

UPDATED INFORMATIVE DIGEST

AMENDMENTS TO THE LIST OF VAPOR RECOVERY EQUIPMENT DEFECTS THAT SUBSTANTIALLY IMPAIR THE EFFECTIVENESS OF GASOLINE VAPOR RECOVERY SYSTEMS

Sections Affected

Amendments to the Vapor Recovery Equipment Defects (VRED) List (amended June 17, 2008), incorporated by reference in California Code of Regulations (Cal. Code Regs.), title 17, section 94006(b).

Background

Section 41960.2 of the Health & Safety Code (Health & Saf. Code) requires the Executive Officer of ARB to 1) identify and list equipment defects in systems, for the control of gasoline vapors resulting from motor vehicle fueling operations, that substantially impair the effectiveness of the systems in reducing air contaminants, and 2) periodically update the VRED List to reflect changes in equipment technology or performance. The initial VRED List was developed in 1982 and most recently amended in 2008.

Air pollution control districts or air quality management districts (district) are responsible for inspecting local gasoline dispensing facilities (GDF) and enforcing vapor recovery violations involving equipment defects and performance test failures (Health & Saf. Code §§ 40752 and 41960.2(d) - (e)). When a district determines that a component contains a defect specified in the VRED List, the district shall mark the component "Out of Order." No person shall use or permit the use of the component until the component has been repaired, replaced, or adjusted, as necessary, and the district has reinspected the component or has authorized use of the component pending reinspection.

Description of the Adopted Regulatory Action

The specific proposals to update the VRED List can be placed into three categories: 1) inclusion of defects for equipment certified in Executive Orders (EOs) signed since the last amendment to the VRED List; 2) new defect verification procedures; and 3) editorial changes to remove minor inconsistencies and improve clarity. ARB staff believes that amending the VRED List will enhance the ability to identify, and repair or replace, those defects that could significantly affect the effectiveness of gasoline vapor recovery systems.

Local air district staffs, manufacturers' representatives, and private owners/operators representing GDFs have collaborated with ARB staff on the development of this update to the VRED List. The local districts have provided valuable suggestions regarding technical information, identification of correct verification procedures, and clarification of listed defects.

The proposed amendments to the VRED List are based on two goals. The first is to provide clear direction concerning proper equipment operation and maintenance to the owners and operators of the dispensing facilities. The second is to provide clear direction to the local districts concerning inspections and defect detection at the dispensing facilities.

The proposed amendments affect a multitude of stakeholders. These include the vapor recovery equipment manufacturers, gasoline marketers who purchase this equipment, contractors who install and maintain vapor recovery systems, and the inspectors at the districts who enforce vapor recovery rules. In addition, California certified systems are required by many other states and countries.

The emission reductions associated with the vapor recovery program have already been accounted for in the 1994 State Implementation Plan (SIP). However, consistency between defects listed in EOs and those in VRED tables will enhance compliance by GDF operators and enforcement by the districts, making it more likely that the committed reductions will, in fact, occur.

Staff recommends that ARB Executive Officer approve the proposed amendments to the VRED List.