

PROPOSED LANGUAGE

**§94006. Defects Substantially Impairing the Effectiveness of Vapor Recovery Systems Used in Motor Vehicle Fueling Operations**

(a) For the purposes of Section 41960.2 of the Health and Safety Code, any defect that meets the following criteria shall be considered substantial and listed by the Air Resources Board (ARB): the defect did not exist when the system was certified; the excess emissions associated with the defect have the potential to degrade fueling point or system efficiency by at least five percent; and, a field verification procedure exists to identify the defect.

(b) For the purposes of section 41960.2 of the Health and Safety Code, equipment defects in systems for the control of gasoline vapors resulting from motor vehicle fueling operations which substantially impair the effectiveness of the systems in reducing air contaminants are set forth in ~~the “Vapor Recovery Equipment Defects List” adopted September 23, 2002, June 22, 2005, which is incorporated by reference herein~~ a list compiled by the Executive Officer of the ARB. The Executive Officer shall review the list at least every three years to decide if an update is necessary. A current copy of the list shall be identified by date and posted on the ARB’s Internet site.