

Number 373

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Gasoline dispensing facilities (GDFs) with underground storage tanks subject to Phase II vapor recovery requirements must upgrade to Enhanced Vapor Recovery (EVR) Phase II vapor recovery by **April 1, 2009**. **This deadline will not be extended.**

#### **VST BALANCE EVR PHASE II SYSTEM NOW CERTIFIED WITH ISD**

The Vapor Systems Technologies EVR Phase II balance system with in-station diagnostics (ISD) was certified on April 1, 2008 (VR-204). Visit <http://www.arb.ca.gov/vapor/eos/eo-vr204/eo-vr204a.htm> for more information. The VST system joins the Franklin Fueling/Healy system as a certified Phase II vapor recovery system with ISD that complies with the EVR Phase II certification standards and specifications.

#### **NO ADDITIONAL EVR PHASE II SYSTEMS UNTIL 4<sup>TH</sup> QUARTER 2008 OR LATER**

More EVR Phase II systems are in the certification process and could be available by the end of 2008; but there is no guarantee that any system currently in the certification process will successfully complete all performance testing and legal requirements to obtain EVR certification. ARB staff will take appropriate action against those who make false claims about, or distribute false information regarding, the availability of currently uncertified EVR Phase II systems.

#### **PENALTIES IF FAIL TO MEET APRIL 2009 EVR PHASE II DEADLINE**

It will be illegal to operate any vehicle fueling system subject to Phase II vapor recovery requirements after March 31, 2009. Failure to comply with the EVR requirements may result in fines and the non-compliant GDFs are subject to being tagged out of service. Substantial penalties for noncompliance are authorized under Health and Safety Code Sections 42400 and 42402 (see [http://www.arb.ca.gov/bluebook/bb07/HEAd/HEA\\_d\\_26\\_p\\_4\\_ch\\_4\\_art\\_3.htm](http://www.arb.ca.gov/bluebook/bb07/HEAd/HEA_d_26_p_4_ch_4_art_3.htm)).

#### **AIR POLLUTION CONTROL DISTRICTS/AIR QUALITY MANAGEMENT DISTRICTS**

Air pollution control districts have primary authority for regulating GDFs under vapor recovery laws and rules. **GDF operators should contact the local air district for specific information on local vapor recovery requirements before modifying a facility.** Contact information for local air pollution control districts is available on the air district permit or at <http://www.capcoa.org>.

#### **FOR MORE INFORMATION...**

Visit <http://www.arb.ca.gov/vapor/vapor.htm> or contact the ARB Engineering and Certification Branch at (916) 327-0900. Information to assist GDF operators and local permitting agencies with applications to install the EVR Phase II vapor recovery systems is available at <http://www.evrhome.org/>.