



Compliance with federal regulatory requirements can be difficult and expensive. The New England Fuel Institute's regulatory advocacy saves the money, time and energy of its members. Here are just a few examples how NEFI has reduced regulatory burdens and costs for its members:

HAZMAT REGISTRATION FEE:

All NEFI members involved in the shipment of petroleum products must register each year with the U.S. DOT and pay an annual hazardous material fee. Recently, the U.S. DOT proposed a change in regulations that would impose an increase in the annual fee from \$275 per year to \$2,600 per year for heating oil and propane dealers. Through our regulatory lobbying efforts, NEFI was able to defeat the fee increase for small business heating oil and propane dealers.

SAVINGS FOR NEFI-MEMBERS: \$2,325 per year.

SMALL BUSINESS ADMINISTRATION (SBA) CLASSIFICATION:

The U.S. Small Business Administration (SBA) establishes business size classifications which determine eligibility for SBA loans, set various federal fees and qualify small businesses for less stringent regulatory compliance requirements. NEFI members were losing their small business status over time as oil prices surged because the SBA determined business size based on annual gross receipts. NEFI successfully petitioned the SBA to change this antiquated and skewed method of determining business size in favor of one based on the number

of employees in a company. As a result, most NEFI members retain their small business status and continue to qualify for:

- SBA 7(a) small business loans
- SBA Economic Disaster Loans
- Lower federal fees
- Less stringent federal regulatory requirements

SAVINGS FOR NEFI-MEMBERS: \$1,000's of dollars saved in federal regulatory compliance costs and access to low interest SBA loans.

SPILL PREVENTION, CONTROL & COUNTERMEASURE (SPCC):

NEFI stopped the EPA from enforcing a previously little known and rarely invoked SPCC regulation requiring sized secondary containment structures for cargo tank trucks containing product that are parked overnight. Regional EPA field officers began an enforcement effort to require these vehicles be parked within containment berms, drains and collection systems similar to those required for bulk tanks under SPCC.

NEFI requested that EPA headquarters in Washington D.C. provide a regulatory exemption from sized secondary containment requirements for parked cargo tanks. The exemption was granted. As a result, NEFI members are only required to use inexpensive drip pans under cargo tank trucks when parked over night instead of building elaborate containment systems with dykes, drains, oil water separators and other diversionary devices.

SAVINGS FOR NEFI-MEMBERS: \$75,000 or more in containment structure costs.

OSHA SAFETY REQUIREMENTS:

When OSHA field enforcement authorities began to fine NEFI members for not having drivers harnessed to loading racks at bulk plants, NEFI went to work. NEFI cited the lack of evidence that drivers were being injured at loading racks. NEFI then convinced OSHA that drivers were at greater risk from being tethered to a loading rack than from the danger of falling a few feet to the ground. NEFI argued that building safety platforms as an alternative was too expensive as well. As a result, OSHA backed off their enforcement efforts and did not require safety tethering or construction of new loading platforms.

SAVINGS FOR NEFI-MEMBERS: \$2,000 or more.

REGULATORY COMPLIANCE INFORMATION:

NEFI also provides members with free access to our expert in-house regulatory compliance attorney Mark S. Morgan, who can answer your federal regulatory questions and help trouble shoot compliance problems.

SAVINGS FOR NEFI-MEMBERS: \$1,000's in reduced compliance costs and penalty for non-compliance.

We depend entirely on your generous contributions to make victories like these happen. NEFI maintains a full-time regulatory attorney in Washington, DC to monitor regulatory issues of importance to fuel-dealers and advocate for regulatory changes that significantly reduce compliance burdens and costs. Member dues alone cannot cover these expenses. Please consider supporting the NEFI Action Center and our work on behalf of the fuel industry.

To make a contribution, please visit us online at **www.nefiactioncenter.com** or email Dave Rocco at dave@nefi.com.