11464 B Avenue, Auburn, CA 95603 · (530) 889-7130 · Fax (530) 889-7107

Thomas J. Christofk, Air Pollution Control Officer

June 4, 2002

ADVISORY NOTICE FOR GASOLINE DISPENSING FACILITIES

This advisory notice is intended for all persons who are required *to have a Permit to Operate for a retail or a non-retail gasoline dispensing facility* in Placer County. Information regarding annual source testing and observation fees, reinspection fees and Enhanced Vapor Recovery regulations is provided.

ANNUAL SOURCE TESTING AND OBSERVATION FEES

In the last year, Placer County Air Pollution Control District (District) sought to improve compliance with the District's requirement for the annual testing of vapor recovery systems. We have appreciated the high level of compliance with the testing requirement that has resulted in improved vapor recovery system performance. The requirement for annual testing is a condition of the permit to operate. All facilities must conduct this mandated annual testing prior to **December 21, 2002**. Results must be submitted no later than 30 days following the test(s).

In order to assure that these tests are done properly, District staff may randomly observe annual tests to verify that the tests are conducted in accordance with California Air Resources Board approved testing protocols. When District staff observes the annual source testing, the permit holder will be charged a source test observation fee at the District's general labor rate of \$77.50/hour. The observation of testing associated with an upgrade to a facility is covered under the Authority to Construct fees and is therefore not subject to the general labor rate.

RE-INSPECTION FEES

The District continues to have a Memorandum of Understanding with the Placer County Weights & Measures Sealer/Agricultural Commissioner's Department (WMS/ACD) to conduct annual inspections of approximately 170 gasoline stations. This effort reduces the program costs to the District and ultimately the fees that the District must assess for annual permit renewal.

WMS/ACD staff conduct annual inspections of gasoline stations. During these inspections non-complying items that need to be fixed may be identified. Staff may re-inspect a gasoline station in order to assure that items are corrected. District Rules allow for the recovery of the re-inspection costs at a rate of \$77.50/hour. The hourly re-inspection charge shall be assessed not withstanding any enforcement action related to violations or non-compliance.

ENHANCED VAPOR RECOVERY

On April 1, 2001, the California Air Resources Board (ARB) adopted an "Enhanced Vapor Recovery" (EVR) program that seeks to fix existing problems with service station vapor recovery systems, as well as the phased implementation of new standards over a 4-year period, to achieve a total of 25 tons per day in statewide VOC emission reductions over the performance of existing systems. By April 1, 2005, all underground tanks will need to change to the new EVR equipment. This change will require gasoline station operators to submit an Authority to Construct application. Since this program has been in affect, gasoline facilities are slowing making the upgrade to the new equipment. Enclosed is the ARB's Advisory Number 196 for Gasoline Dispensing Facility – Implications of Enhanced Vapor Recovery in 2001. Additionally, information on EVR can be found at their website under Programs – Vapor Recovery at www.arb.ca.gov

ADMINISTRATIVE PENALTIES FOR RECALCITRANT OR REPETITIVE VIOLATIONS

On April 13, 2000, the District Board of Directors adopted Rule 805 - <u>Administrative Civil Penalties</u>. This Rule allows staff to apply a schedule of penalties for minor violations that do not warrant a negotiated mutual settlement or the filing of a civil or criminal complaint. One of the District's goals is to have gasoline station operators continuously maintain their emission control equipment in compliance with their permit conditions and State laws. It is hoped that monetary administrative civil penalties will encourage compliance. Additionally, in cases where Annual Testing has been not conducted, an administrative penalty will be applied.

At the District's discretion negotiated mutual settlements or the filing of criminal or civil complaints will be pursued in lieu of administrative civil penalties. Further information can be obtained from District staff.

This advisory notice and further information regarding Administrative Penalties can be found at our web site at www.placer.ca.gov/airpollution/airpolut.htm or by calling Ms. Ann Hobbs at (530) 889-7137.

Enclosure: ARB Advisory Number 196, dated July 18, 2001