

## Supplemental Updated Informative Digest

### ENHANCED VAPOR RECOVERY

**Sections Affected:** This action amends section 94011, title 17, California Code of Regulations (CCR) and the documents incorporated by reference therein.

**Background:** Health and Safety Code (H&SC) section 41954 requires the (ARB or Board) to adopt standards and procedures for certifying systems designed to control gasoline vapor emissions during gasoline marketing operations, including storage and transfer operations. Section 39607(d) of the Health and Safety Code requires ARB to adopt test methods to determine compliance with ARB and district non-vehicular emissions standards. The adopted certification and test procedures for gasoline vapor recovery are referenced in sections 94000-94015 and 94101-94163, title 17, CCR.

**Description of Regulatory Action:** In 2000 the ARB amended nine vapor recovery procedures and adopted five new test procedures to support new standards for certification of vapor recovery systems that operate at gasoline dispensing facilities (GDFs or service stations). The amended regulations were submitted to the Office of Administrative Law (OAL) for review in February 2001. On March 20, 2001, OAL approved the regulations in part and disapproved the regulations in part. The portion disapproved was a single section of the certification procedure that related to the duration, or term, of vapor recovery system certifications. As authorized by Government Code section 11349.4, the ARB is resubmitting the disapproved certification procedure.

This Supplemental Updated Informative Digest supplements the rulemaking file submitted to OAL in February 2001 and denominated as OAL File No. 01-0202-05 SR. From the denominated file, ARB incorporates by reference the Updated Informative Digest.

To address OAL's Decision of Disapproval of Regulatory Action, March 27, 2001, the ARB has clarified the regulations. Specifically, the ARB clarifies section 18 of the Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities (herein after "certification procedure" or "CP-201"), which limits the duration, or term, of vapor recovery system certifications. Minor modifications that correct and clarify other sections of CP-201 and the test procedure, TP-201.2 have also been made. Descriptions of the modifications follow:

CP-201: Section 3.2.2 contains equations for calculating final allowable pressures for leak decay testing for Phase I systems. The exponent in Equation 3-1 has been corrected to reflect the more stringent standard required for assist Phase II vapor recovery systems (see section 4.2). This change will ensure that Phase I systems are

compatible with both balance and assist Phase II vapor recovery systems.

Section 3.5 provides requirements for pressure/vacuum relief vent valves. Language has been added to sections 3.5.2 and 3.5.3 to clarify that the leak rates for vent valves include the vent valve connections.

Section 3.6 provides requirements for Phase I containment boxes. Section 3.6.3 has been modified to clarify removal of gasoline shall be in accordance with all applicable regulatory requirements pertaining to containment boxes as well as the requirements of the State Water Resources Control Board and the Department of Toxic Substances Control.

Section 18 describes the duration and conditions of certification. Section 18.1 limits the duration of vapor recovery system certifications. Section 18.1 has been modified to clarify that the duration of the certification is four years. Executive Officer discretion to certify a system for less than four years has been deleted.

TP-201.2: Section 12 provides equations to be used to calculate mass emission factor test results. Equation 12.1.1 of TP-201.2 is necessary to correct measured sample volumes to standard conditions for each dispensing episode. Equation 12.1.1 was inadvertently omitted in the version of TP-201.2 submitted to OAL. The modified section 12 corrects this error and includes equation 12.1.1.

The modifications were made available for comment for a period beginning May 31, 2001 and ending June 15, 2001. No comments were received.

**Comparable Federal Regulations:** There are no comparable federal regulations that certify gasoline recovery systems for service stations; however, changes to ARB vapor recovery regulations have a national impact. ARB certification is required by most other states which mandate Phase I or Phase II vapor recovery at service stations.