



Enhanced Vapor Recovery Program Equipment Advisory

Gasoline Dispensing Facilities with Aboveground Storage Tanks

Number 2025-01

March 3, 2025

Expiration of CARB Executive Order VR-401: OPW Phase I Enhanced Vapor Recovery (EVR) System for Gasoline Dispensing Facilities (GDF) with Aboveground Storage Tanks (AST) and the Delay of Removal of Expired Systems

The purpose of this advisory is to inform GDF owners and operators with ASTs that CARB Executive Order (EO) VR-401 for OPW's Phase I EVR system expired as of July 17, 2023. Generally, expiration would require the removal of the OPW Phase I EVR system and replacement with a currently certified system by July 17, 2027. To potentially reduce the financial burden on GDF owners and operators, this advisory grants Local Air Pollution Control Districts/Air Quality Management Districts (local Air District) the discretion to allow existing OPW Phase I EVR system installations to remain in operation until the end of "useful life"¹ before requiring their replacement with another certified system.

Background:

OPW's Phase I EVR system for ASTs was first certified by CARB on February 3, 2010, per EO VR-401 Revision A and was last amended on July 17, 2019, per [EO-401 Revision F](#). In 2022, OPW notified CARB that they do not intend to renew Revision F, thus establishing an expiration date in four years, on July 17, 2023². Without some form of relief from CARB and the local Air Districts, existing GDF owners and operators that have an existing OPW Phase I EVR system installed on their ASTs would have to remove and replace that system with a currently certified Phase I EVR system by July 17, 2027. New GDF's have not been allowed to install the OPW Phase I EVR system since July 17, 2023.

CARB estimates that there are approximately 1,350 ASTs with Phase I EVR systems installed statewide, and approximately 280 of those are the OPW Phase I EVR system. CARB has determined that at a minimum, it would cost approximately \$4,500 for each AST to remove

¹ Useful life is the period in time during which a vapor recovery system or component can be used as intended, conforms to manufacturer's specifications, and complies with all applicable CARB regulations, standards, and specifications. The end of useful life occurs when the vapor recovery system or component can no longer be maintained or operated per manufacturer's specifications and as certified by CARB regulations, standards, and specifications.

² Executive Orders are valid for a period of four years before they must be renewed. Per Section 18.6 of [CARB Certification Procedure CP-206](#), non-renewed systems may remain in use for the remainder of their useful life or for up to four (4) years from the expiration date, whichever is shorter. At this point, they must then be removed and replaced with a certified system.

these potentially fully functioning Phase I EVR systems and replace them with a currently certified system. As these existing OPW Phase I EVR systems previously met CARB's certification requirements, replacing them with an equivalent certified system would not result in emissions reductions. Therefore, removing the OPW Phase I EVR systems by July 17, 2027, before the end of their useful life, would result in high costs to GDF owners and operators with no emissions benefit.

Action:

CARB recommends that local Air Districts exercise enforcement discretion and allow existing GDFs with ASTs equipped with the OPW Phase I EVR system to maintain their fully functioning system past July 17, 2027, until the system reaches the end of its useful life. Once a component fails and there is no longer existing stock available as a replacement part³, the system is considered to no longer conform to applicable CARB regulations, standards, and specifications. At this point the entire OPW Phase I EVR system must be removed and replaced with a currently certified Phase I EVR system⁴. New installations would continue to be prohibited from installing the OPW Phase I system.

CARB recommends that GDF owners and operators with the OPW Phase I EVR system installed on their ASTs contact their local Air District for further information. Additionally, once their system has reached the end of useful life, they will need to engage with the local Air District to start the permitting process to remove their system and replace with a currently certified system. It is recommended to begin this process before Phase I vapor recovery system failure, or risk the AST being tagged out of service for an unknown period of time.

Contact Information:

If you have questions, please contact the appropriate local Air District listed at <https://ww2.arb.ca.gov/california-air-districts> . For the CARB Vapor Recovery Program staff, email CARB at vapor@arb.ca.gov.

³ Existing uninstalled stock of components listed in Exhibit 1 of [EO VR-401](#) can be used as replacement parts as long as their installation renders the system as "whole" per EO VR-401. Once a single component can no longer be replaced with existing stock, that system no longer conforms to CARB regulations, standards, and specifications and must be removed and replaced with a certified system.

⁴ As of the date this advisory is released, the only other certified Phase I EVR system for ASTs is the Morrison Brothers Phase I EVR System certified under [EO VR-402](#).