



California Fuels and Convenience Alliance
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The Honorable Mary Nichols
California Air Resources Board

Re: CFCA Comments Regarding the California Air Resources Board's Proposed Amendments to Enhanced Vapor Recovery Requirements to Standardize Gas Station Nozzle Spout Dimensions to Help Address Storage Tank Overpressure

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The California Fuels and Convenience Alliance (CFCA) represents about 300 members, including nearly 90% of all the independent petroleum marketers in the state and about one quarter of the state's 12,000 service stations. Our members are small, family- and minority-owned businesses that provide services to nearly every family in California. Additionally, CFCA members fuel local governments, law enforcement, city and county fire departments, ambulances/emergency vehicles, school district bus fleets, construction firms, marinas, public and private transit companies, hospital emergency generators, trucking fleets, independent fuel retailers (small chains and mom-and-pop gas stations) and California agriculture, among many others. CFCA appreciates the opportunity to submit comments on this issue.

In 1997, automakers began installing Onboard Refueling Vapor Recovery (ORVR) systems on new vehicles. This move began the process of making Enhanced Vapor Recovery (EVR) Phase II an old-fashioned and redundant system, at best. The California Air Resources Board (CARB) has conducted studies showing incompatibility between ORVR and EVR Phase II, creating overpressure situations.

In 2012, the Environmental Protection Administration published a final rulemaking determining that ORVR systems are in widespread use throughout the motor vehicle fleet and waived programs requiring Stage II gasoline vapor recovery systems. These systems are known as EVR Phase II in the State of California. Since 2012, nearly all areas in the United States have removed the EVR II requirements, leaving California and a short list of counties that still require the systems. California has required equipment updates that drive up costs for businesses, which are then passed on to consumers at the pump. California is no longer a leader on environmental protection under this policy, we are falling behind and undermining significant advancements in air quality protections for California's residents.

EVR Phase II has become a redundant system that pursues minute reductions at great cost to business and consumers, further amplified by CARB's equipment requirement changes. This rulemaking is no different.

Instead of trying to fix incompatible systems in an attempt to capture a diminishing amount of emissions, CARB should be setting a course for removing EVR Phase II. There is no certainty that these changes will provide the small emissions reductions into the future or that the incompatibility problems identified by both the EPA and CARB will be solved by these new nozzle requirements. The only facts in this rulemaking are EVR Phase II and ORVR are incompatible by their nature and the percentage of non-ORVR vehicles on the road is decreasing. Combined with California's new vehicle assistance programs, these facts point to the reality that EVR Phase II is not effective and will not be needed in the near future, especially if CARB's projections of electric vehicle (EV) adoption are remotely accurate.

The California Fuels and Convenience Alliance urges CARB to follow the lead of the rest of the country in recognizing the shortcomings of EVR Phase II and begin the process of decommissioning this system.

Please contact Sam Bayless at bayless@cfca.energy with any comments or questions.