

Number 02/04

November 2002

The Air Resources Board (ARB) is responsible for certifying gasoline vapor recovery systems used for the control of vehicle refueling emissions at service stations. **Additionally, the ARB is required by state law to identify and list equipment defects that substantially impair the effectiveness of these vapor recovery systems. Furthermore, the local air districts (district) are authorized to remove from service, and tag out of order, all equipment that has been determined to contain a listed defect.** In some cases, this may result in ceasing all dispensing activities at a facility. It may also result in the issuance of a notice of violation to the station operator. Once removed from service and tagged out of order, defective equipment cannot be used until the necessary corrections are completed and authorization for reinstatement of the equipment is received from the district.

**The updated list of substantial defects for vapor recovery equipment, commonly referred to as the Title 17 list of defects, was adopted (date of issuance) on September 23, 2002 and became effective November 12, 2002.** It is set forth in section 94006, Title 17 of the California Code of Regulations. A copy of this updated equipment defects list, along with other pertinent information, is available at the ARB Internet site provided at the end of this document.

The regulation that lists vapor recovery equipment defects incorporates the following criteria for determining whether a defect qualifies as substantial:

- (I) The condition did not exist while the system was being evaluated for certification.
- (II) The capture and containment of refueling emissions is impaired by at least 5%.
- (III) A verification procedure can be applied in the field to confirm that excess emissions are being generated.

The Title 17 list of defects identifies each equipment defect as being applicable to either all systems, or to a specific certified system. To ensure consistency in enforcement, a verification procedure is specified for every listed defect. The information in the Title 17 list of defects has been grouped into a series of tables, each with a heading row stating the system(s) and three columns. The columns specify the equipment type, associated defect, and verification procedure. The last page of the Title 17 list of defects provides the defect identification methods referenced in the verification procedure column. ARB staff and stakeholders collaborated to ensure this organization and structure will make

the list a more effective tool for compliance determination and consistent enforcement statewide.

The ARB is required to review the vapor recovery equipment defects list at a public workshop at least once every three years to determine whether an update is necessary. The ARB is also authorized to initiate a public review of the list upon a written request. Requests for review should be made in writing addressed to:

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In accordance with the three-year requirement, a review workshop will be held in late 2003. Equipment defects that substantially impair vapor recovery efficiency that are identified between now and the next update of this list will be set forth in the applicable Executive Order(s) certifying the vapor recovery system.

The ARB will be developing a training course on the use of the list, as well as a Vapor Recovery Equipment Substantial Defects List help-site to post frequently asked questions.

The most recent Vapor Recovery Equipment Defects List, the verification procedure methods used to identify defects, workshop information, and equipment defect training information can be retrieved on the internet at the following address: <http://www.arb.ca.gov/vapor/title17/title17.htm>. Further technical inquiries regarding the list or review workshop information should be directed to Ranjit Bhullar, Manager, Vapor Recovery In-Use Program by telephone at (916) 327-8528 or by email at [rbhullar@arb.ca.gov](mailto:rbhullar@arb.ca.gov). Questions regarding legal aspects of the regulation should be directed to Leslie Krinsk, Senior Staff Counsel, Office of Legal Affairs, by telephone at (805) 473-7325 or by email at [lkrinsk@arb.ca.gov](mailto:lkrinsk@arb.ca.gov).