

RULE 3.8 **GASOLINE DISPENSING FACILITIES** (Adopted 6/91, Amended 6/2/2014)

**A. GENERAL**

- A.1 **PURPOSE:** The purpose of this rule is to limit displaced gasoline vapors from storage tanks and transport vessels.
- A.2 **APPLICABILITY:** This rule applies to the transfer of gasoline into any stationary storage tank located at a gasoline dispensing facility.
- A.3 **SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the District that other provisions of this rule remain in full force and effect, to the extent allowed by law.

**B. EXEMPTIONS**

- B.1 **EXEMPTION:** The provisions of this rule shall not apply to the following:
- a. Storage tanks with a capacity of 250 gallons or less;
  - b. The transfer of gasoline into any stationary storage tank used exclusively for the fueling of implements of husbandry, as such vehicles are defined in Division 16 (Section 36000 et seq.) of the California Vehicle Code, if such storage tank is equipped with a permanent submerged fill pipe; or
  - c. Storage tanks located at gasoline bulk plants or gasoline terminals.
- B.2 **EXEMPTION - PHASE I:** The provisions of Sections D.2 and D.8 shall not apply to any stationary storage tank which meets all of the following requirements:
- a. The storage tank was installed at the stationary source prior to June 1991; and
  - b. The storage tank maintains a monthly throughput of less than 10,000 gallons.
- B.3 **EXEMPTION - PHASE I EVR:** The provisions of Section D.2 shall not apply to any stationary storage tank used at a non-retail gasoline dispensing facility that is equipped

with a Phase I vapor recovery system that meets all of the following requirements:

- a. The vapor recovery system achieves a minimum vapor recovery efficiency of 90% by weight;
- b. The storage tank is equipped with a pressure/vacuum valve; and
- c. The storage tank was installed at the stationary source before July 1, 2014.

## **C. DEFINITIONS**

- C.1 CARB CERTIFIED: A Phase I or Phase II vapor recovery system, equipment, or any component thereof, for which CARB has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- C.2 DELIVERY VESSEL: Any motor vehicle, trailer, or rail car used for the transportation of gasoline.
- C.3 DRY BREAK: A Phase I vapor recovery component that opens only by connection to a mating device to ensure that no gasoline vapors escape from the storage tank before the vapor return line is connected and sealed.
- C.4 ENHANCED VAPOR RECOVERY (EVR): Performance standards and specifications set forth in the CARB CP-201 (Certification Procedure for Vapor Recovery Systems at gasoline dispensing facilities) or in CARB CP-206 (Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks).
- C.5 EXECUTIVE ORDER: A document issued by CARB pursuant to Health and Safety Code Section 41954 certifying that a specific vapor recovery system meets the applicable performance specifications and setting conditions for the certification.

- C.6 GASOLINE: Any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 4 pounds per square inch absolute or greater as determined by a method specified by test methods ASTM DM2879-97 (2007), ASTM D323-06, or ASTM D5191-07.
- C.7 GASOLINE BULK PLANT: Any gasoline loading facility where the primary delivery of gasoline to a storage tank is other than by pipeline.
- C.8 GASOLINE DISPENSING FACILITY: A stationary source consisting of one or more storage tanks and associated equipment that receives, stores, and dispenses gasoline to motor vehicle fuel tanks.
- C.9 GASOLINE TERMINAL: Any loading facility where delivery of gasoline to a storage tank is primarily by pipeline. In the event the pipeline is not operational, delivery of gasoline to the storage tanks may be by delivery vessel.
- C.10 LOADING FACILITY: A facility which uses a gasoline loading rack or set of such racks to load gasoline into delivery vessels.
- C.11 MOTOR VEHICLE: Any self-propelled vehicle as defined in Section 415 of the California Vehicle Code.
- C.12 PHASE I: A gasoline vapor recovery system or equipment that recovers the vapors generated during the transfer of gasoline from transport vessels into storage tanks.
- C.13 PRESSURE/VACUUM VALVE: A valve that is installed on the vent pipe(s) of the gasoline storage tank to relieve pressure or vacuum build-up at preset values of pressure or vacuum within the tank.
- C.14 RETAIL GASOLINE DISPENSING FACILITY: Any gasoline dispensing facility subject to the payment of California sales tax for the sale of gasoline to the public.
- C.15 SPILL CONTAINER: An enclosed container around a Phase I fill pipe that is designed to collect gasoline spillage resulting from disconnection between the liquid gasoline delivery hose and the fill pipe.

C.16 SUBMERGED FILL PIPE:

- a. Top Loading: Any fill pipe which has the discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the tank.
- b. Side Loading: Any fill pipe which has the discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

C.17 VAPOR TIGHT: A vapor leak of less than 10,000 ppm hydrocarbon concentration, as determined by EPA Reference Method 21, using an appropriate analyzer calibrated with methane.

D. **REQUIREMENTS**

D.1 **SUBMERGED FILL PIPE:** A person shall not transfer or permit the transfer of gasoline into any stationary storage tank unless such storage tank is provided with a permanent submerged fill pipe.

D.2 **GASOLINE TRANSFER INTO STORAGE TANKS:** A person shall not transfer, allow the transfer or provide equipment for the transfer of gasoline from any transport vessel into any storage tank unless all of the following conditions are met:

- a. The gasoline storage tank is equipped with a CARB certified Phase I Enhanced Vapor Recovery (EVR) system that shall prevent emission to the atmosphere of at least 95%, by volume, of the gasoline vapors displaced from the storage container during the transfer of gasoline into the container;
- b. All aboveground storage tanks are equipped with a Standing Loss Control vapor recovery system as certified by the CARB pursuant to Certification Procedure CP-206;
- c. All vapor recovery systems are maintained and operated according to the manufacturer's specifications and the most recent applicable CARB Executive Orders;
- d. All vapor return lines are connected between the transport vessel and the storage tank while gasoline is transferred, and all associated hoses, fittings, and couplings are maintained in a liquid tight and vapor tight condition; and
- e. The following equipment shall be installed, operated and maintained as specified below:
  - 1. All fill tubes are equipped with vapor tight caps;

2. All dry breaks are equipped with vapor tight seals and vapor tight caps;
3. All CARB certified coaxial fill tubes are spring-loaded and operated so that the vapor passage from the storage tank back to the transport vessel is not obstructed;
4. The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
5. All storage tank vapor return lines without dry breaks are equipped with vapor tight caps; and
6. Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use.

- D.3 **CERTIFICATION REQUIREMENTS:** A person shall not offer for sale, sell, or install within the District any Phase I vapor recovery equipment unless such equipment is CARB certified.
- D.4 **VAPOR TIGHT:** All vapor recovery equipment and gasoline loading equipment shall be maintained in good working order and shall be leak free and vapor tight.
- D.5 **MAINTENANCE INSPECTIONS - RETAIL GASOLINE FACILITY:** The owner/operator of any retail gasoline dispensing facility shall perform a maintenance inspection in accordance with the protocol specified in Section D.7 to ensure proper operating conditions of all components of the vapor recovery systems. The inspection shall be performed weekly, or at the frequency specified in the District Permit to Operate, whichever is more stringent.
- D.6 **MAINTENANCE INSPECTIONS - NON-RETAIL GASOLINE FACILITY:** The owner/operator of any non-retail gasoline dispensing facility shall perform a maintenance inspection in accordance with the protocol specified in Section D.7 to ensure proper operating conditions of all components of any applicable vapor recovery system. The inspection shall be performed monthly, or at the frequency specified in the District Permit to Operate, whichever is more stringent.
- D.7 **MAINTENANCE INSPECTION PROTOCOL:** The owner/operator of a gasoline dispensing facility shall, at a minimum, verify the following and record the results during the maintenance inspection:

- a. The fill caps and gaskets are not missing, damaged, or loose;
- b. The submerged fill pipe is not missing or damaged; and
- c. If applicable:
  - 1. The spill container is clean and does not contain gasoline, and the spill containment drain valve is seating properly;
  - 2. The spring-loaded submerged fill tube seals properly against the coaxial fitting; and
  - 3. The dry break is not missing or damaged;

**D.8 SOURCE TESTING:**

- a. Within 60 calendar days of the initial operation of a new or modified gasoline dispensing facility, the owner/operator shall conduct and successfully pass the performance tests required by the applicable District Authority to Construct permits and CARB Executive Orders.
- b. The owner/operator of a gasoline dispensing facility shall conduct and successfully pass the reverification performance tests in accordance with the test methods specified in Section F, and any additional tests required by the applicable CARB Executive Orders or District Permit to Operate to verify the proper operation of the vapor recovery system. Each reverification test shall be completed within 12 months of the previous successful test.
- c. A person who conducts performance tests shall comply with all of the following:
  - 1. Conduct tests in accordance with the applicable test methods specified in Section F and other CARB testing procedures. Tests shall be conducted using calibrated equipment meeting the calibration range and calibration intervals specified by the manufacturer;
  - 2. Provide notification to the District at least 10 days prior to testing, except for reverification tests conducted after a drive-off; and
  - 3. Submit a copy of the test report in District-approved format to the District within 15 days after each test is conducted. The test report shall include all the required records of tests, test data, a statement whether the system or component tested meets or fails to meet the required standards, and the name and signature of the person responsible for conducting the tests.

- d. Notwithstanding Section c.2 above, the owner/operator that has failed a performance test or portions thereof may retest the facility provided that the person conducting the tests has complied with one of the following:
  - 1. Notify the District at least 12 hours prior to retesting; or
  - 2. When all necessary repairs are performed during the same day the facility has failed, the owner/operator may retest the facility on the same day without re-notification, provided that the reasons for the test failure and any repairs performed are properly documented in the test reports and the repair logs pursuant to Section E.
- e. The owner/operator shall not operate or resume operation of a gasoline dispensing facility unless the facility has successfully passed the applicable performance tests. Notwithstanding the above, when a dispenser associated with any equipment that has failed a test is isolated and shut down, the owner/operator may continue operation or resume operation of the remaining equipment at the facility provided that test results demonstrate that the remaining equipment is in good operating condition. All test results and the method of isolating the defective equipment shall be documented in the test reports to be submitted to the APCO pursuant to Section E.

**E. MONITORING AND RECORDS:**

- E.1 **RECORDKEEPING:** A person who performs maintenance inspections, repairs, or testing at any gasoline dispensing facility shall provide to the owner/operator all records listed below, as applicable, at the end of each day when the service is provided. The owner/operator shall maintain all records listed below on site and any other test results or maintenance records that are required to demonstrate compliance for a period of at least 5 years. Records for non-retail gasoline dispensing facilities that are unmanned may be kept off site provided that the records are made available to District personnel within 72 hours. All records required by this section shall be made available to District personnel upon request both on site during inspections and offsite as specified.

- a. Records of all defective components identified or repaired during maintenance inspections.
- b. Repair logs shall include, at a minimum:
  - 1. Date and time of the repair;
  - 2. The name of the person(s) who performed the repair, and if applicable, the name, address and phone number of the person's employer;
  - 3. Description of each component that was repaired, serviced, removed, or replaced, including the required component identification information; and
  - 4. If applicable, each component that was installed as a replacement, including the required component identification information; and
- c. Records of tests, which shall include:
  - 1. Date and time of each test;
  - 2. Name, affiliation, address and phone number of the person(s) who performed the test;
  - 3. Test data and calibration data for all equipment used;
  - 4. Date and time that each test is completed;
  - 5. Date and time that the facility owner/operator is notified of the results;
  - 6. For a test that fails, a description of the reasons for the test failure shall also be included;
  - 7. For a retest following a failed performance or reverification test, description of repairs performed; and
  - 8. Copies of the test reports in District-approved format.

E.2 **RECORDKEEPING - TRANSFER OF OWNERSHIP:** If a facility undergoes a transfer of ownership, the new owner shall be responsible for collecting and maintaining all records from the previous owner, as specified in section E.1.

E.3 **BURDEN OF PROOF:** Any person claiming exemption pursuant to Section B.1, B.2, or B.3 shall have records available that would allow the APCO to verify the eligibility of the exemption.

## **F. TEST METHODS AND PROCEDURES**

F.1 **STATIC PRESSURE DECAY:** The static pressure performance tests of a Phase I vapor recovery system for underground



and aboveground tanks shall be determined in accordance with CARB Test Procedure TP-201.3 and TP-201.3B or TP-206.3, as applicable.

- F.2 **ALTERNATIVE TEST PROCEDURES:** Those vapor recovery systems whose CARB Executive Orders specify different tests to be performed instead of, or in addition to, the referenced test methods, or which, by their design, preclude the use of the referenced test methods, shall be tested in accordance with the test procedures specified in the applicable CARB Executive Orders or their equivalents as approved by the EPA.