FINAL REGULATION ORDER

Note: Set forth below are the proposed amendments and adoption to the Vapor Recovery Systems in Gasoline Marketing Operations Regulation. The pre-existing regulation text is set forth below in normal type. The proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions.

Amend Section 94010, 94011, 94016, and Adopt new section 94017, Article 1, Subchapter 8, Chapter 1, Division 3, Title 17 CCR to read as follows:

§ 94010. Definitions.

The definitions of common terms and acronyms used in the certification and test procedures specified in Sections 94011, 94012, 94013, 94014, 94015, ~~and~~ 94016, and 94017 are listed in D-200, "Definitions for Vapor Recovery Procedures", adopted April 12, 1996, as last amended ~~January 9, 2013~~November 9, 2015, which are incorporated herein by reference.

Note: Authority cited: Sections 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 25290.1.2, 39515, 41954, 41959, 41960 and 41960.2, Health and Safety Code.

§ 94011. Certification of Vapor Recovery Systems of Dispensing Facilities.

The certification of gasoline vapor recovery systems at dispensing facilities (service stations) shall be accomplished in accordance with the Air Resources Board's CP-201, "Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities" which is herein incorporated by reference. (Adopted: December 9, 1975, as last amended ~~January 9, 2013~~November 9, 2015.

The following test procedures (TP) cited in CP-201 are also incorporated by reference.

TP-201.1 – "Volumetric Efficiency for Phase I Systems" (Adopted: April 12, 1996, as last amended July 26, 2012)

TP-201.1A – "Emission Factor For Phase I Systems at Dispensing Facilities" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.1B – "Static Torque of Rotatable Phase I Adaptors" (Adopted: July 3, 2002, as last amended October 8, 2003)

TP-201.1C – "Leak Rate of Drop Tube/Drain Valve Assembly" (Adopted: July 3, 2002, as last amended October 8, 2003)

TP-201.1D – "Leak Rate of Drop Tube Overfill Prevention Devices" (Adopted: February 1, 2001, as last amended October 8, 2003)

TP-201.1E – “Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves” (Adopted: October 8, 2003)

TP-201.1E CERT– “Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves” (Adopted: May 25, 2006)

TP-201.2 – “Efficiency and Emission Factor for Phase II Systems” (Adopted: April 12, 1996, as last amended July 26, 2012)

TP-201.2A – “Determination of Vehicle Matrix for Phase II Systems” (Adopted: April 12, 1996, as last amended July 26, 2012)

TP-201.2B – “Flow and Pressure Measurement of Vapor Recovery Equipment” (Adopted: April 12, 1996, as last amended October 8, 2003)

TP-201.2C – “Spillage from Phase II Systems” (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.2D – “Post-Fueling Drips from Nozzle Spouts” (Adopted: February 1, 2001, as last amended October 8, 2003)

TP-201.2E – “Gasoline Liquid Retention in Nozzles and Hoses” (Adopted: February 1, 2001)

TP-201.2F – “Pressure-Related Fugitive Emissions” (Adopted: February 1, 2001, as last amended October 8, 2003)

TP-201.2G – “Bend Radius Determination for Underground Storage Tank Vapor Return Piping” (Adopted: October 8, 2003, as last amended May 25, 2006)

TP-201.2H – “Determination of Hazardous Air Pollutants from Vapor Recovery Processors” (Adopted: February 1, 2001)

TP-201.2I – “Test Procedure for In-Station Diagnostic Systems” (Adopted: October 8, 2003, as last amended July 26, 2012)

TP-201.2J – “Pressure Drop Bench Testing of Vapor Recovery Components” (Adopted: October 8, 2003, as last amended July 26, 2012)

TP-201.3 – “Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996, as last amended July 26, 2012)

TP-201.3A – “Determination of 5 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996)

TP-201.3B - "Determination of Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities with Above-Ground Storage Tanks" (Adopted: April 12, 1996)

TP-201.3C – “Determination of Vapor Piping Connections to Underground Gasoline Storage Tanks (Tie-Tank Test)” (Adopted: March 17, 1999)

TP-201.4 – “Dynamic Back Pressure” (Adopted: April 12, 1996, as last amended July 3, 2002)

TP-201.5 – “Air to Liquid Volume Ratio” (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.6 – “Determination of Liquid Removal of Phase II Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996, as last amended April 28, 2000)

TP-201.6C – "Compliance Determination of Liquid Removal Rate" (Adopted: July 3, 2002)

TP-201.7 – “Continuous Pressure Monitoring” (Adopted: October 8, 2003)

UL 330 (7^{th} ed) – “Underwriters Laboratories’ Standard for Hose and Hose Assemblies for Dispensing Flammable Liquids, December 16, 2009.

Note: Authority cited: Sections 25290.1.2, 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 25290.1.2, 39515, 41952, 41954, 41956.1, 41959, 41960 and 41960.2, Health and Safety Code.

§ 94016. Certification of Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks.

The certification of gasoline vapor recovery systems at dispensing facilities using aboveground storage tanks shall be accomplished in accordance with the Air Resources Board's CP-206, "Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks," adopted May 2, 2008, as last amended ~~May 27, 2014~~November 9, 2015, which is herein incorporated by reference.

The following test procedures (TP) cited in CP-206 are also incorporated by reference.

TP-206.1 - "Determination of Emission Factor for Standing Loss Control Vapor Recovery Systems using Temperature Attenuation Factor at Gasoline Dispensing Facilities with Aboveground Storage Tanks" (Adopted: May 2, 2008).

TP-206.2 - "Determination of Emission Factor for Standing Loss Control Vapor Recovery Systems using Processors at Gasoline Dispensing Facilities with Aboveground Storage Tanks" (Adopted: May 2, 2008, as last amended May 27, 2014)

TP-206.3 - "Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Storage Tanks" (Adopted: May 2, 2008, as last amended on July 26, 2012).

TP-206.4 – “Volumetric Efficiency of Phase I Vapor Recovery Systems for Aboveground Storage Tanks” (Adopted: November 7, 2014).

The following certification and test procedures cited in certification procedure CP-206 and adopted in section 94011 by incorporation by reference are also incorporated by reference herein: CP-201, TP-201.1A, TP-201.1B, TP-201.1C, TP-201.1D, TP-201.1E, TP-201.1E CERT, TP-201.2, TP-201.2A, TP-201.2B, TP-201.2C, TP-201.2D, TP-201.2E, TP-201.2G, TP-201.2H, TP-201.2I, TP-201.2J, TP-201.4, TP-201.5, TP-201.6, TP-201.7, and UL-330 (7^{th} Ed).

Note: Authority cited: Sections 39600, 39601, 39607and 41954, Health and Safety Code. Reference: Sections 39515, 39605, 41954, 41956.1, 41959, 41960 and 41960.2, Health and Safety Code.

[Note: All of the text below is new language to be added to the California Code of Regulations]

Adopt Section 94017, Article 1, Subchapter 8, Chapter 1, Division 3, Title 17 CCR to read as follows:

§ 94017. Certification of Enhanced Conventional Nozzles and Low Permeation Hoses at Gasoline Dispensing Facilities.

The certification of enhanced conventional nozzles and low permeation hoses at gasoline dispensing facilities shall be accomplished in accordance with the Air Resources Board's CP-207, "Certification Procedure for Enhanced Conventional (ECO) Nozzles and Low Permeation Conventional Hoses at Gasoline Dispensing Facilities," adopted November 9, 2015, which is herein incorporated by reference.

The following certification and test procedures cited in certification procedure CP-207 and adopted in sections 94011 and 94016 by incorporation by reference are also incorporated by reference herein: CP-201, CP-206, TP-201.2C, TP-201.2D, TP-201.2E, and UL-330 (7^{th} Ed).

Note: Authority cited: Sections 39600, 39601, 39607, and 41954, Health and Safety Code. Reference: Sections 39515, 39605, 41954, 41956.1, 41959, 41960, and 41960.2, Health and Safety Code.