

Service Station Compliance with Enhanced Vapor Recovery Requirements in Southern California

Fact Sheet

March 2009

Q: *How much pollution is generated by gasoline dispensing activities?*

A: Approximately 16.7 tons of smog-forming volatile organic compounds (VOCs), many of which are also toxic air contaminants, are released into the air each day from gasoline dispensing related activities. Implementation of Rule 461 and Phase II Enhanced Vapor Recovery will improve public health by removing more than 1.4 tons per day of harmful VOCs and toxics from our region.

Q: *What is required at service stations starting on April 1, 2009?*

A: By April 1, 2009, all service stations in the state of California, including the South Coast Air Basin, must upgrade their gasoline dispensing equipment to new Enhanced Vapor Recovery systems to further control smog-forming emissions.

Q: *What will happen to facilities not in compliance by April 1, 2009?*

A: Many facilities have made the required retrofit and are in compliance with the April 1, 2009 due date. AQMD plans to offer all facilities not able to meet the deadline the opportunity to enter into a Stipulated Order of Abatement and settlement agreement with AQMD. Under the order and agreement, facilities will be required to take the necessary steps to comply with Rule 461 as quickly as possible, but no later than December 31, 2009. In addition, facilities will be assessed a monthly penalty to encourage early compliance with the law. Penalties are reduced for smaller facilities with fewer dispensers, those who have shown due diligence and for companies which are not major oil companies or own less than 50 gas stations. If a facility is not yet in compliance, penalties will increase after five months based on the amount of gasoline throughput. Facilities that decline the settlement agreement will be subject to further enforcement action, including having equipment tagged out

of service as prescribed by state law. The intent is to encourage a level playing field with operators following the law.

Q: *How many gasoline dispensing facilities in the Southland are impacted?*

A: There are about 5,000 gasoline dispensing facilities in the Southland with about 60 percent already in compliance or not affected by the new requirement. The impact of the regulation is shown in the following table:

	Number of facilities*
Facilities exempt from regulation	1,100
Facilities already in compliance	1,900
Facilities that filed permit applications but are not expected to meet the April 1 deadline	1,450
Facilities that have not submitted a permit application	550

* Numbers are approximate

Q: *What are the Phase II Enhanced Vapor Recovery requirements?*

A: The California Air Resources Board (ARB) has required vapor recovery systems in California for over 30 years. In 2000, ARB adopted the state's Enhanced Vapor Recovery program to further reduce smog-forming emissions from gasoline dispensing facilities. The program consists of two phases. Phase I, completed in 2005, focused on capturing gasoline vapors during the transfer of gasoline from a tanker truck to a gasoline dispensing facility's underground storage tank. Phase II will recover gasoline vapor emissions generated during the refueling of motor vehicles and from the storage of gasoline at a gasoline dispensing facility. To comply with Phase II Enhanced Vapor Recovery requirements, a facility must obtain AQMD permits to construct and operate; install CARB-certified equipment by a certified contractor, and demonstrate compliance with the requirements by April 1, 2009.

Q: *What has AQMD done to help facilities meet the April 1 deadline?*

A: In 2007, AQMD began doing outreach to service station owners and operators in an effort to encourage early action in complying with the state law and AQMD's Rule 461 by the April 1, 2009 deadline. AQMD sponsored four informational conferences for facility owners and operators, held four task force meetings with oil company

representatives, met with individual city planners by request and issued over 5,000 advisories on two separate occasions in December 2007 and August 2008 to all impacted facilities. AQMD also developed a web page devoted to the Enhanced Vapor Recovery program and established a Rule 461 hotline telephone number. Regular training classes were also held to assist facility operators with various elements of rule compliance.

In March 2008, AQMD amended Rule 461 to encourage early planning and require facilities not already in compliance to submit a plan by October 1, 2008. The compliance plan outlined the increments of progress each facility would take to comply with the April 1, 2009 deadline.

For additional information, please contact Danny Luong, Senior Enforcement Manager, at 909-396-2622 or dluong@aqmd.gov. Additional information is also available on AQMD's website at <http://www.aqmd.gov/comply/Rule461/EVR-Update.htm>

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