



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

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AQMD Rule 461 Advisory No. 01-08

Critical Deadline to Install Phase II Enhanced Vapor Recovery Systems AND Recent Amendments to Rule 461 – Gasoline Dispensing Operations

State of California law requires that all retail and non-retail gasoline dispensing facilities (GDF) with underground storage tanks be equipped with a certified Phase II Enhanced Vapor Recovery system. The deadline for this state requirement is **April 1, 2009**. This requirement is one of several in the State's Enhanced Vapor Recovery (EVR) program designed to further reduce emissions of gasoline vapors which contain toxic compounds and which contribute to the formation of atmospheric ozone (smog). **Failure to comply by the applicable deadline will result in closure of your gasoline dispensing operation and may result in significant penalties.** As the regional air pollution control agency, the South Coast Air Quality Management District (AQMD) is responsible for implementing and enforcing these State requirements.

Presently, the California Air Resources Board (CARB) has certified two Phase II EVR systems:

1. Balance Systems – Vapor Systems Technologies, Inc.(VST)
2. Vacuum Assist System - Franklin Fueling Systems Inc./Healy

At this time the likelihood of any additional certified system being commercially available in time to meet the up-coming April 2009 installation deadline is doubtful.

Amended Rule 461

To ensure timely compliance with this state requirement, the AQMD adopted amendments to Rule 461 on March 7, 2008 to require a Compliance Plan if equipment upgrades are not completed by October 1, 2008. Highlights of the amendments to the Rule are:

1. The Compliance Plan Requirements, which lists deadlines for the following incremental steps towards completion of Phase II EVR upgrades:
 - a. Application submittal
 - b. Installation contract
 - c. Equipment order
 - d. Equipment installation
 - e. Testing contract
 - f. Equipment testing
2. Performance and re-verification testing schedule revisions
3. Testing contractor requirements
4. Certification for contractors and operators
5. Delay to year 2012 EVR implementation on E85 and ORVR fleets.

Of course we strongly suggest reading the entire Rule for a full knowledge of all the requirements. Should you have questions, please call the Rule 461 Hotline (866)770-9140

Compliance Plan Form

A form has been developed to collect information required for the submittal of a compliance plan. In addition, an informational sheet has been compiled to help guide the preparation of the compliance plan. Both documents are attached. The Compliance Plan along with an application (Form 400-A, which can be obtained at <http://www.aqmd.gov/permit/Formspdf/Basic/AQMDForm400-A.pdf>) and a plan fee of \$224.60 must be submitted to AQMD on or before October 1, 2008.

Public Meeting

A public meeting is also scheduled on August 7, 2008 to help answer any question GDF operators may have. The meeting will be held at the AQMD Headquarters in Diamond Bar. Details regarding the planned meeting are on the back of this page.