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ADVISORY NOTICE FOR GASOLINE DISPENSING FACILITIES

This advisory notice is intended for all persons who are required to have an Air Pollution Permit to Operate for retail or non-retail gasoline dispensing facility (GDF) in Placer County.

ENHANCED VAPOR RECOVERY PHASE II APRIL 2009 DEADLINE

Information is provided below regarding Enhanced Vapor Recovery Phase II vapor recovery requirements for all underground storage tanks. These GDFs will need to upgrade to Enhanced Vapor Recovery (EVR) Phase II vapor recovery by <u>April 1, 2009</u>. Additionally, those gasoline facilities pumping more than 600,000 gallons annually will be required to install in-station diagnostics (ISD) by <u>April 1, 2009</u>.

Prior to changing or modifying one Phase II system to another, an Authority to Construct from the District must be applied for and obtained before installing an EVR Phase II vapor recovery system. Since lead times for permit approval, ordering a system, and scheduling installation may be lengthy; you should apply for a permit as early as possible. Failure to meet these deadlines will result in District enforcement action.

At this time, one EVR Phase II system is currently certified (Franklin Fueling/Healy). Franklin Fueling is prepared to meet the equipment demand. With 13,000 GDFs statewide that are required to upgrade, there is a potential shortage of certified contractors if an owner waits too long to install EVR systems. Other EVR Phase II systems are under test and could be available by the end of 2007; but there is no guarantee that any system currently in the certification process will successfully complete all performance testing and legal requirements to obtain EVR certification.

Detailed information on Enhanced Vapor Recovery can be found at the California Air Resources Board vapor recovery web site at http://www.arb.ca.gov/vapor/vapor.htm or by contacting the ARB Engineering and Certification Branch at (916) 327-0900. For information on permitting and installation in Placer County please contact Ann Hobbs at (530) 745-2327.

ANNUAL SOURCE TESTING AND OBSERVATION FEES

Placer County Air Pollution Control District (District) continues to look to improving compliance with the District's requirement for the annual testing of vapor recovery systems. The requirement for annual testing is a condition of the permit to operate. We have appreciated the high level of compliance with the testing requirement that has resulted in improved vapor recovery system performance. All facilities must conduct this annual testing.

Results must be submitted no later than 30 days following the test(s). Those systems that have failed to conduct their annual testing or submit the results for 2006 will be fined. Additionally those facilities that fail any tests and do not tag out of order the equipment that has failed, will be subject to substantial monetary penalties.

In order to assure that these tests are done properly, District staff may randomly observe to verify that the tests are conducted in accordance with the 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. The observation of testing associated with a new or upgraded facility is covered under the Authority to Construct fees and is therefore not subject to the general labor rate.

RE-INSPECTION FEES AND PENALTIES FOR 7-DAY AND TAGOUT DEFECTS

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 200 gasoline facilities. 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 conducts annual inspections of gasoline stations. During these inspections non-complying equipment may be identified which requires either a 7-day notice or an out of order tag for the equipment to be fixed. Staff will re-inspect a gasoline facility in order to assure that the non-complying items are corrected. The list of Title 17 defects can be found at http://www.arb.ca.gov/vapor/title17/defeclst.pdf

District Rules allow for the recovery of the re-inspection costs at the District's general labor rate. The hourly re-inspection charge will be assessed, notwithstanding any enforcement action related to violations or non-compliance. The District will send an invoice for the re-inspection costs when such costs are incurred by WMS/ACD or District staff.

When equipment has a 7-day notice for repair, the equipment can still be used and in service. Equipment with an Out of Order tag attached to the nozzle must be locked out of order until the equipment has been repaired. The out of order tag specifically states "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 inspected or has authorized its use." The failure to repair equipment when required and the removal of out-of-order tags without repairs having been completed are serious violations and will result in enforcement action being taken.

This advisory notice and other previously issued advisories can be found on our website at www.placer.ca.gov/apcd or by calling Ms. Ann Hobbs at (530) 745-2327.