



Public Workshop: Proposed Amendments to Vapor Recovery Certification Procedures

**October 12, 2022
Sacramento, California**

Housekeeping and Workshop Access

- In Person Attendance Information:
 - Emergency Exits, Building Evacuation, Restrooms
 - Questions and Comments
- Zoom Link (register in advance):
https://us06web.zoom.us/webinar/register/WN_sxNjj3JDR4S0CoURLgFBVA
- E-mail questions and comments to: vapor@arb.ca.gov
- Today's presentation and draft regulatory text is available at:
<https://ww2.arb.ca.gov/resources/documents/preliminary-rulemaking-activity-0>

Workshop Goals

- Discuss proposed regulatory amendments:
 - Proposed change to the “alternative test procedure” section in four certification procedures
 - Formatting changes required to meet Americans with Disabilities Act (ADA) accessibility requirements
- Solicit feedback on the proposed amendments prior to the formal rulemaking process

Presentation Outline

1. Vapor Recovery Program Background
2. Substantive Changes – remove language from four certification procedures
3. Non-Substantive Changes – formatting changes to meet ADA compliance and address minor grammatical errors
4. Next Steps

Section 1: Vapor Recovery Program Background

Vapor Recovery Program

- ~ 14,600 GDFs with vapor recovery controls
- ~ 6,000 gasoline cargo tanks in operation
- ~ 15.5 billion gallons of gasoline consumed annually
- ~ 358 tons per day of volatile organic compounds controlled



Regulatory Structure

Statutes & Regulations

- Requires CARB to control emissions from gasoline marketing
- Establishes performance standards for vapor control equipment, which are found in 7 certification procedures

Certification Procedures

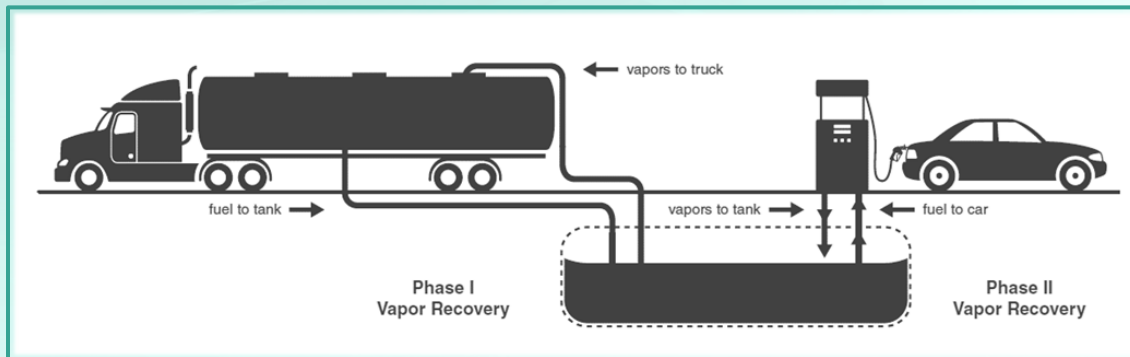
- Specifies performance standards for certified systems
- Defines the process for certifying vapor recovery systems
- Refers to test procedures that must be used during certification

Test Procedures

- Used for certification and in-use compliance determinations
- Listed in CARB Executive Orders

Vapor Recovery Certification Procedures:

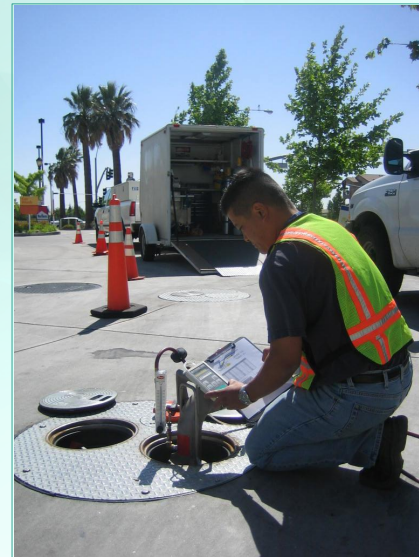
- **CP-201:** Vapor Recovery Systems for Dispensing Facilities with Underground Storage Tanks (UST)
- **CP-204:** Vapor Recovery Systems of Cargo Tanks
- **CP-206:** Vapor Recovery Systems for Dispensing Facilities with Aboveground Storage Tanks (AST)
- **CP-207:** Dispensing Facilities with Enhanced Conventional (ECO) Nozzles and Low Permeation Conventional Hoses



Section 2: Substantive Changes

Substantive Changes

- Remove language that does not provide CARB's Executive Officer clear instruction to approve alternative test procedures
- Language found in:
 - Section 14.4 of CP-201
 - Section 5.4 of CP-204
 - Section 15.5 of CP-206
 - Section 8.4 of CP-207



Substantive Changes (continued)

- Proposed Amendment – delete the following sentence from each corresponding section in the certification procedures:

“For situations where Method 301 is not directly applicable, the Executive Officer shall establish equivalence based on concepts of comparison with the established method and statistical analysis of bias and variance.”

Substantive Changes (continued)

- Why remove this language?
 - Improves clarity and reduces uncertainty
 - Improves enforceability and transparency
 - Provides uniformity throughout four certification procedures
- No economic impact and no change to previous program emission benefits

Section 3: Non-Substantive Changes

ADA Accessibility Requirements

- All documents posted on CARB's website must be in accessible format so that all members of the public can access them
- What prompted this?
 - California Government Code Sections [7405](#) and [11135](#)
 - [Web Content Accessibility Guidelines](#)
- Implementation began in July of 2019

Non-Substantive Changes

- Formatting changes to meet ADA accessibility requirements including:
 - The use of Microsoft Word Styles;
 - Changes to font style and size;
 - Use of spacing and hard returns; and
 - Limiting text emphasis
- Changes applied to all four documents for consistency and ease of access



Non-Substantive Changes (continued)

- Minor grammatical edits
 - Missing hyphens, commas, etc.
- None of the proposed non-substantiative amendments change text meaning or intent



Summary of Proposal

- Eliminate the provision that provides no instruction or guidance for CARB Executive Officer to approve alternative test procedures
- Format changes to improve document accessibility
- No change to performance standards and specifications
- No change to implementation timelines
- No emission impact or economic impact
- No impact on regulated community

Section 4: Next Steps

Next Steps

- Consider preliminary feedback on draft regulatory language now available on CARB's website at:
 - <https://ww2.arb.ca.gov/resources/documents/preliminary-rulemaking-activity-0>
 - CARB staff will consider comments received via email at vapor@arb.ca.gov on or before November 1, 2022
- Revise proposal as needed
- Prepare "Initial Statement of Reasons" staff report
- Proceed with formal rulemaking process

Remaining Steps in the Rulemaking Process

- Late 2022 – Release the Initial Statement of Reasons and proposed regulatory amendments for public review to begin 45-Day Public Comment Period
- Early 2023 – Executive Officer Hearing (if requested)
- Mid 2023 – Review and approval by Office of Administrative Law

Thank You!
Questions or Comments?