

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE EFFECTIVE
AND OPERATIVE DATES FOR ENHANCED VAPOR RECOVERY STANDARDS IN
THE REGULATION FOR CERTIFICATION OF VAPOR RECOVERY SYSTEMS OF
GASOLINE DISPENSING FACILITIES (SERVICE STATIONS)

Public Hearing Date: November 18, 2004
Public Availability Date: December 29, 2004
Deadline for Public Comment: January 13, 2005

At its November 18, 2004, public hearing, the Air Resources Board (the "Board") approved the amendment of section 94011, title 17, California Code of Regulations (CCR), which incorporates by reference CP-201, the Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities.

At the hearing the staff presented, and the Board approved, modifications to the regulations originally proposed in the Staff Report released on October 1, 2004 in response to continuing review and comments received since the Staff Report was published. The modifications affect the text of certification procedure CP-201.

Modifications to CP-201

CP-201 is the certification procedure that contains the Phase I and Phase II vapor recovery standards and specifications and references the test procedures to be used during the certification of vapor recovery systems.

Table 2-1 provides the operative and effective dates for the vapor recovery requirements. As originally noticed, several operative and effective dates were proposed for revision, including a one-year extension in the effective date for Onboard Refueling Vapor Recovery (ORVR) Compatibility. Table 2-1 has been modified to provide a phase-in of the ORVR compatibility requirement for three station throughput categories. The effective dates are changed to require that the highest throughput stations comply first, as indicated in the table below. The phase-in schedule will minimize excess emissions resulting from the delay and avoid a last minute installation crunch for the estimated 3500 stations given the limited number of installation contractors. The phase-in will also assist districts in orderly processing of permit revisions expected for these equipment upgrades. Note that the final compliance date for existing stations is four years after the effective date of the ORVR compatibility standard.

Station Annual Throughput (gal/yr)	ORVR Compatible System Installation Deadline
<i>>2 million</i>	<i>September 1, 2005</i>
<i>1 million to 2 million</i>	<i>January 1, 2006</i>
<i>< 1 million</i>	<i>March 1, 2006</i>

A new section has been added to CP-201 to define how to calculate gasoline station throughput for compliance with the above schedule. Section 2.4.5 states that the facility gasoline throughput for calendar year 2003 shall be used for purposes of determining compliance with the ORVR compatibility deadlines.

Board Resolution 04-41 sets forth the Board's action approving changes to title 17, California Code of Regulations, section 94011, and approving the amendment of the incorporated certification procedure for vapor recovery systems, CP-201, Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities. The Resolution and the text of the regulations and incorporated certification procedure, as modified, are available on the Board's Web site at <http://www.arb.ca.gov/regact/orvext/orvext.htm>. Copies of these documents can also be obtained by contacting Mr. George Lew at (916) 327-0900.

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt section 94011, title 17, California Code of Regulations, and the incorporated certification procedure for vapor recovery systems, CP-201, as modified, after making them available to the public for comment for a period of at least 15 days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Written comments on the modifications must be submitted by postal mail, electronic mail, or facsimile as follows:

Postal mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 I Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to: ORVRext@listserv.arb.ca.gov.
Facsimile submissions are to be transmitted to: (916) 322-3928.

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the

last day for supplemental comment listed at the beginning of this notice. Only comments relating to the additional modifications to the text of the regulations will be considered by the Executive Officer.

Attachment: Proposed Modified Text of CP-201, Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities

Attachment

Proposed Modified Text of CP-201, Certification Procedure for Vapor Recovery Systems
at Gasoline Dispensing Facilities

California Environmental Protection Agency

 Air Resources Board

Vapor Recovery Certification Procedure

CP - 201

**Certification Procedure for
Vapor Recovery Systems at
Gasoline Dispensing Facilities**

Adopted: December 9, 1975
Amended: March 30, 1976
Amended: August 9, 1978
Amended: December 4, 1981
Amended: September 1, 1982
Amended: April 12, 1996
Amended: April 28, 2000
Amended: February 1, 2001
Amended: June 1, 2001
Amended: July 25, 2001
Amended: July 3, 2002
Amended: March 7, 2003
Amended: July 1, 2003
Amended: October 8, 2003
~~Amended: July 22, 2004~~
Amended: August 6, 2004
Amended: _____

Note: The only portion of this procedure being amended is Table 2-1, the balance of the text remains as amended on July 22, 2004. The text of the originally proposed amendments is shown in ~~strikeout~~ to indicate text that is proposed for deletion and underline to indicate text that is proposed for additions. The modifications proposed as 15-day changes are shown in double underline to indicate additions and ~~double strikeout~~ to show deletions.

**Table 2-1
Effective and Operative Dates for Performance Standards and Specifications**

Performance Type	Requirement	Sec.	Effective Date	Operative Date
All Phase I Standards and Specifications	As specified in Table 3-1	3	April 1, 2001	July 1, 2001
ORVR Compatibility for <u>GDF > 2.0 million gal/yr throughput</u> ¹	<u>As specified in section 2.4.5 and section 4.4</u> Interaction When Refueling ORVR Vehicles Shall Meet the applicable Efficiency or Emission Standard, including ORVR Penetrations to 80%	4.1, 4.4	September 1, 2001 April 1, 2002 April 1, 2004	April 1, 2003
<u>ORVR Compatibility for GDF > 1.0 million gal/yr throughput</u> ¹	<u>As specified in section 2.4.5 and section 4.4</u>	<u>4.4</u>	<u>January 1, 2002</u>	<u>April 1, 2003</u>
<u>ORVR Compatibility for GDF < 1.0 million gal/yr throughput</u> ¹	<u>As specified in section 2.4.5 and section 4.4</u>	<u>4.4</u>	<u>March 1, 2002</u>	<u>April 1, 2003</u>
Nozzle Criteria	Post-Refueling Drips ≤ 3 drop/refueling	4.7	<u>January 1, 2005</u> April 1, 2004	<u>January 1, 2005</u> April 1, 2004
Liquid Retention	≤ 350 ml/1,000 gals.	4.8	April 1, 2001	July 1, 2001
Liquid Retention Nozzle Spitting	≤ 100 ml/1,000 gals. ≤ 1.0 ml /nozzle/fueling	4.8	<u>January 1, 2005</u> April 1, 2004	<u>January 1, 2005</u> April 1, 2004
Spillage (including drips from spout)	≤ 0.24 pounds/1,000 gallons	4.3	<u>January 1, 2005</u> April 1, 2004	<u>January 1, 2005</u> April 1, 2004
For GDF > 1.8 mil. gal/yr.	ISD Requirements	10	<u>April 1, 2005</u> April 1, 2004	<u>April 1, 2005</u> April 1, 2004
For GDF > 600,000 gal/yr. ²	ISD Requirements	10.1	<u>April 1, 2006</u> April 1, 2004	<u>April 1, 2006</u> April 1, 2004
Unihose	One Hose/Nozzle per Dispenser Side	4.11	Not applicable	April 1, 2003
All other Phase II Standards and Specifications	As specified in Tables 4-1 through 8-2.	4,5,6 , 7,8	<u>January 1, 2005</u> April 1, 2004	<u>January 1, 2005</u> April 1, 2004

¹ Effective January 1, 2001, state law requires the certification of only those systems that are ORVR compatible (Health and Safety Code section 41954, as amended by Chapter 729, Statutes of 2000; Senate Bill 1300).

² GDF < 600,000 gal/yr are exempted from ISD requirements.

2.4.5 The gasoline dispensing facility's gasoline throughput for calendar year 2003 shall be used for determining compliance with the Onboard Refueling Vapor Recovery (ORVR) requirements in Table 2-1.