. Currently only about 5% of new vehicle sales are EVs. California was the first state to pass a similar rule, and a few other states on the west coast and northeast have already passed similar rules or plan to in the near future.

In March, the Minnesota Service Station & Convenience Store Association, NACS, the Minnesota Soybean Growers Association, Clean Fuels Development Coalition, and ICM Inc., filed a lawsuit against the state of Minnesota for its adoption of the same California mandate that New Jersey plans to adopt. Should they be successful, Minnesota may set the precedent for other states to prevent this from happening nationwide. The government is looking to take away consumer options, an option that 95% of current consumers are taking, and we plan to voice our concerns publicly to this plan.

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UPDATE: ETHANOL/BIOFUELS/BIODIESEL

Draft RVOs released; plans to increase renewable fuels, e-RIN incentives

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Petroleum companies like Chevron, interested in obtaining subsidies to make cleaner burning products, are increasingly looking to biofuels as a potential for cleaner fuels to keep up with fast-changing laws. Chevron Corp., in partnership with other agricultural companies are teaming up to plant as many as 10 million acres of canola in the southern United States to explore the potential for the biofuels in green diesel and sustainable jet fuel. Double-crop winter canola not only benefit the lower-carbon future, but also benefit farmers, consumers and the environment.

European Union nations' energy ministers gave final approval in late March to ban the sale of carbon emitting vehicles in the EU in 2035. Germany, however, won an exemption for cars running on e-fuels, arguing that internal combustion engines that run on clean or carbon neutral fuel should still be permitted. E-fuels are created by way of "synthesizing captured CO2 emissions and hydrogen produced using renewable or CO2-free electricity," similar to "e-kerosene, e-methane, or e-methanol." These fuels still release CO2 when used by an engine, but are equal to the amount of CO2 taken to produce the fuel, therefore carbon-neutral. Creating e-fuels can be cost and time intensive, and some policymakers believe e-fuels would be better suited in the aviation and shipping sectors.

UPDATE: ELECTRICITY & ELECTRIC POWERED VEHICLES

Rivian Recall; Grid Scale-Up to Meet National Demand; USPS to Go Electric

While globally, new car sales fell about 1%, the Wall Street Journal reported in January that 10% of global car sales are made up of EVs, more than doubling from the previous year. Though the U.S. had fewer EV sales than Europe and China, sales of EVs rose this year by two-thirds over 2021, with 807,180 fully electric vehicles sold in the U.S. last year. Car executives are now faced with trying to determine the right timing to roll out their EV products. They currently use the profits from the sales of their gas-powered vehicles to fund their EV rollouts, but now automakers must simultaneously ramp up their EV offerings and continue producing their profit-making, gasoline;-powered vehicles, adding more challenge to a full-on gas vehicle ban. Even BP, who have made strides in creating green initiatives, announced in February that they would slow their transition to a lower-carbon business model and boost oil-and-gas production. Availability of the materials needed to create EV batteries as well as grid readiness are also factors in determining when to scale up inventory.

Tesla continues to be the dominant EV player in the U.S., though their share of the market is declining. Ford is now the No. 2 seller of EVs, making up 7.6% of the EV market. Unlike Tesla, Ford was able to deliver on a hands-free driver assist system (BlueCruise) for mapped sections of highway, while Tesla’s full self-driving system is not hands free under any circumstances and costs an extra \$15,000 for the feature to be included in your vehicle (Tesla promises that including this feature means it will work to its fullest extent....someday). Ford was also able to deliver on a fully electric pickup truck this year, while Tesla’s Cybertruck and updated Roadster continue to get delayed. Meanwhile, price cuts from the top two EV automakers are stirring up layoffs at EV upstarts such as Rivian, Lucid Group and British startup Arrival. Rivian, which has been losing money on every vehicle it builds, is instead focusing on ramping up production of its trucks (which fell short of its production goals last year) and delivery vans for Amazon.

Sony and Honda also announced a joint venture to develop and build new electric cars. Afeela will be available to order and purchase in 2025, with the first deliveries expected to be ready to go out in 2026. The car will have safety and driver assistance systems from Honda along with entertainment and interactive features from Sony. The car will include an exterior display screen called the “media bar” which will show information and interact with people outside the vehicle. The car will also come with many entertainment options, as well as 45 cameras and sensors inside and outside the vehicle some of which help to detect alertness and safety of the driver.



Charging Update:

There are several projects in the works legislatively and through private companies to expand access to charging throughout the nation. In March, the Biden administration announced a new program, the Charging and Fueling Infrastructure (CFI) establishing \$2.5 billion in new grants for the construction of electric vehicle charging stations and alternative fueling infrastructure in underserved communities. The CFI will also create new highway chargers and hope to fill gaps in the national charging and alternative-fueling network. The money builds on a separate \$5 billion in federal money dedicated to growing a nationwide network of EV chargers specifically along highways.

In February, Tesla agreed to allow other EVs to use its proprietary Supercharger network, opening up 7,500 new and existing chargers to non-Tesla users by the end of 2024. Tesla will also triple its Supercharger network to help improve the highway EV charging network. Hertz has also launched a new initiative, Hertz Electrifies, that partners with U.S. cities to bring in EV fleets, build charging infrastructure, create educational and training opportunities for jobs and bring EVs and charging to underserved communities. The initiative will launch in Denver, Colorado, with 5,200 rental EVs available for customers to use and increase charging capacity at the airport and at Hertz locations. Hertz will support the installation of publicly accessible EV chargers in Denver, as well as share telematics from Hertz's fleet of connected cars to help inform public charging infrastructure planning. Additionally, Hertz plans to support the installation of publicly accessible EV chargers in Denver and share telematics its fleet of connected cars to help inform future public charging infrastructure planning. Even Subway is getting in on the industry, planning to add EV chargers at select locations as part of a multi-year project to create larger Subway Oasis EV charging parks across the country. These "oasis" will offer charging canopies with multiple ports, picnic tables, Wi-Fi, restrooms, green space and playgrounds. Customer demand for EV charging will help guide decisions on starting locations for chargers.



Batteries:

In January, the State Department pledged to help build an EV battery supply chain in Congo and Zambia in order to move some of the battery production process out of China. The department and other U.S. agencies will offer technical assistance to the two countries, cooperate on feasibility studies and explore opportunities for the US. Currently, China makes about 75 percent of the world's lithium-ion batteries in 2021, compared with 7 percent for the U.S., according to the International Energy Agency. Congo and Zambia are major global sources of cobalt and copper, the ultimate goal is to shift the countries from being extraction-only to processing, manufacturing and assembling batteries. Though in collaboration with China, Ford will build a battery plant in Michigan that will create lithium iron phosphate batteries, which use less high-demand, high-cost materials. Ford will own the new facility through a wholly-owned subsidiary instead of operating it as a joint venture. According to Ford, the lithium iron phosphate batteries will help them further reduce EV prices for customers due to the batteries' lower cost. Tesla will also invest in battery factories in the United States, pledging \$3.6 billion for two new factories in Reno, Nevada to build EV batteries and its all-electric Semi heavy-duty truck.

For many EVs, there is no way to repair or assess even slightly damaged battery packs after accidents. This forces insurance companies to write off cars with few miles, which in turn leads to higher premiums and negates some of the gains from going electric. Because battery packs can cost tens of thousands of dollars and their cost represent up to 50% of the vehicles overall price tag, at the end of the day it could be uneconomical to try to replace them. Ford and GM have made changes to their batteries to make them more repairable, while Tesla has gone the opposite way with the Model Y, described by experts as having "zero repairability." Unless Tesla and other automakers produce more easily repairable battery packs and provide third-party access to battery cell data, already-high insurance premiums will keep rising as EV sales grow and more low-mileage cars get scrapped after collisions, industry experts said.

UPDATE: HYDROGEN/HYDROGEN FUEL CELLS

Toyota Unveils New Hydrogen Test Vehicles

A remote piece of the Australian outback will soon become home to as many as 1,743 wind turbines, each nearly as tall as the Empire State Building, along with 10 million or so solar panels, owned by a consortium of energy companies led by BP. The energy produced will not go to public use, but rather will be used to manufacture green hydrogen, a hopeful clean alternative for mining and other industries by replacing fossil fuels used in steel making, shipping, cement and elsewhere. Green hydrogen in heavy industry could reduce global carbon emissions by 5%, if not two or three times that. According to the New York Times, for green hydrogen to have a substantial climate impact, its most essential use will be in steel making, a sprawling industry that produces nearly a tenth of global carbon dioxide emissions, more than all the world's cars.

While Toyota is increasing its focus on battery-electric vehicles under new leadership, it still considers hydrogen an important alternative and will continue to invest in it, despite a recent incident that could be considered a setback for hydrogen car racing. A Toyota GR Corolla race car powered by hydrogen rather than high-octane petrol was withdrawn from a racing event in Japan after catching fire during testing. Unlike other Toyota hydrogen fuel-cell vehicles such as the Mirai and HiLux prototype which use hydrogen to generate electricity and power an electric motor, Toyota has been developing traditional petrol engines to run on liquid hydrogen fuel. The vehicle fire occurred due to a hydrogen leak from a gaseous hydrogen pipe in the engine compartment, causing damage to the vehicle which could not be repaired in time for the race (the driver was unharmed). Toyota says it will continue to develop the car with the target of becoming the world's first vehicle to race with liquid hydrogen fuel. Toyota also plans to will expand hydrogen infrastructure in the coming years.

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Robots:

7-Eleven in partnership with Serve Robotics is testing self-driving robots to deliver orders in Los Angeles, with plans to expand its robot fleet throughout the country. The robots are capable of carrying up to 50 pounds and include cup holders, are able to maneuver over rough ground to ensure smooth delivery of beverages, and ensure the delivery gets to the right customer by having them enter a code to gain access to the inside. Currently the robots are designed to deliver to short distances, ranging from one to three miles, and most robots can complete their delivery within 15 minutes. Also joining in on adding robots is Kum & Go, deploying floor-cleaning robots at each of its more than 400 locations in the hopes that they will allow store employees to focus their attention on other daily tasks. Instead of robots being seen as a threat to employees, Kum & Go stated “leveraging autonomous technology like Cobi 18 helps free up associates from repetitive work and allows them to focus on keeping shelves and coolers fully stocked, focus on delivering fresh food offerings and increasing engagement with in-store customers.” Automation continues to thrive post-COVID as a way for businesses to navigate the labor shortage and increase production. Robots could soon outnumber human workers at some of the world’s biggest companies, including Amazon, according to CNBC.

“Well-Being Restrooms”:

Why can’t we all have nice things? Circle K locations in Sweden are trying out “well-being” restrooms. The partnership with Restroom Company ONE HUNDRED promises to turn toilet visits from a “necessary evil” into a “reviving micro break,” offering visitors services to “relieve, refresh, reload.” The facilities at Circle K will include features such as interactive mirrors and free health checks, besides the standard design, experience, and cleanliness customers look for when making a restroom stop.



Self-Driving Technology:

Tesla announced a recall of nearly 363,000 vehicles in mid-February equipped with Full Self-Driving (FSD) software after the top federal safety agency identified the program as a “crash risk.” The recall involved 2016-2023 Model S and Model X, 2017-2023 Model 3, and 2020-2023 Model Y vehicles. Tesla will push out a free, over-the-air (OTA) software update, to address the issues identified by NHTSA. These issues include navigating intersections during a “stale” yellow light, how long cars stop at a stop sign when the intersection is clear, how they adjust speed while driving in areas where the speed limit is changing based on road signs the car detects and settings put in place by the driver, and how the cars change lanes to get out of a turn-only lane. This all comes after Tesla’s leader Elon Musk, who has consistently drawn the ire of the NHTSA, posted on that Tesla might add an option to remove the prompt for drivers to keep their hands on the steering wheel on Twitter.

Meanwhile, Kroger also hopes to add self-driving technology to their business, partnering with Gatik to add medium-duty self-driving trucks to its fleet to transport groceries from fulfillment centers to retail locations. The autonomous trucks each feature a cold chain-capable 20-foot box designed to transport refrigerated and frozen goods quickly, safely and efficiently. The partnership is limited to the Dallas-area for now.



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Here is a list of our current MBPs:

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AUTOPART INTERNATIONAL - Premium Parts Supplier

BELLOMO FUELS - Gasoline and Diesel Supplier

BOULDER PETROLEUM - Compliance UST, Vapor Recovery Testing, Pump Calibration

BRENNAN LAW - Environmental, Petroleum and Real Estate Law Specialists

***BUTLER SIGN CO.**- General Signage Needs

CBIZ INSURANCE - Business, Garage Liability, Home and Auto Insurance

C-3 TECHNOLOGIES - Tank and Vapor Testing, NJDEP Compliance

CHIESA SHAHINIAN & GIANTOMASI PC - Legal Services

CONSUMERS OIL CORP. - Gasoline and Diesel Supplier

DANA TANK INSURANCE SPECIALISTS - Underground Storage Tank Insurance

ENERGY MARKETING PARTNERS, INC. - Gasoline and Diesel Supplier

ENVIRONMENTAL ALLIANCE, INC. - Environmental Remediation & LSRP Services

FREEWIRE - Electric Vehicle Charging

GILL ENERGY - Gasoline and Diesel Supplier

GRATUS - Gasoline and Diesel Supplier

HOUGH PETROLEUM - Gasoline, Diesel, Motor Oil & Lubricants Supplier

HOROWITZ LAW GROUP - Legal Services

***LENDINGCAPITAL.NET**- Loans, Mortgages, Financing

LIBERTY / EWING OIL - Gasoline and Diesel Suppliers

LISKO ENVIRONMENTAL - Environmental Remediation & LSRP Services

MERCHANT PRO EXPRESS - Credit Card Processing & Consulting

NATIONAL CONVENIENCE DISTRIBUTORS - Convenience Store Distributor

OIL DRI - Spill Containment and Shop Supplies

OWL SERVICES - Tank & Vapor Testing, NJDEP Compliance

P.F.I. INC. / NORTHWEST PETROLEUM - Gasoline and Diesel Supplier

PRICE EASY - Data and Analytics Software

PRIME LUBE, INC. - Motor Oil and Lubricant Suppliers

PHOENIX RUBBER - Waste Tire Removal

QUICK & FRESH - Convenience Store Distributor

SALOMONE BROTHERS, INC - Tank and Pump Replacement, Compliance Testing

SERVICE STATION VENDING EQUIPMENT - Service Station Vending, Air & Vacuum Systems

SPARK CONTRACTORS - Tank and Pump Replacement

T&R OIL CO. - Gasoline and Diesel Suppliers

TMP ENERGY SOLUTIONS - Discounted Electricity and Natural Gas



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