



*This Advisory is provided to inform you about activities of the District which may affect your operation. It will assist you in your effort to achieve and maintain compliance with applicable air pollution rules and regulations.*

## **ATTENTION: OPERATORS OF UNDERGROUND GASOLINE TANKS**

### **SUBJECT: ENFORCEMENT POLICY FOR ENHANCED VAPOR RECOVERY (EVR) PHASE I DEADLINE**

By April 1, 2005 all Gasoline Dispensing Facilities with underground tanks are required to have an EVR-certified Phase I system (See [EVR Phase I Deadline Advisory](#)). Any station that failed to perform the upgrade by April 1, 2005 is in violation of District Regulations. Due to a variety of circumstances (weather causing construction delays, contractor and equipment availability issues, etc.), not all facilities will be able to meet this deadline. The following policy outlines how the District will enforce the requirements of EVR Phase I:

- If a facility has not completed the EVR Phase I upgrade and does not have an Authority to Construct (A/C) or permit application on file with the District, a Notice of Violation will be issued. The District may tag a non-compliant phase I component "out of service" and another Notice of Violation may be issued to any company delivering gasoline to a storage tank that has been so tagged out of service. Notices of Violation are subject to penalties under the Calif. Health and Safety Code.
- A facility will be issued a Notice to Comply and given 15 calendar days to enter into a contract/agreement with a contractor to have the Phase I upgrade completed, provided the facility has an A/C issued or permit application on file for an EVR Phase I upgrade. The District expects that the work will be completed as soon as possible without any unreasonable delay. A Notice to Comply is a non-penalty alternative to a Notice of Violation.
- If a facility has already installed an EVR Phase I system but without the required permits from this District, the facility may be issued a Notice to Comply and given 15 calendar days to file a permit application. Additionally, a Notice of Violation may be issued for failing to apply for permits, depending on the extent of construction that was conducted to complete the upgrade.

**NOTE: The District reserves the right to change or modify this policy at any time, without prior notification.**

#### **Permit Requirements**

Before beginning an EVR Phase I upgrade you must submit a permit application and receive an Authority to Construct (A/C) from the District prior to any construction. For applications please contact the Engineering Division at (415) 749-4990 or go to <http://www.baaqmd.gov/pmt/forms/index.asp>

**If you need further information, please call the District at the following numbers:**

- ☎ For permit assistance or Authority to Construct application forms, call (415) 749-4990, Engineering Division.
- ☎ For compliance assistance, call (415) 749-4999, the Compliance Counselor Hotline.
- ☎ For questions on the District's GDF vapor recovery program please call Dennis Baker, Air Quality Technician at (415) 749-4717 or email to [dbaker@baaqmd.gov](mailto:dbaker@baaqmd.gov)

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