



OESERVICES.NET | SPRING 2021



U.S. C-store Count Declines for Fourth Consecutive Year

There are 148,026 c-stores operating in the United States, according to the 2022 NACS/NielsenIQ Convenience Industry Store Count. The industry decline was led by a 3.1-percent decrease in single-store operators, which account for a total of 89,336 stores. Despite the fourth straight yearly decline in stores, the overall convenience store count is approximately the same as a decade ago (148,126 stores in 2012).

Selling Motor Fuels

The newest count shows that 116,641 c-stores sell motor fuels.

Brick-and-Mortar Declines

The decline in the convenience store count reflects the decline of other retail brick-and-mortar stores except for dollar stores:

- Convenience: 148,026 (2022) vs. 150,274 (2021)
 - Grocery: 45,687 (2022) vs. 47,066 (2021)
 - Drug: 40,402 (2022) vs. 41,000 (2021)
 - Dollar: 35,501 (2022) vs. 34,215 (2021)
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How Your Customers Prioritize Sustainability

During a visit to my neighborhood convenience store, I watched as an employee removed several dozen items from the warming trays of the grab and go food and dump all into a trash can. I wondered about the store policy for rotation of those items, obviously to serve “fresh” foods? Couldn’t that food be delivered to or picked up by a non-profit for same day consumption? In a study that surveyed consumers across the United States, all said voting is the most important goal across all regions, but recycling and limiting food waste are a close second and third. Partnering with or donating food that is close to expiring to food banks was another expectation. There is no one answer or approach that will work for the entire industry, but below are some examples of sustainable actions in the social, product and environmental categories that may influence choice and shopping frequency. Can any of these practices be used in your business?

PRODUCT

1. Offers plant-based (vegan/vegetarian) pre-packaged food options
2. Offers plant-based (vegan/vegetarian) made-on-site food options
3. Offers paper straws
4. Offers fair trade coffee
5. Offers natural or organic food options
6. Offers products with certifications saying their ingredients/packaging was sustainably sourced
7. Intentionally reduced the amount of packaging for products
8. Implemented policies for offering healthy food options
9. Sources products locally (within 150 miles)
10. Reduced plastic packaging
11. Intentionally offers items in recyclable packaging
12. Offers or incentivizes using a reusable container for drinks, coffee, etc.
13. Sources products made in the USA

SOCIAL

1. Encourages employees to volunteer in the community
2. Sponsorship of major charity organizations
3. Offers career development to employees to become franchisees
4. Offers contactless payment options

5. Encourages employment and acceptance of minorities
6. Donates money to local community
7. Requires face masks inside the store
8. Pays employees fair wages
9. Encourages social distancing
10. Has hand sanitizer available for customers
11. Donates excess food instead of letting it go to waste

ENVIRONMENTAL

1. Installed EV charging stations
2. Uses electric delivery vehicles (where applicable)
3. Implemented green building standards (LEED, WELL, etc.)
4. Intentionally uses windows/daylight to decrease energy waste from in-store lighting
5. Uses energy-efficient lighting (timers, LEDs, etc.)
6. Sources some amount of energy from renewable resources
7. Uses energy-efficient appliances (closed-door coolers, heaters, etc.)



ASTM E1527-21 - The New Phase I ESA Standard will be effective May 1, 2022

Most Commercial Real Estate (CRE) transactions require a Phase I Environmental Site Assessment (ESA), a report that identifies existing and potential environmental contamination liabilities at a property. The previous version is ASTM E1527-13 and the new standard is ASTM E1527-21. What are the most important changes to know?

Historical Research

For the subject property, the environmental consultant was only required to review as many historical sources as needed to “achieve the objectives” of identifying whether past uses could have led to a Recognized Environmental Condition (REC). The 2021 revised standard requires the review of at least aerial photographs, topographic maps, fire insurance maps, and city directories. If the property use was industrial, manufacturing, and it is (now) retail, the review of more resources (like building department records, property tax files, interviews, and zoning), are needed if the Environmental Professional (EP) believes they are likely to be useful.

Get More Information

For adjoining properties, the 2021 revision now requires an expanded scope of historical research of adjoining properties. The same resources that have been reviewed for the subject property must be reviewed for all the adjoining properties or explain why the review was not completed. Research of building department records, property tax files, interviews, and zoning may be needed.

More Comprehensive Title Searches

Users who want to qualify for CERCLA defenses to liability must research of title records to identify environmental liens and Activity and Use Limitations (AULs). In the new standard, ASTM sought to improve this by clarifying that title records must be researched back to 1980.

Revised Definitions, Guidance for Classifying Environmental Risks

The definitions for Recognized Environmental Condition (REC), Controlled REC (CREC), and Historical REC (HREC) have been updated for better clarity and consistent interpretation.

Emerging Contaminants

Emerging contaminants, specifically PFAS (per- and polyfluoroalkyl substances), are a concern to the due diligence industry since exposure can lead to adverse health conditions. By definition, PFAS are not considered a REC within the constructs of a Phase I ESA. However, the revised ASTM standard adds PFAS and other emerging contaminants to the list of “non-scope issues” that a user may want to evaluate as a business risk, common with asbestos and mold.

Other Definitions & Clarifications

The terms Likely, Property Use Limitation, and Significant Data Gap are now defined. The new definition of the term “likely” (as in, “the likely presence of contamination”) states that likely is something that is neither certain nor proven, but can be reasonably believed based on the logic, experience, and/or evidence found by the EP. The new standard also clarifies “Subject Property” is the appropriate term for referencing the site of the assessment.

Effective Dates of a Phase I ESA

EPA's All Appropriate Inquiries rule (AAI) requires that some components of the report be completed less than 180 days before acquiring property, including the site visit, interviews, search for environmental cleanup liens, review of government records, and EP conclusions. After one year, the entire report must be updated. Historically, the date of the report has been assumed to start the clock for the 180-day countdown. The new standard requires inclusion of the actual dates investigation parts were completed to make it easier to recognize when updates are required.

Other Changes

Significant Data Gaps – The ASTM changes require the EP to identify significant data gaps in the Findings section of the report and to provide an opinion if additional investigation would likely help resolve significant data gaps. Report Contents – Site plans and color photographs with captions are now required in all reports.

Why is the ESA standard change a big deal?

In order for a prospective purchaser to qualify for “innocent landowner” and other defenses provided under the U.S. Federal Superfund law CERCLA, they must conduct “All Appropriate Inquiries” (AAI). AAI considers current and past uses of the property for evidence of a release of hazardous substances or petroleum products at the property. The default approach is to do a Phase I Environmental Site Assessment according to the ASTM E1527 standard, which defines the industry-standard scope of work and which EPA has recognized as satisfying AAI requirements.

Environmental liabilities and costs can impact property value, return on investment, borrower ability to repay loans, and lender ability to recover loan funds. That is why CRE buyers, investors, and lenders rely on ASTM-compliant investigations.

Oklahoma Environmental Services meets these requirements for the subject property research. We stay current with all requirements and resources, so please call us today for your Phase I and Phase II Environmental Site Assessments.



If you are planning replacement of the AST/UST fuel tank system, discover an abandoned tank, or want to redevelop an old gas station location, Oklahoma Environmental Services will manage the project from tank removal and assessment to remediation and permanent closure. We are glad to coordinate with your installation contractor if you are putting in a new system.

OES has experienced licensed tank removers and environmental consultants on staff that will minimize disruption of the business or property and complete the process on an expedited timeline. Working across the state, we are dedicated to providing expert services at competitive prices. Please call OES for a quote or to discuss your project today!

Oklahoma Environmental Services (OES) is a full-service tank removal company for removal of storage tanks as regulated by the Oklahoma Corporation Commission (OCC).

OES utilizes a network of contractors to provide cost effective excavation services and tank removals statewide. Call us for a reference in your area.

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Oklahoma Super Trade Show!**

May 17, 2022 from 9:00 AM - 3:00 PM

AT

Oklahoma City Convention Center

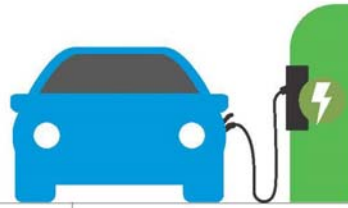
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Gearing Up for the EV Age

One-fifth of c-store shoppers own an electric vehicle or are considering buying one

Electric vehicles (EVs) are growing in popularity among Americans, and it's becoming more widely expected that EVs will ultimately become the norm in the automobile industry. To date, 12 states have moved to ban the sale of internal combustion engine vehicles by 2035, and 23 states have an EV roadmap or an official EV planning document of some kind. Convenience store operators that prepare for this shift sooner rather than later will be able to grab the EV consumer before the competition. The 2021 Convenience Store News Realities of the Aisle Study, which surveyed 1,500-plus consumers who shop a c-store at least once a month, uncovered the following EV insights:



9%

of convenience store shoppers currently own an electric vehicle.

71%

of the c-store shoppers who currently own an electric vehicle say it is extremely/very important that convenience stores have charging stations available.



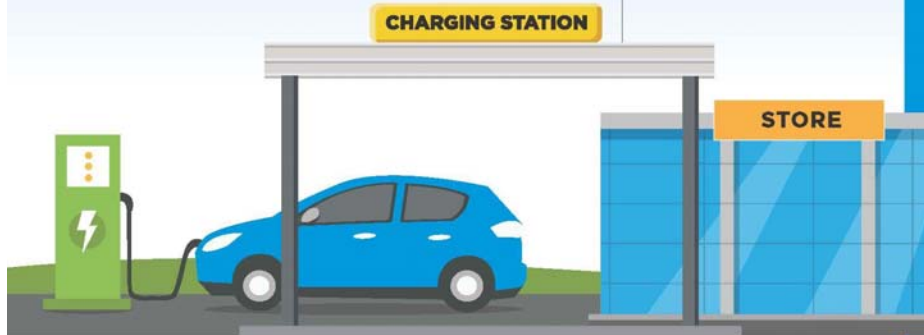
Among the 91% of c-store shoppers who don't own an EV:

12% say they're extremely/very likely to consider buying one in the next 2-3 years.

20% say they're somewhat likely to consider buying one.

69% say they're not at all/not very likely to consider buying one.

C-store shoppers in the **Northeast (15%)** and **West (12%)** are more likely to own an electric vehicle than shoppers in the **South (6%)** and **Midwest (6%)**.



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