

State of California
AIR RESOURCES BOARD

Executive Order G-70-206

Modification of Enhanced Vapor Recovery Operative and Effective Dates relating to the Finding that EVR Phase II Vapor Recovery Systems are not Commercially Available

WHEREAS, the Air Resources Board (ARB or Board) has adopted Enhanced Vapor Recovery (EVR) regulations for certification and testing of vapor recovery systems installed at gasoline dispensing facilities (service stations and similar facilities), as set forth in 94010-94015, and 94148-94167, title 17, California Code of Regulations (CCR), and the documents incorporated by reference therein;

WHEREAS, Certification Procedure CP-201, Certification Procedure of Vapor Recovery Systems of Dispensing Facilities (CP-201) is among the documents incorporated by reference into title 17, CCR, section 94011;

WHEREAS, section 19.2 of CP-201 provides for installation of systems with terminated certifications when certified systems meeting the applicable standards and specifications are not commercially available by the operative dates specified in Table 2-1 of CP-201;

WHEREAS, section 19.2.1 allows the Executive Officer to change the operative and effective dates of new performance standards and specifications by renewing the certification for systems with terminated certifications with a maximum renewal period of six months;

WHEREAS, Executive Order G-70-203, dated March 11, 2004, renewed the certification of then certified systems that did not meet the operative and effective dates for EVR Phase II standards and specifications on April 1, 2004, until October 1, 2004.

WHEREAS, Executive Order G-70-205, dated August 30, 2004, renewed the certification of then certified systems that did not meet the operative and effective dates for EVR Phase II standards and specifications on October 1, 2004, until January 1, 2005.

WHEREAS, the Air Resources Board approved extension of effective and operative dates relating to EVR Phase II standards to January 1, 2005 at the November 18, 2004 Board meeting;

WHEREAS, vapor recovery systems meeting EVR Phase II standards and specifications will not be certified by January 1, 2005 and thus will not be commercially available;

WHEREAS, a vapor recovery system that meets the January 1, 2005 standards and specifications is now anticipated to be certified by April 1, 2005;

IT IS ORDERED, that currently certified Phase II vapor recovery systems that have been certified to be Onboard Refueling Vapor Recovery (ORVR) compatible may continue to be installed until April 1, 2005.

Executed at Sacramento, California this 21 day of December, 2004


Catherine Witherspoon
Executive Officer