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March 15, 2004

Executive Order G-70-203: Modification of Enhanced Vapor Recovery (EVR) Phase II Operative Dates Relating to the Finding that EVR Phase II Vapor Recovery Systems are not Commercially Available

Dear Sir or Madam:

The enclosed Executive Order provides for a six-month extension of several Enhanced Vapor Recovery (EVR) requirements related to Phase II vapor recovery systems. This extension is necessary as an EVR Phase II system will not be certified by April 1, 2004. Non-EVR Phase II vapor recovery systems that have been certified to be Onboard Refueling Vapor Recovery (ORVR) compatible may continue to be installed until October 1, 2004.

Background

The EVR program was originally approved by the Air Resources Board (ARB) in March 2000 and amended in December 2002 to reduce emissions at gasoline dispensing facilities or service stations. EVR is being implemented over eight years to allow time to develop and certify vapor recovery systems to technology-forcing standards, as well as provide a four-year window for complying with existing facilities to upgrade equipment to meet the new standards. The effective dates for several EVR standards were changed in the 2002 EVR technology review amendments as manufacturers needed additional time in order to design equipment to meet the standards.

The certification of vapor recovery systems typically takes 9 to 12 months and includes a minimum 6-month operational test to assess durability of the equipment. Certification testing for EVR Phase II systems is underway, however, no EVR Phase II system will complete the process and be certified by the April 1, 2004 deadline. It is expected that an EVR Phase II system will be certified and commercially available by October 1, 2004.

Commercial Availability and Revision of Operative and Effective Dates

Section 19.2 of CP-201, Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities (amended October 8, 2003) allows modification of operative and effective dates of performance standards and specifications when

systems meeting the standards and specifications are not commercially available. Section 19.2 reads as follows:

19.2 Installation of Systems with Terminated Certifications

19.2.1 When the Executive Officer determines that a certified Phase I or II system that meets the applicable operative performance standards and specifications by operative dates specified in Table 2-1 of CP-201 is not commercially available, the Executive Officer may change the operative and effective dates of new performance standards and specifications by renewing the certification for any system whose certification has been terminated provided that:

(a) Renewal preference shall be given to systems that are certified as being ORVR compatible, and

(b) The renewal shall be valid for a period to be determined by the Executive Officer with a maximum renewal period of six months.

19.2.2 Renewed certifications shall be posted on the CARB's Internet site. Systems whose certifications are posted as renewed certifications are permitted to be installed upon the Executive Officer's finding that a certified system is not commercially available.

The enclosed Executive Order documents the ARB Executive Officer's finding that Phase II systems meeting several EVR standards will not be certified by April 1, 2004 and thus will not be commercially available. The effective and operative dates for post-fueling drips, nozzle spitting, liquid retention (100 ml), spillage, in-station diagnostics and other Phase II standards and specifications are revised from April 1, 2004 to October 1, 2004. A revised EVR Timeline is also enclosed for your information.

Installation of Non-EVR Phase II Systems until October 1, 2004

The Executive Order provides that currently certified Phase II vapor recovery systems that have been certified to be ORVR compatible may be installed until October 2004. Systems meeting this criterion now are listed below and will be posted on the Internet at http://www.arb.ca.gov/vapor/vapor.htm as per section 19.2.2. Other ORVR compatible systems are in the certification process and will be added to the list when available.

Phase II System	ARB Executive Order & Approval Letters
Healy	G-70-186, G-70-191
Balance	G-70-52, Letter 03-04
Hirt	G-70-177-AA, Letter 03-06

I encourage you to visit our webpage at http://www.arb.ca.gov/vapor/vapor.htm for additional information on the vapor recovery program. At this site you have the opportunity to join the vapor recovery list-serve to receive e-mail when new vapor recovery items are posted.

If you have questions or need more information on the EVR regulations, please contact Cindy Castronovo at ccastron@arb.ca.gov or (916) 322-8957.

Sincerely,

William V. Loscutoff, Chief
Monitoring and Laboratory Division

Enclosures