

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

**RULE 222 - PHASE II VAPOR RECOVERY REQUIREMENTS**

*(Adopted August 7, 1979; Recodified August 6, 1985; Amended December 13, 1988, June 6, 1989, September 18, 1990; Recodified August 22, 2002)*

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**RULE 222**

- 1 **PHASE II VAPOR RECOVERY:** As of January 13, 1989 no owner or operator of a retail service station shall transfer, permit the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank at a retail service station into a motor vehicle fuel tank unless an California Air Resources Board (CARB)-certified Phase II vapor recovery system is installed and used during the transfer.
- 2 **EXEMPTIONS TO PHASE II VAPOR RECOVERY**
  - 2.1 **Phase I Exempted Tanks:** A transfer of gasoline from a stationary storage tank which is exempt from Phase I requirements pursuant to Rule 221 Section 2.
  - 2.2 **Existing Facilities With < 480,000 Gallon Annual Throughput Located Outside The Chico Urban Area:** A transfer of gasoline from an existing retail service station located outside the Chico Urban Area with an annual gasoline throughput of less than 480,000 gallons. If, during calendar year 1987 or any calendar year thereafter, the annual throughput meets or exceeds 480,000 gallons, this exemption shall expire on January 1 of the following calendar year.
  - 2.3 **Existing Facilities With < 120,000 Gallon Annual Throughput Located Within The Chico Urban Area:** A transfer of gasoline from an existing retail service station located within the Chico Urban Area with an annual

gasoline throughput of less than 120,000 gallons. If, during calendar year 1987 or any calendar year thereafter, the annual throughput meets or exceeds 120,000 gallons, this exemption shall expire on January 1 of the following calendar year.

- 2.4 Fill Pipe Configuration Ineffective:** A transfer of gasoline into any vehicle fuel tank when the Air Pollution Control Officer (APCO) or his designee determines that the configuration of the vehicle fill pipe opening is such that the use of the vapor recovery equipment would be ineffective.
- 2.5 Fill Pipe Location Not Usable:** A transfer of gasoline into any vehicle fuel tank when the APCO or his designee determines that the location of the fill pipe opening is such that the vapor recovery nozzle cannot properly be used to fill the tank.

### **3 COMPLIANCE SCHEDULE**

- 3.1 Existing Retail Service Stations:** If, during calendar year 1987 or any calendar year thereafter, the annual gasoline throughput from any existing retail service station located outside the Chico Urban Area meets or exceeds 480,000 gallons, or the annual throughput from any existing retail service station located within the Chico Urban Area meets or exceeds 120,000 gallons, the owner or operator of the retail service station shall:
- 3.1.1** Immediately notify the APCO in writing in advance of the intended Phase II vapor recovery installation; and
  - 3.1.2** Secure all necessary permits and other approvals necessary for the installation of the Phase II vapor recovery system within fifteen (15) months of the exemption expiration date; and,
  - 3.1.3** Install the Phase II vapor recovery system within two (2) years of the exemption expiration date.
- 3.2 New Retail Service Station:** The owner or operator of any new retail service station shall install and use a CARB-Certified Phase II vapor recovery system at the time gasoline is first delivered to the facility.
- 3.3 Tank Installation:** At the time of tank installation at an existing retail service station, a CARB-certified Phase II vapor recovery system shall be installed and used thereafter on all of the station's facilities, unless exempted by Rule 221 Section 2 (Phase I).

### **4 OPERATION AND MAINTENANCE**

- 4.1** A person shall not transfer, permit the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank subject to the provisions of Section 1 of this Rule (Phase II) into any motor vehicle fuel tank unless:

- 4.1.1** The vapor recovery system is operating in accordance with the manufacturer's specifications and is maintained to be leak-free, vapor tight, and in good working order; and
- 4.1.2** The equipment subject to this Rule is operated and maintained with none of the following defects, pursuant to the definitions in the California Administrative Code Section 94006, Subchapter 8, Chapter 1, Part III, of Title 17:
  - 4.1.2.1** Absence or disconnection of any component required to be used in the system as certified by CARB;
  - 4.1.2.2** A vapor hose which is crimped or flattened such that the vapor passage is blocked;
  - 4.1.2.3** A nozzle boot which is torn in one or more of the following manners:
    - 4.1.2.3.1** Triangular-shaped or similar tear one-half (1/2) inch or more to a side, or hole one-half (1/2) inch or more in diameter; or,
    - 4.1.2.3.2** Slit one (1) inch or more in length.
  - 4.1.2.4** A faceplate or flexible cone is damaged in the following manner:
    - 4.1.2.4.1** For balance nozzles and for nozzles for aspirator and educator assist type systems, damage shall be such that the capability to achieve a seal with a fill pipe interface is affected for 1/4 of the circumference of the faceplate (accumulated);
    - 4.1.2.4.2** For nozzles for vacuum assist type systems, more than 1/4 of the flexible cone is missing;
  - 4.1.2.5** A nozzle shutoff mechanism which malfunctions in any manner;
  - 4.1.2.6** Any vapor return lines, including such components as swivels, anti-recirculation valves and underground piping, which malfunction or are blocked;
  - 4.1.2.7** Any vapor processing unit which is inoperative or severely malfunctioning;
  - 4.1.2.8** Any vacuum producing device which is inoperative or severely malfunctioning;
  - 4.1.2.9** Any pressure/vacuum relief valves, vapor check valves, or dry breaks which are inoperative;
  - 4.1.2.10** Any equipment defect which is identified in a CARB system certification as substantially impairing the effectiveness of the system in reducing air contaminants.

- 5 PROHIBITION OF USE OF DEFECTIVE PHASE II EQUIPMENT:** Whenever the APCO or his designee determines that a Phase II vapor recovery system, or any component thereof, contains a defect specified by the Air Resources Board pursuant to Section 4.1.1 of this Rule, the APCO or his designee shall mark such system or component "Out of Order". No person shall use or permit the use of such marked component or system until it has been repaired, replaced, or adjusted as required to permit proper operation, and the APCO or his designee has reinspected it or has authorized its use pending reinspection
  
- 6 POSTING OF OPERATING INSTRUCTIONS:** The operator of each retail facility utilizing a Phase II system shall conspicuously post in the gasoline dispensing area the operating instructions for the system and the Butte County Air Pollution Control District's or CARB's telephone number for complaints. The instructions shall clearly describe how to fuel vehicles correctly with vapor recovery nozzles utilized at the station, and shall include a warning that topping off may result in spillage or recirculation of gasoline.