

Number 438

June 17, 2013

This advisory clarifies the systems compatibility provision of section 2.4.4 of the Certification Procedure 201 (CP-201)¹, Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities, which reads as follows:

2.4.4 When the Executive Officer determines that no Phase I or Phase II system has been certified or will not be commercially available by the operative dates specified in Table 2-1 of CP-201, the Executive Officer shall extend the operative date and may extend the effective date of amended or additional performance standards or specifications.

Under this authority², the Air Resources Board (ARB) can grant a time extension on meeting the required Phase I or Phase II performance standard or specification if and only if a determination is made that no certified Phase I or Phase II systems are compatible with certain operating or equipment configurations used at gasoline dispensing facilities (GDF). One example of this situation is bulk loading facilities that are also used to dispense fuel into a fleet of vehicles (i.e. a hybrid of both a bulk loading and Phase II gasoline transfer operation). In this case, ARB has not determined that any of the existing certified Phase II systems is compatible at facilities with bulk loading operations and thus an extension was issued (Executive Order G-70-215).

In order for ARB to make a determination of incompatibility, a written request is required to be addressed to the Chief of ARB's Monitoring and Laboratory Division at the following address: P. O. Box 2815, Sacramento, California 95812-2815. The request must include information to support the existence of an incompatibility. When a request is received, ARB will conduct an evaluation, consult with Air District partners in the vapor recovery program, and issue a written determination, which will be posted on ARB's Vapor Recovery web page (<http://www.arb.ca.gov/vapor/eo.htm>).

Current Executive Orders modifying compliance dates for vapor recovery requirements can be found at ARB's Vapor Recovery web site³. GDF owners can consult their local Air Districts for information about these Executive Orders.

For further information, contact Mr. Scott Bacon at sbacon@arb.ca.gov or by telephone at (916) 322-8949 or Mr. Pat Bennett at pbennett@arb.ca.gov or by telephone at (916) 322-8959.

¹ CP-201 is incorporated by reference into the California Code of Regulations (CCR), title 17, section 94011.

² Similar language for GDFs with aboveground tanks can be found in section 2.4.4 of CP-206, Certification Procedures for Vapor Recovery systems at GDFs Using Aboveground Storage Tanks, which is also incorporated by reference into CCR, title 17, section 94016.

³ As of the date of this advisory, incompatibility determinations have only been issued for Phase II EVR systems. Refer to Executive Orders G-70-210 to G-70-215 under the heading "Phase II EVR."