



**Western States Petroleum Association**

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[Patty Senecal](#)

Manager, Southern California Region and Infrastructure Issues

**SUBMITTED ELECTRONICALLY**

July 24, 2013

Clerk of the Board  
Air Resources Board  
1001 I Street  
Sacramento, California 95814

**Comments Regarding “Amendments to Certification and Test Procedures for Vapor Recovery Systems at Gasoline Dispensing Facilities (GDFs) and Cargo Tanks”**

The Western States Petroleum Association (WSPA) appreciates the opportunity to comment on CARB’s draft regulatory proposal for “Amendments to Certification and Test Procedures for Vapor Recovery Systems at Gasoline Dispensing Facilities (GDFs) and Cargo Tanks” for which a workshop was held on April 23.

WSPA is a trade association comprised of twenty-seven companies that explore for, produce, refine, transport and market petroleum, petroleum products and natural gas in six western states including California, Arizona, Nevada, Oregon, Washington and Hawaii.

WSPA members own and operate various types of facilities (e.g., oil and gas production properties, refineries, marketing terminals, GDFs) that play an important role in the local, state and national economy. WSPA members, as owners and operators of GDFs, must comply with the myriad of regulatory programs that regulate the operation of GDFs.

WSPA supports these amendments because they improve Aboveground Storage Tanks (AST) testing procedures and harmonize overlapping state and Federal requirements for cargo tanker trucks. With respect to the latter, the notice of rulemaking, Initial Statement Of Reasons, and Test Procedure TP-204.1 identify consistency with 40 CFR 63 Subpart R (which applies to terminals that are major sources of Hazardous Air Pollutants); we ask that ARB also ensure (and identify) consistency with relevant requirements in 40 CFR 63 Subpart BBBBBB, which applies to the vast majority of the terminals in the state (nonmajor sources of HAP). Specifically:

1. In Section 9.1 of TP-204.1, please mention both regulations (the relevant section for Subpart BBBBBB is section 63.11092(f)(1)), and
2. Section 8 of TP-204.1 refers to ARB's Online Cargo Tank Vapor Recovery Certification Program for test reporting. Please ensure that the online form requests all of the test information that is required to be reported under the corresponding Federal requirements in 40 CFR 63 Subpart BBBBBB, Section 63.11094(b)(2), and that ARB's tightness certificates also satisfy all of those requirements.

Similarly, in the Initial Statement of Reasons (ISOR) for these changes, page 5 refers to Subpart R but not Subpart BBBBBB; WSPA requests that a change be made to reference both. There is also an erroneous statement at the top of that page that "For GDFs, there are no federal regulations that are directly comparable to California's EVR program....Some other states mandate the installation of Phase I vapor recovery systems at gasoline dispensing facilities, and changes to ARB Enhanced Vapor Recovery (EVR) certification requirements may have a national and international impact." There is in fact a Federal regulation (40 CFR 63 Subpart CCCCCC) that requires the installation of Phase I vapor recovery systems nationwide at GDFs with monthly throughputs of 100,000 gallons of gasoline or more, and this regulation specifically cross-references Test Procedure TP-201.1 [40 CFR 63.11120(b)(1)]. This should be corrected.

Thank you for considering our comments. Please contact Patty Senecal (310) 678-7782 if you need additional information or have questions.

Sincerely,



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And Infrastructure Issues