Mojave Desert
Air Quality Management District

Draft

Staff Report
Proposed Amendments to
Rule 461 – *Gasoline Transfer and Dispensing*
Rule 462 – *Organic Liquid Loading*
Rule 463 – *Storage of Organic Liquids*

For amendment on
October 23, 2017

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List of Acronyms

AST	Aboveground Storage Tank
AVAQMD	Antelope Valley Air Quality Management District
BACT	Best Available Control Technology
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CTG	Control Technology Guideline
EO	Executive Order
EVR	Enhanced Vapor Recovery
FCAA	Federal Clean Air Act
H&S Code	California Health & Safety Code
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
mm Hg	Millimeters of Mercury
NOx	Oxides of Nitrogen
ORVR	Onboard Refueling Vapor Recovery
PCAPCD	Placer County Air Pollution Control District
psia	Pound per Square Inch Absolute
RACT	Reasonably Available Control Technology
SBCAPCD	San Bernardino County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
SOx	Oxides of Sulfur
USEPA	U.S. Environmental Protection Agency
U.S.C.	United States Code
UST	Underground Storage Tank
VOC	Volatile Organic Compounds
YSAQMD	Yolo-Solano Air Quality Management District

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STAFF REPORT
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I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The FCAA requires areas designated non-attainment and classified moderate or above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Techniques Guidelines (CTG) documents issued by United States Environmental Protection Agency (USEPA) for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) which are ozone precursors. The District adopted the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* in February, 2015 which committed to amending Rule 461 – *Gasoline Transfer and Dispensing,* Rule 462- *Organic Liquid Loading* and Rule 463 – *Storage of Organic Liquids* to current Federal RACT.

District Rule 461- *Gasoline Transfer and Dispensing*, and Rule 462 – *Organic Liquid Loading* was last amended on May 25, 1994, Rule 463 – *Storage of Organic Liquids* was last amended on November 2, 1992, and all three rules were approved as RACT into the SIP in 1995. (60 FR 21702, 05/03/1995). Previous versions of these rules addressed requirements outlined in the applicable CTG's published in the 1970s: Design Criteria for Stage I Vapor Control Systems – Gasoline Stations (EPA-450/R-75-102 November 1975), Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals (EPA-450/2-77-026 October 1977), Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035 December 1977), Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035 December 1977), Control of Volatile Organic Emission from Storage of Petroleum Liquids in Fixed-Roof Tanks (EPA-450/2-77-036 December 1977), Control of Volatile Organic Emission from Petroleum Liquid Storage in External Floating Roof Tanks (EPA-450/2-78-047 December 1978) and Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (EPA-450/2-78-051 December 1978).

The proposed amendments are based on the Control Technology Guidelines (CTGs), and various district rules deemed as fulfilling Reasonably Available Control Technology (RACT) requirements, including but not limited to: Antelope Valley Air Quality Management District (AVAQMD) Rule 461 – *Gasoline Transfer and Dispensing* (76 FR 5277, 01/31/2001), AVAQMD Rule 462 – *Organic Liquid Loading* (62 FR 60784, 11/13/1997), AVAQMD Rule 463 – *Storage of Organic Liquids* (61 FR 54941, 10/23/1996); Placer County Air Pollution Control District (PCAPCD) Rule 212 – *Storage of Organic Liquids* (74 FR 27714, 06/11/2009), PCAPCD Rule 213 – *Gasoline Transfer in Stationary Storage Containers* (80 FR 7345, 02/10/2015); South Coast Air Quality Management District (SCAQMD) Rule 461 – *Gasoline Transfer and Dispensing* (78 FR 21543, 04/11/2013), SCAQMD Rule 462 – *Organic Liquid Loading* (64 FR 39037, 07/21/1999), SCAQMD Rule 463 – *Storage of Organic Liquids* (78 FR 18854, 11/04/2011); and Yolo-Solano Air Quality Management District (YSAQMD) Rule 2.21 – *Organic Liquid Storage and Transfer* (71 FR 63694, 10/31/2006), YSAQMD Rule 2.22 – *Gasoline Dispensing Facilities* (81 FR 6763, 02/09/2016).

The proposed amendments to Rules 461, 462 and 463 address the *RACT SIP Analysis* commitments. All of the proposed amendments update rule definitions, rule clarity. Specifically the proposed amendments in Rule 461 would update mobile fueler requirements, CARB certified equipment requirements, spill box installation requirement, Phase II vapor recovery capacity and emission factor, self-inspection and record keeping requirements, updated performance testing and re-verification requirements, added an exemption for ORVR (onboard refueling vapor recovery fleets, and updated required signage at gasoline dispensing facilities. The proposed amendments to Rule 462 would update CARB certified equipment requirements, imposing a reduced emission requirement for class A facilities, updated loading requirements, Class B facilities would require a vapor recovery system, submerged fill loading and a pressure/vent valve. Self-inspection, record keeping and test methods have also been updated. The proposed amendments to Rule 463 would update rule applicability, reduce the allowed vapor pressure of organic liquid storage tanks greater than 39,630 gallons and update self-inspection, maintenance and record keeping.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD or District) amend proposed Rules 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Storage*, and Rule 463 – *Storage of Organic Liquids* and approve the appropriate California Environmental Quality Act (CEQA) documentation. This action is necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct to amend Rule 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Loading*, and Rule 463 – *Storage of Organic Liquids.* Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

X Necessity

X Authority

X Clarity

X Consistency

X Nonduplication

X Reference

X Public Notice & Comment

X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

X Public Notice & Comment

X Availability of Document

X Notice to Specified Entities (State, Air Districts, USEPA, Other States)

X Public Hearing

X Legal Authority to adopt and implement the document.

X Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

X Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

N/A Ministerial Action

X Exemption

N/A Negative Declaration

N/A Environmental Impact Report

X Appropriate findings, if necessary.

X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

X Environmental impacts of compliance.

N/A Mitigation of impacts.

N/A Alternative methods of compliance.

OTHER:

X Written analysis of existing air pollution control requirements

N/A Economic Analysis

X Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed amendment of Rules 461, 462, and 463. These are actions that need to be performed and/or information that must be provided in order to amend the rule in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the District Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Board in making these findings.

a. Necessity:

The proposed amendments to Rules 461, 462, and 463 are necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors.

b. Authority:

The District has the authority pursuant to California Health and Safety Code (H & S Code) §40702 to adopt, amend or repeal rules and regulations.

c. Clarity:

The proposed amendment to Rules 461, 462, and 463 are clear in that they are written so that the persons subject to the Rule can easily understand the meaning.

d. Consistency:

The proposed amendments to Rules 461, 462, and 463 are in conformance with the applicable CTG's. The proposed amendments to Rules 461, 462, and 463 are in harmony with, and not in conflict with or contradictory to any State law or regulation, Federal law or regulation, or court decisions.

e. Nonduplication:

CTG's and RACT are not directly enforceable; therefore this rule is necessary to enforce standards and is non-duplicative. The proposed amendments to Rules 461, 462, and 463 do not impose the same requirements as any existing State or Federal law or regulation because the District is amending this rule in response to federal VOC RACT requirements.

f. Reference:

The District has the authority pursuant to H & S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed amendments to Rules 461, 462, and 463 will be published September 22, 2017 See Appendix "B" for a copy of the public notice. See Appendix "C" for copies of comments, if any, and District responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying Federal law that requires the submittal. The information below indicates which elements are required for the proposed amendments of Rules 461, 462, and 463 and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by USEPA for "major sources" of VOCs and NO_X that are ozone precursors. Because the District has an existing SIP rule for this CTG category, the District committed to adopting an updated RACT rule for metal parts and products coating operations. The proposed amendments are based on the CTGs and various district rules deemed as fulfilling RACT requirements, including but not limited to: Antelope Valley Air Quality Management District Rule 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Loading*, Rule 463 – *Storage of Organic Liquid*; Placer County Air Pollution Control District Rule 212 – *Storage of Organic Liquids*, Rule 213 – *Gasoline Transfer in Stationary Storage Containers*; South Coast Air Quality Management District Rule 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Loading*, Rule 463 – *Storage of Organic Liquids*; and Yolo-Solano Air

Quality Management District Rule 2.21 – *Organic Liquid Storage and Transfer*, Rule 2.22 – *Gasoline Dispensing Facilities*.

Public Notice and Comment:

Notice for the public hearing for the proposed amendments to Rules 461, 462, and 463 will be published September 22, 2017. See Appendix "B" for a copy of the public notice. See Appendix "C" for copies of comments, if any, and District responses.

c. Availability of Document:

Copies of the proposed amendments of Rules 461, 462, and 463 as well as the accompanying draft staff report will be made available to the public on September 12, 2017. The proposed amendments will also be reviewed by the Technical Advisory Committee, a committee consisting of a variety of regulated industry and local governmental entities, on October 3rd, 2017.

d. Notice to Specified Entities:

Copies of the proposed amendment of Rules 461, 462, and 463 and the accompanying draft staff report were sent to all affected agencies. The proposed amendments will be sent to the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) on September 12, 2017.

e. Public Hearing:

A public hearing to consider the proposed amendments of Rule 461, 462, and 463 has been set for October 23, 2017.

f. Legal Authority to Adopt and Implement:

The District has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the District.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See

Section (V)(D) below for compliance with provisions of the CEQA.

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H & S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district.

The FCAA requires areas designated non-attainment for ozone and classified moderate and above to adopt and maintain RACT rules to control the emissions of VOCs and NO_X for categories which the USEPA has adopted a CTG and for all categories where there are major stationary sources of air pollution (42 U.S.C. §7511a(b)(2), FCAA 182(b)(2)). For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified severe-17.

District Rule 461- *Gasoline Transfer and Dispensing*, and Rule 462 – *Organic Liquid Loading* was last amended on May 25, 1994, Rule 463 – *Storage of Organic Liquids* was last amended on November 2, 1992, and all three rules were approved as RACT into the SIP in 1995. (60 FR 21702, 05/03/1995). Previous versions of these rules addressed requirements outlined in the applicable CTG's published in the 1970s: Design Criteria for Stage I Vapor Control Systems – Gasoline Stations (EPA-450/R-75-102 November 1975), Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals (EPA-450/2-77-026 October 1977), Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035 December 1977), Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035 December 1977), Control of Volatile Organic Emission from Storage of Petroleum Liquids in Fixed-Roof Tanks (EPA-450/2-77-036 December 1977), Control of Volatile Organic Emission from Petroleum Liquid Storage in External Floating Roof Tanks (EPA-450/2-78-047 December 1978) and Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (EPA-450/2-78-051 December 1978).

C. ECONOMIC ANALYSIS

1. General

RACT is defined as the lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53762, September 17, 1979). Rules 461, 462, and 463 is equivalent to rules that were determined by USEPA to fulfill RACT [1] This determination by USEPA means that the provisions of Rules 461, 462, and 463 are, by definition, cost effective.

[1] Antelope Valley Air Quality Management District (AVAQMD) Rule 461 – *Gasoline Transfer and Dispensing* (76 FR 5277, 01/31/2001), AVAQMD Rule 462 – *Organic Liquid Loading* (62 FR 60784, 11/13/1997), AVAQMD Rule 463 – *Storage of Organic Liquids* (61 FR 54941, 10/23/1996); Placer County Air Pollution Control District (PCAPCD) Rule 212 – *Storage of Organic Liquids* (74 FR 27714, 06/11/2009), PCAPCD Rule 213 – *Gasoline*

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act (CCAA) requirements for Best Available Retrofit Control Technology (BARCT) or "all feasible measures" to control volatile compounds (VOCs), oxides of nitrogen (NOx) or oxides of sulfur (SOx). The amendment of Rules 461, 462, and 463 is not subject to incremental cost effectiveness calculations because it does not involve BARCT or "all feasible measures".

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the proposed amendments to Rules 461, 462, and 463 was determined.

1. The proposed amendments to Rules 461, 462, and 463 meet the CEQA definition of "project". They are not "ministerial" actions.

2. The proposed amendments to Rules 461, 462, and 463 are exempt from CEQA review because the amendments are more stringent than the prior versions and will not create any adverse impacts on the environment. Because there is no potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Copies of the documents relating to CEQA can be found in Appendix "D".

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

The potential environmental impacts of compliance with the proposed amendments to Rules 461, 462, and 463 will mandate certified equipment tested to ensure required vapor recovery/destruction rates, lower applicability thresholds, lower uncontrolled emission limits, additional equipment subject to rules, tighter self-inspection/maintenance/record keeping practices, and annual testing requirements which will all works towards reducing VOCs.

2. Mitigation of Impacts

N/A

Transfer in Stationary Storage Containers (80 FR 7345, 02/10/2015); South Coast Air Quality Management District (SCAQMD) Rule 461 – *Gasoline Transfer and Dispensing* (78 FR 21543, 04/11/2013), SCAQMD Rule 462 – *Organic Liquid Loading* (64 FR 39037, 07/21/1999), SCAQMD Rule 463 – *Storage of Organic Liquids* (78 FR 18854, 11/04/2011); and Yolo-Solano Air Quality Management District (YSAQMD)Rule 2.21 – *Organic Liquid Storage and Transfer* (71 FR 63694, 10/31/2006), YSAQMD Rule 2.22 – *Gasoline Dispensing Facilities* (81 FR 6763, 02/09/2016).

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix "B"

VI. TECHNICAL DISCUSSION

A. SOURCE DESCRIPTION

The District has over 200 facilities subject to all or some of the rules proposed in this amendment, which include retail and non-retail gas stations, organic liquid storage facilities and bulk transfer plants.

B. EMISSIONS

The proposed amendments to Rules 461, 462 and 463 address the RACT SIP Analysis commitments. All of the proposed amendments update rule definitions, rule clarity. Specifically the proposed amendments in Rule 461 will update mobile fueler requirements, CARB certified equipment requirements, spill box installation requirement, Phase II vapor recovery capacity and emission factor, self-inspection and record keeping requirements, updated performance testing and re-verification requirements, added exemption for Onboard Refueling Vapor Recovery (ORVR) fleets, and updated required signage at gasoline dispensing facilities. Rule 462 would update CARB certified equipment requirements, imposing a reduced emission requirement for class A facilities, updated loading requirements, Class B facilities would require a vapor recovery system, submerged fill loading and a pressure/vent valve. Self-inspection, record keeping and test methods have also been updated. Rule 463 would update rule applicability, reduce the allowed vapor pressure of organic liquid storage tanks greater than 39,630 gallons and update self-inspection, maintenance and record keeping.

C. CONTROL REQUIREMENTS

Rules 461, 462, and 463 address control requirements through tightened applicability, lower uncontrolled emissions limits, mobile fueler applicability, spill box installation requirement, certified equipment installation, and more rigorous self-inspection, maintenance and record keeping requirements.

D. PROPOSED RULE SUMMARY

This section gives a brief overview of the proposed amendments to Rules 461, 462, and 463.

Minor format changes have been made throughout which are for clarity and consistency and not substantive. These changes include, but are not limited to, capitalization of defined terms, relocation of commonly defined terms to Rule 102.

Rule 461 – *Gasoline Transfer and Dispensing*

The definitions in section (B) of Rules 461, have been modified to add definitions which are specific to this rule, and remove definitions that are contained in Rule 102.

> Definitions Added: Altered Gasoline and Transfer Dispensing Facility, Backfilling, Balance System, Bellows-Less Nozzle, Coaxial Hose, Dry Break, End of Cycle, Enhanced Vapor Recovery (EVR), Executive Order, Fueling Position, Insertion Interlock Mechanism, Major Defect, Minor Defect, Onboard Refueling Vapor Recovery (ORVR), Performance Test, Phase I Vapor Recovery System, Phase II Vapor Recovery System, Rebuild, Re-Verification Test, Spill Box, Vacuum-Assist System, Vapor Check Valve.
>
> Definitions removed: Certified Vapor Recovery System, Gasoline, Gasoline Storage and Dispensing Facility, Gasoline Vapors, Retail Gasoline Station, Submerged Fill Pipe, Vapor Recovery System, Vapor Tight.

Substantive proposed updates to the Rule 461 are as follows: Subsection (C)(1) includes mobile fueler applicability requirements with those having a capacity of more than 251 gallons. Sections (C)(1), (C)(2) and (C)(3) includes updated requirements for CARB certification for Phase I and Phase II vapor recovery equipment and includes language that reflects the CARB Executive Orders. Subsection (C)(1)(h) requires that a spill box be installed whenever an underground storage tank is installed or replaced. Subsection (C)(1)(k) specifies that gasoline shall not be stored in open containers, nor spilled or sprayed which allows contamination of the air or ground. Subsection (C)(2) includes requirements for mobile fuelers with a capacity of more than 120 gallons. Subsection (C)(2)(a) proposes to add an emission factor to not exceed 0.38 lbs pre 1,000 gallons. Subsection (C)(4) clarifies required self-compliance activities. Subsection (D)(4) clarifies when a facility is no longer exempt, and the time line for obtaining an operating permit. Subsection (D)(4)(2) outlines requirements for the ORVR exemption for fleets. Subsection (E)(2), clarifies performance testing and re-verification testing requirements and frequency, all retail and non-retail gasoline dispensing facilities will be required to test annually. Subsection (F) expands upon and clarifies what we already require for record keeping. Subsection (G) includes an updated list of applicable vapor recovery tests. Attachment A, updates required signage for posting. Attachments B and C outline proposed weekly and periodic self-inspection and maintenance requirements.

Rule 462 – *Organic Liquid Loading*

The definitions in section (B) of Rules 462, have been modified to change pre-existing definitions, and definitions have been removed that are contained in Rule 102.

> Updated Definitions: Class “A” Facility, Class “B” Facility

Definitions removed: Fugitive Liquid Leak, Gasoline, Organic Liquid, Organic Materials, Organic Solvents, Switch Loading, Throughput, Vapor Reduction Device, Vapor Recovery System, Vapor Tight.

Substantive proposed updates to the Rule 462 are as follows: Subsections (C)(1) and (C)(2) propose to include requirements for a CARB certified, or District approved vapor recovery system. Subsection (C)(1)(c) proposes an emission limit of 0.08 pound or less of VOC per thousand (1000) gallons. Subsection (C)(1)(d) proposes that Class "A" facilities utilize bottom loading only. Subsection (C)(1)(f) proposes that backpressure shall not exceed 18 inches of water column pressure. Subsection (C)(2)(a)(iii) proposes that all gasoline or other equivalent vapor pressure organic liquids shall be transferred with submerged fill loading or bottom loading at Class "B" facilities. Subsection (C)(2)(a)(iv) proposes that at Class "B" facilities, the pressure vacuum valve on aboveground tanks be set to eight (8) ounces per square inch, provided that such setting will not exceed the tanks maximum pressure rating. Subsection (D)(5) proposes updated self-inspection requirements.

Rule 463 – *Storage of Organic Liquids*

New rules specific definitions have been added to section (B) of Rule 463, and some definitions have been removed that are contained in Rule 102.

Added Definitions: Metallic-Shoe Seal, Resilient-Toroid-Seal

Definitions removed: Gasoline, Organic Liquid, Organic Materials, Organic Solvents, True Vapor Pressure.

Substantive proposed updates to the Rule 463 are as follows: Subsection (C)(1) proposes reduction in true vapor pressure from 77.5 mm Hg (1.5 psia) to 25.8 mm Hg (0.5 psia) unless it is a pressure tank, meeting pressure requirements at all times or is equipped with a vapor loss control device.

E. SIP HISTORY

1. SIP History.

a. SIP in the San Bernardino County Portion of MDAQMD

On July 1, 1993 the MDAQMD was formed pursuant to statute. Pursuant to statute it also retained all the rules and regulations of the SBCAPCD until such time as the Governing Board of the MDAQMD wished to adopt, amend or rescind such rules. The MDAQMD Governing Board, at its very first meeting, reaffirmed all the rules and regulations of the SBCAPCD.

Rules 461, 462 and 463 were originally adopted by the Southern California APCD (JPA Predecessor to the SBCAPCD) on 01/09/76 and subsequently amended on 05/07/76, and 07/09/76. CARB Ex.

Ord. G-73 02/01/77 readopted them for the SBCAPCD upon dissolution of the JPA and the formation of the South Coast Air Quality Management District (SCAQMD). The SBCAPCD readopted them on 07/25/77 and subsequently amended all these rules rules again on 10/13/80, 12/19/88, and 11/02/92. Rules 461 and 462 were subsequently amended on 05/25/94. The 11/02/92 version of Rule 463 and the 5/25/94 versions of Rules 461 and 462 were included in the State Implementation Plan (SIP) for the MDAQMD (60 FR 21702, 05/03/1995; 461 & 462 40 CFR 52.220(c)(198)(i)(E)(1) and 463 40 CFR 52.220(c)(191)(i)(C)).

b. SIP in the Riverside County (Blythe/Palo Verde Valley) Portion of the MDAQMD

One of the provisions of the legislations which created the MDAQMD allowed areas contiguous to the MDAQMD boundaries and within the same air basin to leave their current air district and become a part of the MDAQMD. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left SCAQMD and joined the MDAQMD. Since USEPA adopts SIP revisions in California as effective within the jurisdictional boundaries of local air districts, when the local boundaries change the SIP as approved by USEPA for that area up to the date of the change remains as the SIP in that particular area. Upon annexation of the Blythe/Palo Verde Valley the MDAQMD acquired the SIP prior to July 1, 1994 that was effective in the Blythe/Palo Verde Valley. Therefore, the SIP history for the Blythe/Palo Verde Valley Portion of the MDAQMD is based upon the rules adopted and approved for that portion of Riverside County by SCAQMD.

Rules 461, 462 and 463 were originally adopted by the Southern California APCD (which was also the predecessor to SCAQMD) on 01/09/76 and subsequently amended on 05/07/76, and 07/09/76. SCAQMD became operational pursuant to statute on February 1, 1977 and acquired all the Southern California APCD rules in effect at that time.

SCAQMD amended all three rules numerous times prior to July 1, 1994 when the Blythe/Palo Verde Valley became part of the MDAQMD. Specifically Rule 461 was amended 2/4/77, 11/18/77, 2/3/78, 1/5/79, 5/4/79, 12/7/79, 1/16/81, 10/15/82, 11/1/85, 3/4/88, and 7/7/89. Rule 462 was amended 5/5/78, 10/14/79, 4/4/86, and 12/7/90 while Rule 463 was amended 8/15/77, 6/1/84, 12/7/90 and 3/11/94. Many of these versions were submitted to USEPA as SIP revisions and a variety of them were approved. As of July 1, 1994

the following versions were effective in the SIP for the Blythe/Palo Verde Valley:

> Rule 461 – The 10/15/82 version submitted 2/3/83 and approved on 5/3/84 at 49 FR 18829 (40 CFR 52.220(c)(127)(vii)(B)).
>
> Rule 462 – The 10/14/79 version submitted 7/25/80 and approved on 7/8/82 at 47 FR 29668 (40 CFR 52.220(c)(88)(ii)(B)).
>
> Rule 463 – The 6/1/84 version submitted 10/19/1984 and approved 1/15/87 at 52 FR 1627 (40 CFR 52.220(c)(156)(vii)(A)).

Subsequent versions of all three rules had been submitted and were "SIP Pending" at the time the area was annexed to the MDAQMD. Pursuant to USEPA's direction those pending submissions which had not been acted upon at the time of annexation were no longer applicable to the area.

Surprisingly USEPA's 5/3/95 rulemaking action on the MDAQMD versions of these rules listed Rules 461 and 462 as applicable to the MDAQMD SIP but 463 as applicable to SBCAPCD SIP which could potentially have resulted in the MDAQMD 5/25/94 versions of Rule 461 and 462 being the current SIP rules for the Blythe/Palo Verde Valley area of the MDAQMD.

2. SIP Analysis.

The District will request CARB to submit the proposed amendments to Rules 461, 462, and 463 to replace the 1995 SIP versions for San Bernardino County and all versions as indicated above which may be applicable in Riverside County.

In order to replace existing SIP rules the District is required to show that the proposed amendments are not less stringent than the provisions currently in the SIP. Proposed Rules 461, 462, and 463 are more stringent than the previous SIP version because the amendments update California Air Resources Board (CARB) certification requirements, applicability triggers, emission limits, testing frequency, self-inspection requirements, as well as testing and record keeping. Therefore, the proposed amendments to Rules 461, 462, and 463 are more stringent than the 1995 version of the rule.

Appendix "A"
Iterated Version

Rule 461 – *Gasoline Transfer and Dispensing*
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The iterated version is provided so that the changes to an existing rule may be easily found. The manner of differentiating text is as follows:

1. Underlined text identifies new or revised language.

2. ~~Lined out text~~ identifies language which is being deleted.

3. Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.

4. *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

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(**Adopted:** 01/09/76; **Amended:** 05/07/76; **Amended:** 09/03/76; **CARB Ex. Ord. G-73:** 02/01/77; **Readopted:** 07/25/77; **Amended:** 10/13/80; **Amended:** 12/19/88; **Amended:** 11/02/92; **Amended:** 05/25/94; **Amended:** mm/dd/yy)

RULE 461
Gasoline Transfer and Dispensing

(A) General Description

(1) Purpose:

(a) ~~The purpose of this rule is t~~To limit the emissions of V~~v~~olatile O~~o~~rganic C~~c~~ompounds (VOC) and toxic compounds ~~(such as benzene)~~ from the transfer and dispensing ~~and marketing~~ of gasoline~~, and in conjunction with Rules 462 and 463, limit the emissions from the storage, transfer, and dispensing of gasoline, including bulk facilities, retail service stations, and others, the transport of fuels between these facilities and the transfer of fuel into motor vehicle tanks.~~.[*moved* applicable tanks *to applicability section of this rule, deleting references to other rules keeping the focus of this rule, on 461, not 462 and 463*]

(2) Applicability:

(a) ~~This rule applies to any~~The provisions of this rule shall apply to ~~gasoline storage and dispensing facility and to any retail gasoline station operating equipment within the MDAQMD jurisdiction. Such facilities are required to have either an authority to construct or a permit to operate such equipment pursuant to provisions of District Regulation II and or Regulation XIII. Specifically, district permit identification numbers beginning with either a "G" or an "N" are impacted by this rule. The permit identification number prefix "G" identifies retail gasoline dispensing equipment; and "N" identifies non-retail gasoline dispensing equipment under permit with MDAQMD.~~the transfer of gasoline from any tank truck, or railroad tank car into any stationary storage tank or Mobile Fueler, and from any stationary storage tank or Mobile Fueler into any Mobile Fueler or Motor Vehicle fuel tank.[*To further clarify, applicable language pulled from purpose section above*]

(B) Definitions

The definitions contained in District Rule 102 – *Definition of Terms* shall apply unless the term is otherwise defined herein: [*Definitions that are commonly used throughout the MDAQMD rule book have been relocated to existing Rule 102 which was most recently amended June 12, 2017, and will be amended concurrently with this amendment.*]

(1) "Altered Gasoline Transfer and Dispensing Facility" - is a Gasoline Transfer and Dispensing Facility with any of the following:

(a) The removal or addition of storage tank(s), or changes in the number of Fueling Positions.

(b) The replacement of storage tank(s), dispensing nozzle(s) or other equipment with different characteristics or descriptions from those specified on the existing permit. [*New to D3. SCAQMD Rule 461, 4/6/2012]*

(2) "Backfilling" - is the covering of the underground storage tank, piping or any associated components with soil, aggregate or other materials prior to laying the finished surface *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(3) "Balance System" – A Phase II Vapor Recovery System that operates on the principle of vapor displacement. [New to D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(4) "Bellows-Less Nozzle" – Any nozzle that incorporates both an assist system and a Gasoline Vapor capture mechanism at the Motor Vehicle filler neck, such that vapors are collected at the vehicle filler neck without the need for an interfacing flexible bellows, and which is certified by the California Air Resources Board (CARB) for operation as a Bellows-less Nozzle. [New D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

~~(1) "Certified Vapor Recovery System" is a system to limit emissions of gasoline, which has been certified by the California Air Resources Board in accordance with specific criteria listed within the California Administrative Code.~~ [*in 102*]

(5) "Coaxial Hose" – A hose that contains two passages with a configuration of a hose within a hose. One of the passages dispenses the liquid Gasoline into the vehicle fuel tank while the other passage carries the Gasoline Vapors from the vehicle fuel tank to the storage tank. [New to D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(6) "Dry Break" or poppetted dry break is a Phase I vapor recovery component that opens only by connection to a mating device to ensure that no gasoline vapors escape from the underground storage tank before the vapor return line is connected and sealed. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(7) "End of Cycle"

(a) for delivery Vehicles when the delivery Vehicle is emptied or, if not emptied, before taking on more gasoline.

(b) for transferring gasoline to a Motor Vehicle is at the time the problem is detected, or at the end of refueling the current Vehicle. [*Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(8) "Enhanced Vapor Recovery (EVR)" - means performance standards and specifications set forth in the CARB CP 201 (Certification Procedure for Vapor Recovery Systems at gasoline dispensing facilities). *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(9) "Executive Order" - Orders published by CARB that document the requirements of specific vapor Control Equipment and procedures used in Phase I and Phase II Vapor Recovery Systems. [*Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(10) "Fueling Position" – A fuel dispensing unit consisting of nozzle(s) and meter(s) with the capability to deliver only one fuel product at one time. [New D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

~~(2) "Gasoline" means aAny organic liquid, including petroleum distillate and methanol having a Reid Vapor Pressure of 200 mm Hg (3.9 pounds per square inch), or greater, and used as a motor vehicle fuel, or any fuel which is commonly known or sold as gasoline.~~ [*in 102*]

~~(3) "Gasoline Storage and Dispensing Facility" means aAny aggregate of one or more stationary storage containers, together with, but not limited to, dispensers, pumps, loading racks and/or control equipment used to store and transfer gasoline.~~ [*in 102*]

~~(4) "Gasoline Vapors" means tThe organic compounds of gasoline, which exist in a vapor state and include, where present, entrained liquid gasoline.~~ [*in 102*]

(11) "Insertion Interlock Mechanism" – Any CARB certified mechanism that ensures a tight fit at the nozzle fill pipe interface and prohibits the dispensing of Gasoline unless the bellows is compressed. [*Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(12) "Major Defect" - is a defect in the Vapor Recovery System or its component, as listed in California Code of Regulations, Title 17, Part III, Chapter 1, Subchapter 8, Section 94006. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(13) "Minor Defect" - is a defect in any gasoline transfer and dispensing equipment, which renders the equipment out of good working order but which does not constitute a Major Defect. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

~~(9) "Mobile Fueler" is any tank truck or trailer that is used to transport and dispense gasoline from an onboard storage tank into any motor vehicle fuel tank. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]* [Draft definition moved to 102]~~

(14) "Onboard Refueling Vapor Recovery (ORVR)" – Vehicle emission control system that captures fuel vapors from the vehicle gas tank during refueling. *[Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(15) "Performance Test" – is the first test or series of tests performed on a new or altered CARB Certified Gasoline Vapor Recovery System demonstrate compliance with the CARB Executive Order and District permit conditions upon completion of construction or alteration of the Vapor Recovery System. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(16) "Phase I Vapor Recovery System" - Components Include:

(a) the couplers that connect tanker trucks to the underground tanks
(b) spill containment drain valves
(c) overfill prevention devices
(d) Pressure/Vacuum Relief (P/V) valves

(17) Phase II Vapor Recovery System: - Components Include:

(a) gasoline dispensers
(b) nozzles
(c) piping, break away, hoses, and face plates
(d) vapor processors
(e) system monitors

[Phase I and Phase II obtained from SCAQMD FAQ webpage]

(18) "Rebuild" – An action that repairs, replaces, or reconstructs any part of a component of a vapor recovery system that forms the gasoline vapor passage of the component, or that comes in contact with the recovered gasoline vapors in the component. Rebuild does not include the replacement of a complete component with another CARB certified complete component; nor does it include the replacement of a spout, bellows, or vapor guard of a CARB certified nozzle. The new part shall be CARB certified and as supplied by the qualified manufacturer specifically for the CARB certified nozzle. [New to D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

~~(5) "Retail Gasoline Station" means aAny motor vehicle refueling facility subject to payment of California sales tax on gasoline sales.~~ [*in 102*]

(19) "Re-Verification Test" - is a test or series of tests performed subsequent to the Performance Test on a CARB Certified Gasoline Vapor Recovery System to demonstrate compliance with the CARB Executive Order and District permit conditions. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

(20) "Spill Box" - is 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. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

~~(6) "Submerged Fill Pipe" means aAny discharge pipe or nozzle that meets one of the following conditions:~~

~~(a) Where the tank is filled from the top, the end of the discharge pipe or nozzle is totally submerged when the liquid level is 6 inches from the bottom of the tank.~~

~~(b) Where the tank is filled from the side, the end of the discharge pipe or nozzle is totally submerged when the liquid level is 18 inches from the bottom of the tank.~~ *[in 102]*

(21) "Vacuum-Assist System" – A Phase II Vapor Recovery System that uses vacuum producing device such as a compressor or turbine to create a vacuum during Gasoline dispensing to capture Gasoline Vapors. [New to D3. *Definition found in AVAQMD, Rule 461-Gasoline Transfer and Dispensing, 10/21/08]*

(22) "Vapor Check Valve" is a valve that opens and closes the vapor passage to the storage tank to prevent gasoline vapors from escaping when the nozzle is not in use. *[New to D3. Definition obtained from SCAQMD Rule 461, 4/6/2012]*

~~(7) "Vapor Recovery System" means aA system that is designed to collect or capture the vapors released and/or generated during the dispensing, transfer and/or storage of liquids, and is capable of storage, transferring and/or disposal of the recovered vapors.~~ *[in 102]*

~~(8) "Vapor Tight (Fugitive Vapor Leak)" means the detection of less than 10,000 ppm, as methane, using an appropriate hydrocarbon analyzer when sampling is performed according to the procedures specified in EPA Method 21.~~ *[**Add** to 102]*

(C) Requirements

(1) Gasoline Transfer i~~I~~nto ~~or From~~ Stationary Storage Tanks and ~~Delivery Systems~~ Mobile Fuelers (Phase I) *[Language updated based on AVAQMD Rule 461, 10/28/2008 & SCAQMD Rule 461, 4/6/2012]*

A person shall not transfer, permit the transfer or provide equipment for the transfer of gasoline into or from any ~~tank truck, trailer, or railroad tank car into any stationary~~ storage ~~container~~ tank with a capacity of more than 251 gallons (950 liters ~~(251 gallons~~), or any Mobile Fueler tank with a capacity of more than 120 gallons (454 liters) unless the transfer is made to a storage ~~container~~ tank equipped as required in Rule 463 or unless all of the following conditions are met: *[tank types outlined in purpose/applicability statement. Mobile Fueler reference found in AVAQMD Rule 461, 10/28/2008 & SCAQMD Rule 461, 4/6/2012]*

(a) The ~~container~~ tank is equipped with a ~~permanent~~ CARB Certified Ssubmerged Ffill ~~p~~Pipe.~~, and~~ [*updated based on language from the AVAQMD Rule 461, 10/28/2008*]

(b) The vent pipe opening is equipped with a CARB Certified Pressure/Vacuum Relief Valve. [*updated based on language from the AVAQMD Rule 461, 10/28/2008*]

(~~c~~b) ~~Such~~ The delivery vessel or ~~container~~ tank is equipped with a CARB Certified V~~v~~apor R~~r~~ecovery Ssystem ~~which has been certified by the California Air Resources Board, and the facility's vapor recovery system shall be~~ capable of recovering or processing 95 percent (95%) of the displaced Ggasoline V~~v~~apors~~, and~~.[*clarity*]

(~~d~~c) All vapor return lines ~~are~~ shall be connected between ~~the tank truck, trailer, or railroad tank car and the stationary storage container~~the tanks involved in the transfer.~~, and the vapor recovery system is in operation in accordance with the manufacturer's specifications, and~~ In addition, ~~the delivery vehicle, including~~ all associated hoses, fittings, and ~~couplings, is~~couplings shall be maintained in a Liquid Tight and ~~vapor -tight~~Vapor Tight condition, as defined by the applicable ~~California Air Resources Board~~CARB Ceertification and test procedures as outlined in (~~S~~section (G) of this rule.~~, and all equipment is operated and maintained according to the manufacturer's specifications.~~ [*clarity – manufactures specs outlined in "Additional Requirements" of this rule*]

(~~e~~d) The hatch on any tank truck, trailer, or railroad tank car shall not be opened for more than three (3) minutes for each visual inspection, provided that:

(i) Transfer or pumping has been stopped for at least three (3) minutes prior to opening.

(ii) The hatch is closed before transfer or pumping is resumed. *[(d) updated based on language from the AVAQMD Rule 461, 10/28/2008]*

~~Hatch openings are limited to no more than 3 minutes in duration for visual inspection, provided that pumping has been stopped for at least 3 minutes prior to opening, and the hatch is closed fully before pumping is resumed.~~

(~~f~~e) ~~Except for above ground tanks, all lines~~Underground tank lines shall be ~~are~~ gravity ~~drained,~~drained; in such a manner that upon disconnect no liquid spillage would ~~be expected~~occur.

(~~g~~f) Above ground tanks shall be equipped with dry breaks, such that liquid spillage upon disconnect shall not exceed 10 milliliters~~; and~~.

(~~g~~h) Equipment subject to this section ~~is~~ shall be operated and maintained, ~~with no defects, as follows~~according to all of the following requirements:~~:~~

(i) All fill tubes ~~are~~ shall be equipped with Vapor Tight ~~vapor-tight~~ covers, including gaskets; ~~and~~

(ii) All dry breaks ~~have~~ shall be equipped with ~~vapor-tight~~Vapor Tight seals and ~~are equipped with vapor-tight covers or~~ dust covers;~~ and~~

(iii) Coaxial fill tubes ~~are~~ shall be operated and maintained so that there is no obstruction of vapor passage from ~~the storage tank back to the delivery vehicle~~from any portion of the Vapor Recovery System;~~ and~~

(iv) The fill tube assembly, including fill tube, fittings and gaskets~~, is~~ shall be maintained to prevent vapor leakage from any portion of the V~~v~~apor R~~r~~ecovery S~~s~~ystem~~:~~, and,

(v) All storage tank or Mobile Fueler vapor return ~~pipes~~ lines without dry breaks ~~are~~ shall be equipped with ~~vapor-tight~~Vapor Tight covers, including gaskets.

(i) Any time an underground storage tank is installed or replaced at any Gasoline Transfer and Dispensing Facility, a CARB Certified Spill Box shall be installed.

(j) A person shall not install or permit the installation of any Phase I Vapor Recovery System of the coaxial design at any Gasoline Transfer and Dispensing Facility unless such system was certified by CARB after January 1, 1994; and

(k) A person shall not install or permit the installation of any Phase I Vapor Recovery System of the dual-point design at any Gasoline Transfer and Dispensing Facility unless such system incorporates CARB Certified Poppetted Dry Breaks or spring-loaded Vapor Check Valves on the vapor return coupler.

(l) Gasoline shall not be stored in open container(s) of any size or handled in any manner (spillage, spraying, etc.) that permits Gasoline or Gasoline Vapors to enter the atmosphere, contaminate the ground, ground water, storm water or the sewer systems.

(m) The failure of an Owner/Operator of any Gasoline Transfer and Dispensing Facility to meet any requirements of section (C) of this rule shall constitute a violation. Such non-compliant equipment shall be tagged "Out of Order."

(n) Except during repair activity, the "Out of Order" tag specified in subsection (C)(3)(m) shall not be removed and the non-compliant equipment shall not be used, permitted to be used, or provided for use unless all of the following conditions are satisfied:

(i) The non-compliant equipment has been repaired, replaced, or adjusted, as necessary;

(ii) The Owner/Operator has notified the District of the repairs by completing, signing and submitting the form supplied by the District.

(iii) The non-compliant equipment has been reinspected and/or authorized for use by the District.

(o) The Owner/Operator of a new or Altered Gasoline Transfer and Dispensing Facility shall have all underground storage tank installation and associated piping configuration inspected prior to any Backfilling to verify that all underground equipment is properly installed in accordance with the requirements specified in the applicable CARB Executive Order. The District shall be notified by telephone at least 24 hours prior to the Backfilling.

(p) The Owner/Operator of a new or Altered Gasoline Transfer and Dispensing Facility shall have all Phase I and Phase II Vapor Recovery Systems inspected upon completion of the construction to verify that all components were installed in accordance with the description specified in the Authority to Construct and in compliance with all District requirements. The District shall be notified in writing of any changes to the information and specifications submitted with the application under which the Authority to Construct was issued. [*Language (h)-(o) obtained from AVAQMD Rule 461, 10/28/2008]*

(2) Gasoline Transfer ~~i~~Into Vehicle Fuel Tanks (Phase II)

A person shall not transfer, or permit the transfer or provide equipment for the transfer of gasoline from a stationary storage ~~container~~ tank or Mobile Fueler of greater than 120 gallons (454 liters) capacity, into any Mobile Fueler of greater than 120 gallons (454 liters) capacity or into any Motor Vehicle fuel tank of greater than 5 gallons (19 liters) capacity unless all of the following conditions are met:~~subject to the provisions of Section (C)(1), or from a storage container to which gasoline has been transferred from another container subject to the provisions of Section(C)(1), into any motor vehicle tank of greater than 19 liters (5 gallons) capacity unless:~~ [*updated capacity information from AVAQMD Rule 461, 10/28/2008]*

(a) The dispensing unit used to transfer the gasoline from the stationary storage ~~container~~ tank or Mobile Fueler to the M~~m~~otor V~~v~~ehicle fuel tank is equipped with a CARB Certified V~~v~~apor R~~r~~ecovery S~~s~~ystem ~~which has been certified by the California Air Resources Board as~~ capable of recovering 95 percent (95%) of the displaced G~~g~~asoline V~~v~~apors, or having and emission factor not exceeding 0.38 pounds per 1,000 gallons~~;~~ ~~and~~.[*emission factor added from SCAQMD, Rule 461, 4/6/2012*]

~~(b) The vapor recovery system is operating in accordance with the manufacturer's specifications; and~~ [*removed reference here and added to*

additional requirements so that it could be applicable to both Phase I and Phase II]

(b) The system and associated components shall be maintained Vapor Tight and Liquid Tight at all times.

(c) ~~Equipment subject to this rule is operated and maintained with none of the following defects, pursuant to the definitions in California Administrative Code Section 94006, Subchapter 8, Chapter 1, Part III, of Title 17:~~ [*removed reference here and added to additional requirements so that it could be applicable to both Phase I and Phase II*]

~~(i) Torn or cut boots;~~

~~(ii) Torn or cut face seals or face cones;~~

~~(iii) Loose or broken retractors;~~

~~(iv) Boots clamped or otherwise held in an open position;~~

~~(v) Leaking nozzles;~~

~~(vi) Loose, missing, or disconnected nozzle components, including but not limited to boots, face seals, face cones, check valve wires, diaphragm covers and latching devices;~~

~~(vii) Defective shutoff mechanisms;~~

~~(viii) Loose, missing, or disconnected vapor fuel hoses and associated components including but not limited to flow restrictors, swivels and anti-recirculation valves;~~

~~(ix) Crimped, cut, severed, or otherwise damaged vapor or fuel hoses;~~

~~(x) Missing, turned off, or otherwise not operating assist type vapor recovery systems, or any components of such systems;~~

~~(xi) Improper or non-"CARB certified" equipment or components;~~

~~(xii) Inoperative, severely malfunctioning or missing vacuum producing device;~~

~~(xiii) Inoperative, loose, missing or disconnected pressure/vacuum relief valves, vapor check valves or dry breaks.~~ [*removed listed deficiencies instead referencing the VRED in Additional Requirements section.]*

(d) Each Balance-System nozzle is equipped with a CARB Certified Insertion Interlock Mechanism and a CARB Certified Vapor Check Valve which shall be located in the nozzle.

(e) Each gasoline-dispensing nozzle is equipped with a coaxial hose as specified in the applicable CARB Executive Order.

(f) Dispensing nozzles shall be equipped with CARB Certified hold-open latches unless prohibited by local fire code and/or State Fire Marshall.

(g) Unless otherwise specified in the applicable CARB Executive Orders, all Liquid Removal devices installed for any gasoline dispensing nozzle with a dispensing rate of greater than five gallons per minute shall be CARB Certified with a minimum Liquid Removal rate of five milliliters per gallon transferred.

(h) The breakaway coupling shall be CARB Certified. Any breakaway coupling shall be equipped with a poppet valve, which shall close and maintain both the Gasoline Vapor and liquid lines Vapor Tight and Liquid Tight when the coupling is separated. In the event of a separation due to a "drive-off", the Owner/Operator shall complete one of the following and document the activities pursuant to section (F) of this rule, for recordkeeping requirements:

(i) Conduct a visual inspection of the affected equipment and perform qualified repairs on any damaged components before placing any affected equipment back in service. In addition, the affected equipment shall be tested in accordance to applicable test methods as specified in the applicable CARB Executive Orders and the corresponding CARB approved Installation, Operation and Maintenance manual and successfully passed prior to the affected equipment dispensing gasoline into any Vehicle; or

(ii) Conduct a visual inspection of the affected equipment and replace the affected nozzles, coaxial hoses, breakaway couplings, and any other damaged components with new or certified rebuilt components that are CARB Certified, before placing any affected equipment back in service. *[*(d)-(g)*updated from SCAQMD, Rule 461, 4/6/2012]*

(3) ~~Other~~ Additional ~~Activities & Equipment~~Requirements

(a) Equipment subject to this rule is operated and maintained with none of the defects listed in California Code of Regulations, Section 94006, Subchapter 8, Chapter 1, Part III of Title 17, as specified in the most recently adopted CARB "Vapor Recovery Equipment Defects List" (http://www.arb.ca.gov/vapor/title17/title17.htm).

(b) A person shall not supply, offer for sale, sell or install or allow the installation of any Vapor Recovery System or any of its components, unless the system and component are CARB Certified. Each Vapor Recovery System and its components shall be clearly and permanently marked with the qualified manufacturer's name and model number as certified by CARB. In addition, the qualified manufacturer's unique serial number for each component shall also be clearly and permanently marked for the dispensing nozzles. Any qualified manufacturer who Rebuilds a component shall also clearly and permanently mark the corresponding information on the component *[Language from AVAQMD Rule 461, 10/28/2008]*

(c~~a~~) New~~ly installed~~ V~~v~~apor R~~r~~ecovery S~~s~~ystems shall install CARB Certified equipment pursuant to the latest applicable Executive Order.~~used to comply with the provisions of this rule shall:~~

~~(i) Be limited to those systems certified by the Air Resources Board as the latest generation equipment at the time the installation is initiated, and~~

~~(ii) Utilize only equipment identified by the Air Resources Board as achieving the highest reliability and maintainability compatible with the certified system selected for installation.~~

~~(iii) Utilizing dispensing nozzles equipped with a hold-~~-open latch unless the local fire code prohibits the use of the hold-open latch.~~

(~~b~~)d) Vapor~~apor processing or vapor~~ R~~r~~ecovery S~~s~~ystems used to comply with the provisions of this rule shall comply with all safety, fire, weights and measures, and other applicable codes and/or regulations.

~~(c) A person shall not offer for sale, sell or install within the district any new or rebuilt vapor recovery equipment unless the components and parts clearly identify by markings the certified manufacturing company and/or certified rebuilding company.~~ *[provisions outlined in section (C)(3)(b) of this rule.]*

(c~~d~~) Vapor R~~r~~ecovery S~~s~~ystems required under Section (C)(1) or Section (C)(2) shall at all times be operated and maintained in accordance with the manufacturer's specifications and the State's certification.

(f~~e~~) When ~~problems~~ deficiencies are ~~or defects are~~ detected and are associated with any vapor recovery, storage, ~~or~~ delivery vessel or dispensing ~~equipment, other than a breakdown of the central vapor incineration or processing unit, the~~equipment the O~~o~~wner~~/~~O~~o~~perator shall at the End of Cycle ~~end of the cycle~~ remove the equipment from service and not use the equipment until it has been repaired, replaced or adjusted as ~~necessary~~required ~~to remove the problem or defect.~~to comply with the provisions of this rule and applicable Executive Order(s). *[clarity]*

~~As applied to this subsection, the term "end of the cycle" means:~~

~~(i) for delivery vehicles when the delivery vehicle is emptied or, if not emptied, before taking on more gasoline.~~

~~(ii) for transferring gasoline to a motor vehicle is at the time the problem is detected, or at the end of refueling the current vehicle~~ *[moved to the definition section of this rule]*

(g~~f~~) A person shall not perform or permit ~~the~~ a "pump-out" (bulk transfer) of gasoline from a storage ~~container~~ tank subject to Section (C)(1) unless such bulk transfer is performed using a V~~v~~apor R~~r~~ecovery S~~s~~ystem capable of returning the displaced vapors from the delivery vessel or other ~~container~~ tank being filled back to the stationary storage ~~container~~tank. ~~This vapor recovery is not required where the container is to be removed or filled with water for testing. For visual inspections, the requirements of Subsection (C)(1)(d) are applicable.~~ [*Removed. Provisions not included in SCAQMD 461, AVAQMD 461, Yolo-Solano 2.22 , or Sac Metro 449*]

(h~~g~~) A person shall not store, or allow the storage of, gasoline in any stationary storage ~~container~~ tank with a capacity of more than 251 gallons (950 liters ~~(251 gallons~~) unless such ~~container~~tank:

(i) Complies with Rule 463; or

(ii) Is equipped with a Phase I Vapor Recovery System.~~permanent submerged fill pipe and a certified vapor recovery system.~~

(i~~h~~) The Owner/O~~o~~perator of ~~each~~ any G~~g~~asoline Transfer and D~~d~~ispensing F~~f~~acility subject to Section (C)(2) above shall conspicuously post District-required signs specified in Attachment A of this rule in the immediate Gasoline dispensing area. ~~in the gasoline dispensing area the operating instructions, the district's toll-free telephone number for complaints and a District-specified warning sign.~~ [*Language updated for clarity obtained from AVAQMD Rule 461, 10/28/2008 and SCAQMD Rule 461, 4/6/2012*]]

(j) A fueling dispenser must be clearly labeled if it is not intended to be used to fuel Motor Vehicles. [*Language updated for clarity obtained from AVAQMD Rule 461, 10/28/2008]*

(4) Self-Compliance Program Requirements

The Owner/Operator of any Retail Gasoline Transfer and Dispensing Facility shall implement a self-compliance program as follows:

(a) The self-compliance program shall include the following elements:

(i) Weekly maintenance inspections shall be conducted in accordance with the protocol specified in Attachment B to ensure proper

operating conditions of all components of the Vapor Recovery Systems.

(ii) Periodic compliance inspections shall be conducted at least once every twelve months and in accordance with the protocol specified in Attachment C to verify the compliance with all applicable District rules and regulations, as well as all permit conditions.

(iii) Maintenance schedules consistent with the applicable Phase I and Phase II Vapor Recovery Systems and components installed at the Gasoline Transfer and Dispensing Facility.

(iv) An employee training program including the following:

a. Itemized training procedures for employees responsible for conducting any part of the self-compliance program.

b. A training schedule to periodically train any employee responsible for conducting any part of the self-compliance program.

c. A record for each employee of the dates of training provided and the next training date.

d. A procedure to review and establish any additional necessary training following any changes or updates to the CARB Executive Order for the installed Vapor Recovery System.

(b) Any equipment with Major Defect(s) which are identified during the weekly maintenance inspections or periodic compliance inspections shall be removed from service, repaired, brought into compliance, and duly entered into the repair logs required under section (F) of this rule, for record keeping, before being returned to service.

(c) Defects discovered during self inspection and repair shall not constitute a violation of Rule 461. [*New Section based on AVAQMD Rule 461 10/28/2008*]

(D) Exemptions

(1) The provisions of this rule shall not apply to the transfer of gasoline:

(a) Into or from any stationary storage ~~container~~ tank of less than 550 gallons capacity, which is used for the fueling of implements of husbandry as such V~~v~~ehicles are defined in Division 16 (Section 36000 et. seq.) of the California Vehicle Code, if such ~~container~~ tank is equipped with a permanent S~~s~~ubmerged F~~f~~ill P~~p~~ipe.

(b) Into or from any underground stationary ~~container~~ tank using only hand pumping, for the purpose of providing emergency services during loss of

commercial power, where the ~~district Air Pollution Control Officer (~~APCO~~)~~ has certified that such pumping cannot comply with the provisions of Section (C)(2) and where such hand pumping capability is otherwise required by law or regulation.

(c) Into or from any stationary storage ~~container~~ tank of any R~~r~~etail G~~g~~asoline S~~s~~tation installed prior to December 19, 1988 which meets all the following conditions:

(i) The monthly gasoline T~~t~~hroughput of the F~~f~~acility does not exceed 10,000 gallons and the annual gasoline T~~t~~hroughput of the F~~f~~acility does not exceed 60,000 gallons, on a calendar month and calendar year basis, respectively, beginning with 1988 .~~and;~~

(ii) The F~~f~~acility has not been modified after December 19, 1988 where modified means the installation of a new tank, replacement of any existing tank, and/or excavation (exposing) of 50 percent (50%) or more of a F~~f~~acility's total underground liquid piping from the stationary storage tanks to the gasoline dispensers.~~, and;~~

(iii) The transfer of gasoline from any delivery V~~v~~ehicle into those stationary storage ~~containers~~ tanks with a capacity of more than 251 gallons (950 liters ~~(251 gallons~~) is limited to those ~~containers~~ tanks which are equipped with permanent S~~s~~ubmerged F~~f~~ill P~~p~~ipes.~~, and~~

(iv) All dispensing nozzles are equipped with a hold-open latch unless the local fire code, or State Fire Marshal ~~code~~ prohibits the use of the hold-open latch. ~~and;~~

(v) The F~~f~~acility O~~o~~wner/O~~o~~perator provides adequate evidence

(a) That compliance would be economically prohibitive and the alternative would be closure of the F~~f~~acility.~~, and~~

(b) That the F~~f~~acility provides essential emergency fueling for M~~m~~otor V~~v~~ehicles and closure would result in a lessening of public safety.~~, and~~

(c) That no other non-exempt retail F~~f~~acility open during reasonable hours exists within a driving distance of 5 miles.~~; and~~

(vi) The O~~o~~wner/O~~o~~perator receives written approval from the ~~d~~District APCO in response to a formal request for exemption. Such exemptions shall be based solely on the evidence demonstrating the validity of the conditions listed above. If during any calendar month thereafter the gasoline throughput exceeds 10,000 gallons, the exemption shall cease, effective the first day of the following calendar month. If during any calendar year thereafter the gasoline throughput exceeds 60,000 gallons, the exemption shall cease, effective the first day of the following calendar year.

(2) Existing facilities that no longer meet exemption criteria shall:

(i) Secure an Authority to Construct from the District prior to the commencement of modifications.
(ii) Secure all other permits and approvals as required.
(iii) Assure compliance with Sections (C)(1) and (C)(2) at the time gasoline is first received or dispensed from the Facility.

~~(2) Any F~~~~facility classified as exempt or claiming to be exempt pursuant to this section shall meet the same record keeping requirements as expressed in Section (E) of this rule so as to be able to prove the claimed exempt status~~.[*moved to(E)(3)]*

(3) The requirements of (C)(2) shall not apply to dedicated, non-public accessible, fuel dispensing equipment serving Vehicle fleets where 95 percent (95%) of the fleet Vehicles are equipped with Onboard Refueling Vapor Recovery (ORVR) systems. To qualify for this exemption, the fleet Operator must also own the Gasoline Transfer and Dispensing operation that services the Vehicle fleet, and maintain records as outlined in (F)(3)(6) supporting ORVR fleet exemption.

(a) Prior to operating under the exemption in Section (D3), Owner/Operator shall obtain a valid Authority to Construct or Permit to Operate allowing such operations. *[(D)(3) exemption from AVAQMD, Rule 461, 10/28/2008*]

(4) Any Facility classified as exempt or claiming to be exempt pursuant to this section shall meet the same record keeping requirements as expressed in Section (F) of this rule so as to be able to prove the claimed exempt status.

(E) Performance Testing and Re-Verification Requirements

(1) Within 90 calendar days or after dispensing the first 60,000 gallons of fuel into a Mobile Fueler or a Vehicle fuel tank, the Owner/Operator of a new or Altered Gasoline Transfer and Dispensing Facility shall conduct and successfully pass the Performance Tests in accordance with the test methods specified in section (E), and any additional tests required by the applicable CARB Executive Orders and District Permits, to verify the proper installation and operation of Phase I and Phase II Vapor Recovery Systems. Test results shall be submitted as stated in subsections (E)(3)(d) and (E)(3)(e).

(2) The Owner/Operator shall conduct and successfully pass the Re-Verification Tests in accordance with the test methods specified in section (G), and any additional tests required by the applicable CARB Executive Orders or District Permits, to verify the proper operation of the Vapor Recovery Systems. Test results shall be submitted as stated in subsections (E)(3)(d) and (E)(3)(e).

(a) The Re-Verification Tests at Retail and Non-Retail Gasoline Transfer and Dispensing Facilities shall be conducted annually.

(b) Once a Facility Re-Verification Testing month(s) are established, subsequent Re-Verification Testing shall be conducted during the same months each year. When a new Performance Test schedule is required due to a Facility alteration, new Re-Verification Testing months shall be established based on the date of the Performance Tests.

(c) In case of a change of Owner/Operator, the new Owner/Operator shall conduct the next Re-Verification Test on the same testing month as established by the previous Owner/Operator, if the previous Re-Verification Testing records are available. When no testing records are available, the new Owner/Operator shall complete all the applicable Re-Verification Testing within 90 calendar days of the change of Owner/Operator.

(3) A person who conducts performance or Re-Verification Tests shall comply with all of the following:

(a) Conduct performance or Re-Verification Tests in accordance with the applicable test methods listed in section (G) and other CARB testing procedures. Tests shall be conducted using calibrated equipment meeting the calibration range and calibration intervals specified by the manufacturer.

(b) Notify the District at least ten calendar days prior to testing. In the event that a Performance Test or Re-Verification Test cannot be conducted at the scheduled date and time, the test may be rescheduled to a later date and time provided that the District is notified at least 24 hours prior to the originally scheduled time. All notification under this subsection shall be provided by District approved methods.

(c) Conduct performance and Re-Verification Tests during normal District business hours. The APCO may approve alternative testing.

(d) Submit a copy of the PASS/FAIL test results in a District approved format to the APCO within 30 calendar days after each test is conducted. The PASS/FAIL test results are a summary of the overall results of each test.

(e) Submit the final test report demonstrating compliance within 30 calendar days of the date when all tests were passed. The test report shall include all the required records of all tests performed, test data, current MDAQMD Facility ID number of the location being tested, the equipment Permit to Operate or Application number and, a statement whether the system or component tested meets the required standards.

(4) The Owner/Operator shall not operate or resume operation of a Gasoline transfer and dispensing Facility, unless the Facility has successfully passed the applicable performance or Re-Verification Tests. Notwithstanding the above, when a dispenser associated with any equipment that has failed a Re-Verification 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 subsection (F)(3), (F)(4) and (F)(5). [*Section E language taken from AVAQMD, Rule 461, 10/28/2008]*

~~(E) Record Keeping and Reporting~~

~~(1) The owner or operator shall maintain a log of all inspections, repairs, and maintenance on equipment subject to this rule.~~

~~(2) The owner or operator of a facility exempt under Subsections (D)(1)(a) or (D)(1)(d), in order to determine the exemption, shall prepare a log showing the monthly throughput and a summary of the throughput for the calendar year to date. Therefore, a facility exempt under Subsection (D)(1)(a) must also show the throughput used to refuel implements of husbandry.~~

~~(3) A daily log of product throughput shall be maintained by each facility.~~

~~(4) All required records and logs shall be maintained at the facility for at least two (2) years and shall be made available to the APCO upon request.~~ *[All aspects of this section covered under new recordkeeping section below]*

(F) Recordkeeping

A person who performs the installation of components, self-compliance inspections, repairs or testing at any Gasoline Transfer and Dispensing Facility, including, but not limited to, the activities for normal operation and maintenance, Performance Testing, Re-Verification Testing and those following a drive-off, 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 of any Retail or non-retail Gasoline Dispensing Facility shall maintain all records listed below and any other test results or maintenance records that are required to demonstrate compliance on site for a period of at least two (2) years (or five (5) years for Title V facilities). Notwithstanding, records for non-retail Gasoline Dispensing Facilities that are unmanned may be kept at other locations approved by the APCO. All records shall be made available to the APCO upon request both on site during inspections and offsite as specified.

(1) Records of all components installed, defective components identified or repaired during self-compliance inspections.

(2) Repair logs, which shall include:

(a) Date and time of each repair.

(b) The name of the person(s) who performed the repair, and, if applicable, the name, address and phone number of the person's employer.

(c) Description of service performed.

(d) Each component that was installed, repaired, serviced, or removed, including the required component identification information pursuant to subsection (C)(3)(b).

(e) Each component that was installed as replacement, if applicable, including the required component identification information pursuant to subsection (C)(3)(b).

(f) Receipts for parts used in the repair and, if applicable, work orders, which shall include the name and signature of the person responsible for performing the repairs.

(3) Records of tests, which shall include:

(a) Date and time of each test.

(b) Name, affiliation, address and phone number of the person(s) who performed the test.

(c) Test data and calibration data for all equipment used.

(d) Date and time each test is completed and the Facility Owner/Operator is notified of the results. For a test that fails, a description of the reasons for the test failure shall also be included.

(e) For a re-test following a failed performance or reverification test, description of repairs performed pursuant to subsection (F)(1) and (F)(2).

(f) Copies of test reports in District approved format.

(4) Monthly Gasoline throughput records.

(5) Records to prove that the installer/contractor that installed or altered the Enhanced Vapor Recovery (EVR) equipment has successfully completed a manufacturer training program and any relevant state certification program applicable to the Phase I and Phase II Enhanced Vapor Recovery systems and associated components as specified in subsection (C)(3)(b).

(6) Recordkeeping for Exempt Fleets An Owner/Operator claiming exemption under Section (D)(3) shall keep a record of the make , model, model year, and Vehicle identification number of all Vehicles refueled at the Gasoline dispensing Facility. These records shall be maintained on the premises for at least two (2) calendar years. [*Recordkeeping (section (G)) added from language present in AVAQMD, Rule 461, 10/28/2008]*

~~(F) Compliance Schedule~~

~~(1) Existing facilities which were exempted by Subsection (D)(1)(a):~~

~~(a) The owner or operator of any stationary storage container which was exempt by Subsection (D)(1)(a) and which is modified on or after December 19, 1988 shall comply with this rule in accordance with the following schedule:~~

~~(i) Secure an Authority to Construct from the district prior to the commencement of modifications.~~

~~(ii) Secure all other permits and approvals as required.~~ *[Section (F)(1)(a) covered under section (D)(1)(vi)]*

~~(iii) Assure compliance with Sections (C)(1) and (C)(2) at the time gasoline is first received or dispensed from the facility.~~ [*moved to Exemption section.]*

~~(b) The owner or operator of any stationary storage container which was exempt by Subsection (D)(4) and which is no longer exempt, shall comply with this rule in accordance with the following schedule:~~

~~(i) Secure an Authority to Construct from the district by March 31 of the year of the loss of the exemption and before the commencement of modifications.~~
~~(ii) Secure all other permits and approvals as required.~~
~~(iii) Commence construction by September 30 of the year of the loss of the exemption.~~
~~(iv) Assure compliance with Sections (C)(1) and (C)(2) by December 30 of the year of the loss of the exemption.~~ [

(G) Test Methods f~~F~~or Compliance Verification

All test methods referenced in this subsection shall be the most recently CARB approved version or as stated in the applicable CARB Executive Orders.

(1) The static pressure performance of a Phase I or Phase II Vapor Recovery System for underground and aboveground tanks shall be determined by the CARB Test Procedure TP-201.3 and TP-201.3B, as applicable.

(2) The dynamic pressure performance of a Phase II Vapor Recovery System shall be determined by the CARB Test Procedure TP-201.4.

(3) The air-to-liquid volume ratio of a Phase II Vapor Recovery System shall be determined by the CARB Test Procedure TP-201.5.

(4) The Liquid Removal rate of a Phase II Vapor Recovery System shall be determined by the CARB Test Procedure TP-201.6.

(5) The manifold of the underground storage tanks shall meet CARB tank tie test requirements pursuant to TP-201.3C.

(6) The static torque of rotatable adaptors for a Phase I Enhanced Vapor Recovery system shall be determined by the CARB Test Procedure TP-201.1B.

(7) The applicable tests for the drop tube, drain valve assembly, and overfill prevention device are the following:

(a) The leak rate of the drop tube/drain valve assembly for a Phase I Enhanced Vapor Recovery system shall be determined by the CARB Test Procedure TP-201.1C.

(b) The leak rate of the drop tube overfill protection device and spill container drain valve for a Phase I Enhanced Vapor Recovery system shall be determined by the CARB Test Procedure TP-201.1D.

(8) The leak rate and cracking pressure of Pressure/Vacuum Vent Valves for a Phase I Enhanced Vapor Recovery system shall be determined by the CARB Test Procedure TP-201.1E.

(9) Any other test methods approved by the USEPA, CARB, and the District for underground tanks, aboveground tanks, and Mobile Fuelers. ~~A violation determined by any one of these test methods shall constitute a violation of the rule.~~

~~(1) Vapor Tightness (Fugitive Vapor Leaks) for all equipment described in Section (C) shall be determined by EPA Method 21 - Determination of Volatile Organic Compounds Leaks.~~

~~(2) Vapor Recovery System Efficiency for Delivery Vessels shall be determined by the EPA Method entitled Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (method specified in the CTG EPA-450/2-78-051), or the CARB Method entitled, "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks".~~

~~(3) Reid Vapor Pressure shall be determined in accordance with ASTM Method D 323-82.~~

~~(4) Vapor Recovery System Efficiency for Bulk Plants shall be determined by CARB Method 202, "Certification of Vapor Recovery Systems - Bulk Plants".~~

~~(5) Vapor Recovery System Efficiency for Terminals shall be determined by CARB Method 203, "Certification of Vapor Recovery Systems - Gasoline Terminals".~~

~~(6) Vapor Recovery System Efficiency for Service Stations shall be determined by the CARB Methods in "Test Procedures for Determining the Efficiency of Gasoline Vapor Recovery Systems at Service Stations".~~ *[Test methods updated based on language in AVAQMD, Rule 461, 10/28/2008]*

See SIP Table at http://www.mdaqmd.ca.gov/ ~~Modules/ShowDocument.aspx?documentid=45~~

~~[SIP: Approved 5/3/95, 60 FR 21702, 40 CFR 52.220(c)(198)(I)(E)(1); Approved 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(85)(v)(A); Approved 12/21/78, 43 FR 59489, 40 CFR 52.220(c)(42)(xiii)(A); Approved 7/26/77, 42 FR 37976, 40 CFR 52.220(c)(35)(ii) and 40 CFR 52.220(c)(31)(vi)(A)]~~

ATTACHMENT A

MDAQMD-REQUIRED SIGNS

(A) The Operator shall post the following signs:

(1) "NOZZLE" operating instructions;

(2) Mojave Desert AQMD's" toll-free telephone number (800) 635-4617; and

(3) A "warning" stating:

TOXIC RISK
FOR YOUR OWN PROTECTION DO NOT BREATHE FUMES
DO NOT TOP OFF TANKS"

(B) All required signs shall conform to all of the following:

(1) For decal signs:

(a) Each sign shall be visible from all Fueling Positions it serves; and

(b) Sign shall be readable from a distance of 3 feet.

(2) All other signs:

(a) For pump toppers, one double-back sign per island;

(b) For permanent (non-decal) signs, two single-sided or one double-sided sign(s) per two (2) dispensers; and

(c) All signs shall be readable from a distance of 6 feet

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ATTACHMENT B

WEEKLY MAINTENANCE INSPECTION PROTOCOL

The Owner/Operator of a Retail Gasoline Transfer and Dispensing Facility shall at minimum verify the following during the weekly maintenance inspections:

(A) PHASE I VAPOR RECOVERY SYSTEM INSPECTION

(1) The spill container is clean and does not contain Gasoline. The spill containment drain valve shall be Vapor-Tight.

(2) The fill caps are not missing, damaged or loose.

(3) If applicable:

(a) The spring-loaded Submerged Fill Tube seals properly against the coaxial fitting.

(b) The dry break (poppet valve) is not missing or damaged.

(4) The Submerged Fill Tube is not missing or damaged.

(B) PHASE II VAPOR RECOVERY SYSTEM INSPECTION

(1) The fueling instructions are clearly displayed with the appropriate toll-free complaint phone number and toxic warning signs.

(2) The following nozzle components are in place and in good condition, as specified in CARB Executive Orders:

(a) faceplate/facecone; vapor splash guard/fill guard/efficiency compliance device (ECD)/VEG

(b) bellows

(c) latching device spring

(d) Vapor Check Valve

(e) spout (proper diameter/vapor collection holes)

(f) Insertion Interlock Mechanism

(g) automatic shut-off mechanism

(h) hold open latch

(3) The hoses are not torn, flattened or crimped.

(4) For Vacuum-Assist Systems, the vapor processing unit and burner are functioning properly.

(C) RECORDS OF DEFECTIVE COMPONENTS

ATTACHMENT C

PERIODIC COMPLIANCE INSPECTION PROTOCOL

The Owner/Operator of a Retail Gasoline Transfer and Dispensing Facility shall at minimum verify the following during the periodic compliance inspections:

(A) GENERAL INSPECTION

(1) The District permit is current.

(2) The equipment and District permit description match.

(3) The Facility complies with all permit conditions.

(4) The required sign is properly posted and the sign contains all the necessary information (i.e., toll-free complaint phone number, toxic warning sign, etc.).

(B) PHASE I VAPOR RECOVERY SYSTEM INSPECTION

(1) The spill container is clean and does not contain Gasoline.

(2) The fill caps are not missing, damaged or loose.

(3) If applicable:

(a) The spring-loaded Submerged Fill Tube seals properly against the coaxial fitting.

(b) The dry break (poppet valve) is not missing or damaged.

(4) The Submerged Fill Tube is not missing or damaged.

(5) The distance between the highest level of the discharge opening of the Submerged Fill Tube and the bottom of the stationary storage tank does not exceed six inches (6").

(6) The Phase I Vapor Recovery System complies with required CARB certification and is properly installed.

(7) The Spill Box complies with required CARB certification and is properly installed.

(8) The vent pipes are equipped with CARB Certified Pressure/Vacuum Relief Valves.

(C) PHASE II VAPOR RECOVERY SYSTEM INSPECTION

(1) The fueling instructions are clearly displayed.

(2) Each nozzle is the current CARB-certified model.

(3) Each nozzle is installed in accordance with the applicable CARB Executive Orders.

(4) The following nozzle components are in place and in good condition, as specified in CARB Executive Orders or California Code of Regulations, Title 17, Part III, Chapter 1, subchapter 8, section 94006 or Health and Safety Code Section 41960.2 (e):

(a) faceplate/facecone; vapor splash guard/fill guard/efficiency compliance device (ECD)

(b) bellows

(c) latching device spring

(d) Vapor Check Valve

(e) spout (proper diameter/vapor collection holes)

(f) Insertion Interlock Mechanism

(g) automatic shut-off mechanism

(h) hold open latch

(5) The hoses are not torn, flattened or crimped.

(6) The vapor recovery hoses are the required size and length.

(7) The hoses with retractors are adjusted to maintain a proper loop, and the bottom of the loop is within the distance from the island surface certified by the CARB Executive Order for that particular dispenser configuration.

(8) The vapor recovery nozzles are equipped with required hoses.

(9) The bellows-equipped vapor recovery nozzles are equipped with "CARB Certified" Insertion Interlock Mechanisms.

(10) If required, the flow limiter is not missing and is installed properly.

(11) The swivels are not missing, defective, or leaking, and the dispenser-end swivels, if applicable, are Fire-Marshall approved with 90-degree stops.

(12) If required, the Liquid Removal Devices comply with required CARB certifications and are properly installed.

(13) For Bellows-Less Nozzles, the hoses are inverted coaxial type except for Hirt systems, and the vapor collection holes are not obstructed.

(14) For Vacuum-assist Systems, the vapor processing unit and burner are functioning properly.

(15) For Aspirator-assist Systems, the major components (i.e. aspirator or jet pump, modulating valve, and Vapor Check Valve) are present inside each dispenser. For Aspirator-assist Systems with certification-required calibration stickers, the current calibration sticker is present.

(**Adopted:** 01/09/76; **Amended:** 05/07/76; **CARB Ex. Ord. G-73:** 02/01/77; **Readopted:** 07/25/77; **Amended:** 10/13/80; **Amended:** 12/19/88; **Amended:** 11/02/92; **Amended:** 05/25/94; **Amended:** mm/dd/yy)

RULE 462
Organic Liquid Loading

(A) General Description

(1) Purpose:

(a) ~~The purpose of this rule is to~~To ~~limit~~ control ~~the~~ emissions of V~~v~~olatile O~~o~~rganic C~~c~~ompounds (VOC) and toxic compounds ~~(such as benzene)~~ from facilities that transport and load organic liquids into tanks, including Motor Vehicle fuel tanks, tank trucks, trailers or railroad tank cars. ~~Organic Liquid Loading (any organic liquid, including gasoline)~~, ~~and in conjunction with Rules 461 and 463, limit the emissions from the storage, transfer, and dispensing of organic liquids.~~ [*Reorganized purpose and applicability in an effort to streamline*]

(2) Applicability:

(a~~b~~) The provisions of this rule shall apply to all Class "A" or "B" Facilities, Retail and non-retail service stations or any other facility where Organic Liquids are stored or transferred. ~~This rule applies to the transport of organic liquids, including fuels such as gasoline, between facilities and the transfer of such organic liquids into tanks, including motor vehicle fuel tanks, tank trucks, trailers or railroad tank cars. Facilities subject to this rule include, but are not limited to, bulk facilities, retail and non-retail service stations or any other facility where organic liquids are stored or transferred.~~ [*Reorganized purpose and applicability in an effort to streamline*]

(B) Definitions

The definitions contained in, District Rule 102 – Definition of Terms, shall apply unless a term is otherwise defined herein: ~~For the purposes of this rule only, the following terms are defined.~~

(1) ~~"~~Class A Facility~~"~~ – ~~is a~~Any O~~o~~rganic ~~l~~Liquid L~~l~~oading F~~f~~acility ~~having a valid permit to operate and~~ loading 5,000,000 gallons (18,925,000 liters ~~(5,000,000 gallons~~) or more per year and/or 20,000 gallons (73,700 liters ~~(20,000 gallons~~) or more on any day of O~~o~~rganic L~~l~~iquids. with a T~~t~~rue V~~v~~apor P~~p~~ressure,

determined at actual storage conditions, of 77.5 mm (1.5 psia) or greater into any tank truck, trailer, or railroad tank car.

(2) "Class B Facility" ~~– is a~~Any ~~O~~organic ~~L~~liquid ~~L~~loading ~~F~~facility ~~having a valid permit to operate and~~ loading less than 5,000,000 gallons (18,925,000 liters ~~(5,000,000 gallons~~) per year. with a ~~T~~true ~~V~~vapor ~~P~~pressure, determined at actual storage conditions, of 77.5 mm (1.5 psia) or greater into any tank truck, trailer, or railroad tank car.

~~(3) "Fugitive Liquid Leak" means tThe dripping of a liquid at a rate exceeding three (3) drops per minute. [in 102]~~

~~(4) "Gasoline" means aAny organic liquid, including petroleum distillate and methanol, having a Reid Vapor Pressure of 200 mm Hg (3.9 pounds per square inch), or greater, and used as a motor vehicle fuel, or any fuel which is commonly or commercially known or sold as gasoline. [in 102]~~

~~(5) "Organic Liquid" means aAny chemical compound of carbon, including organic materials, organic solvents and gasoline, which is in a liquid phase at ambient or storage conditions. [Move to 102]~~

~~(6) "Organic Materials" means cChemical compounds of carbon excluding: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate. [in 102]~~

~~(7) "Organic Solvents" includes Includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolves, viscosity reducers or cleaning agents, except that such material exhibiting a boiling point higher than 104 oC (219oF) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 104oC (219oF). [in 102]~~

~~(3) Submerged Fill Loading – A type of Organic Liquid loading operation where the discharge opening is completely submerged when the liquid level above the bottom of the vessel is eight centimeters (3.2 inches) or higher. [*definition obtained from AQAQMD Rule 462 – Organic Liquid Loading, 6/9/1995*]~~ [moving draft definition to 102]

~~(8) "Switch Loading" means aA transfer of organic liquids with a vapor pressure of less than 77.5 mm Hg (1.5 psia) under actual loading conditions into any tank truck, trailer or railroad tank car that was previously loaded with an organic liquid with a vapor pressure of 77.5 mm Hg (1.5 psia) or greater. [in 102]~~

~~(9) "Throughput" means tThe mass or volume of material or substance that is handled, or processed by a system in a given time period, such as gallons per year, tons per hour, etc.~~ [in 102]

(10) "Vapor Reduction Device" Methods of reduction include, but are not limited to, thermal destruction (incineration), and absorption, adsorption and condensation. [moving to 102]

(11) "Vapor Recovery System" means aA system that is designed to collect or capture the vapors released and/or generated during the dispensing, transfer and/or storage of liquids, and is capable of returning the displaced vapors and air from the vessel being filled back to the stationary storage container (a balance system) and/or a vapor reduction device. The Vvapor Rrecovery Ssystem shall have a vapor control efficiency of 95 percent, by weight, or better.[in 102]

(12) "Vapor Recovery System Efficiency" means the estimated efficiency of the air pollution control technology which is incorporated, by means of an enforceable permit condition(s), in the Authority To Construct (ATC) and/or the Permit To Operate (PTO) of an emissions unit or process. Emission reductions attributed to lowering throughput rates or curtailing operating hours shall not be considered in determining abatement efficiency.[moving to 102]

(413) "Vapor Tight (Fugitive Vapor Leak)" means tThe detection of less than 10,000 ppm, as methane, using an appropriate hydrocarbon analyzer when sampling is performed according to the procedures specified in EPA Method 21. [*in102*]

(C) Requirements

(1) Loading Requirements at Class "A" FacilityFacilities

(a) A person shall not load organic liquids having a true vapor pressure of 77.5 millimeters of mercury (1.5 psia) or greater under actual loading conditions into any tank truck, trailer, or railroad tank car from any Class A facility unless the loading facility is equipped with a vapor recovery system . The vapor recovery system efficiency shall be verified pursuant to methods listed in Section (F) of this rule. Each Class A Facility loading Organic Liquids shall be equipped with: [*Loading vessels and pressure requirement outlined in Class A Facility definition (B)(1)*]

(i) A CARB Certified Vapor Recovery and/or disposal system, or;

(ii) A District-approved Vapor Recovery and/or disposal system only when such system does not require CARB Certification pursuant to Health and Safety Code 41954. [*SCAQMD Rule 462 – Organic Liquid Loading, 5/14/1999*]

(b) Loading shall be accomplished in such a manner that the displaced vapor and air will be vented to a vapor recovery system. All connections and vapor lines are to be maintained in a Vapor Tight condition to prevent fugitive vapor leaks. Measures shall be taken to prevent fugitive liquid leaks from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected, to prevent

~~excess organic liquid drainage.~~ The loading of Organic Liquids shall be accomplished in such a manner that the displaced organic vapors and air are vented under design conditions to the vapor recovery and/or disposal system. [*vapor/liquid tight requirement outlined in (C)(1)(e)]*

(c) Each vapor recovery and/or disposal system shall reduce the emissions of VOCs to 0.08 pound or less per thousand gallons (10 grams per 1,000 liters) of Organic Liquid transferred.

(d) Any Class "A" facility transferring Gasoline into any truck, trailer, or railroad tank car shall be designed and operated for bottom loading only.

(e) The transfer equipment shall be operated and maintained so that there are no overfills, Fugitive Vapor Leaks, or Fugitive Liquid Leaks.

(f) The backpressure in the vapor recovery and/or disposal system shall not exceed 18 inches of water column pressure. [*Class A updates obtained from SCAQMD –Rule 462- Organic Liquid Loading, 5-14-1999)]*

(2) Loading Requirements at Class "B" Facilities~~y~~

~~A person shall not load organic liquids having a true vapor pressure of 77.5 millimeters of mercury (1.5 psia) or greater under actual loading conditions into any tank truck, trailer, or railroad car from a Class B loading facility, unless:~~ [*In order to reduce repetition, Organic Liquid and it's pressure is further defined in definition located in 102]*

(a) Each Class B Facility loading Organic Liquids, shall be equipped with:~~The facility is equipped with a vapor recovery system to prevent the release of fugitive vapor emissions during the filling of organic liquid delivery vehicles.~~[*Further broken out below*]

(i) A CARB Certified Vapor Recovery and/or disposal system, or;

(ii) A District-approved Vapor Recovery and/or disposal system only when such system does not require CARB Certification pursuant to Health and Safety Code 41954.

(iii) A Submerged Fill Loading or bottom fill loading system. All Gasoline or equivalent vapor pressure Organic Liquids shall be transferred in this manner.

(iv) A pressure vacuum valve on the aboveground stationary storage tank with a minimum pressure valve setting of eight (8) ounces per square inch, provided that such setting will not exceed the tank's maximum pressure rating. This requirement does not pertain to Floating Roof Tanks[*moved from (C)(2)(c)]*

(b) ~~The facility is equipped with a vapor recovery system to prevent the release of fugitive vapor emissions displaced during the filling of the facility's stationary storage containers with all connections and vapor lines to be maintained vapor tight; and~~ The transfer equipment shall be operated and maintained so that there are no overfills, facility vapor leaks, liquid leaks, or liquid leaks from disconnect operations. [*Language from SCAQMD Rule 462 – Organic Liquid Loading, 5/14/1999*]

~~(c) The facility is equipped with a pressure-vacuum valve on the above ground stationary storage containers with a minimum pressure valve setting of eight (8) ounces per square inch, provided that such setting will not exceed the container's maximum pressure rating.~~ [*moved to (C)(2)(a)(iv)]*

(D) Additional Requirements

(1) Other agency~~agencies~~ requirements - The V~~v~~apor R~~r~~ecovery S~~s~~ystems used to comply with the provision of this Rule shall comply with all safety, fire, weights and measures, and other applicable codes and/or regulations, including those listed in the California Health and Safety Code Sections 41950 - 41974.

(2) Fugitive Vapor and Liquid Leaks - All of the components of the facility including but not limited to tanks, flanges, seals, pipes, pumps, valves, meters, connectors, shall be maintained and operated so as to prevent F~~f~~ugitive vapor leaks, F~~f~~ugitive liquid leaks and excess O~~o~~rganic L~~l~~iquid drainage during transfer, storage and handling operations.

(3) Organic Liquid Transport ~~(Tank Truck, Trailer, etc.)~~

(a) A person shall not allow loading or unloading of O~~o~~rganic L~~l~~iquid, or other use or operation of any designated transporting vessel unless the vessel has a valid certification of vapor integrity as defined by the applicable Air Resources Board Certification and Test Procedures, pursuant to Health and Safety Code Section 41962(9) and the California Administrative Code Title 17, Section 94004.

(b) Vapor leaks from dome covers, pressure vacuum vents or other sources shall be determined in accordance with ~~EPA Method 21~~ (G)(1)(g). [*SCAQMD Rule 462-Organic Liquid Loading, 5/14/1999*]~~.~~

(c) The transport equipment shall be operated such that there are no F~~f~~ugitive liquid leaks.

(4) Switch Loading

Uncontrolled S~~s~~witch L~~l~~oading is prohibited except at Class B Facilities where~~unless~~:

(a) any vapors vented to the atmosphere do not at any point during the transfer exceed 10,000 ppmv, measured as equivalent methane, with a portable hydrocarbon analyzer in accordance with EPA Method 21, or

(b) emissions are controlled by a V~~v~~apor R~~r~~ecovery S~~s~~ystem.

(5) Leak Inspection Requirements

(a) The Owner/Operator of any Class A or B, facility shall be required to perform an inspection of the vapor collection system, the vapor disposal system, and each loading rack handling Organic Liquids, for facility vapor leaks or liquid leaks of volatile organic compounds on one of the following schedule:

(i) monthly if sight, sound, and smell are used as detection methods.

(ii) quarterly if an organic vapor analyzer (OVA) is used to monitor for facility vapor leaks.

(b) Each detection of a leak shall be repaired or replaced within 72 hours. The repaired or replacement component shall be reinspected the first time the component is in operation after the repair or replacement.
[*Section 5 Language from SCAQMD Rule 462-Organic Liquid Loading, 5/14/1999*]

(6~~5~~) Distribution of Responsibilities

(a) The ~~owner or operator~~Owner/Operator of an O~~o~~rganic L~~l~~iquid L~~l~~oading F~~f~~acility is responsible and liable for complying with the provisions of this rule, and for maintaining the equipment at the facility in such condition that it can comply with the requirements of this rule if properly operated. If employees of the ~~owner or operator~~Owner/Operator of the facility supervise or otherwise facilitate ~~effect~~ the transfer operation, the ~~owner or operator~~Owner/Operator of the facility shall be responsible for ensuring that the transfer operation complies with all requirements of this rule and that the transfer equipment is properly operated.

(b) The ~~owner, operator~~Owner/Operator, or driver of a tank truck, trailer, or railroad tank car is responsible for complying with Subsections (D)(2) and (D)(3) of this rule.

(c) ~~Where appropriate, the owner or operator of an organic liquid loading facility and the owner operator, or driver of a tank truck, trailer, or railroad tank car may be separately or jointly found in violation of this rule.~~

(E) Exemptions

(1) The provisions of subparagraphs (C)(1)(e) and (C)(2)(b) shall not apply to components found in violation of facility vapor leaks or liquid leaks either of

which is detected and recorded originally by the Owner/Operator, provided the repair or replacement of applicable equipment is completed within the specified period as given in subparagraph (D)(5)(b).
[SCAQMD Rule 462-Organic Liquid Loading, 5/14/1999]

(F) Record Keeping and Reporting

(1) Any facility subject to this rule shall, as a minimum, maintain the following records:

(a) The ~~owner or operator~~Owner/Operator shall maintain a log of all inspections, repairs, description of leaks, and maintenance on equipment subject to this rule. Such logs or records shall be maintained at the facility for at least 2 years and shall be made available to the APCO upon request.

(b) The ~~owner or operator~~Owner/Operator of a Class A or Class B Facility shall prepare a log ~~showing the daily~~demonstrating:

(i) ~~input~~Daily Throughput
(ii) ~~output~~Monthly Throughput Summary - for a rolling twelve month period
(iii) average stored volume over the 24 hour period (midnight to midnight)
(iv) daily storage and transfer temperatures of the organic liquid *[new to D6 - to maintain daily requirement of this record keeping]*
(v) stored product's name and Chemical Abstracts Service (CAS) number
~~(vi) a monthly summary of the throughput for the calendar year to date.~~

(2) Any facility classified as exempt or claiming to be exempt shall meet the same record keeping requirements of this rule so as to be able to prove the exemption status.

(~~F~~G) Test Methods ~~For~~for Compliance Verification

(1) A violation determined by any one of these test methods shall constitute a violation of the rule.

(a) Vapor Tightness (Fugitive Vapor Leaks) for all equipment described in this rule, unless otherwise specified, shall be determined by EPA Method 21 - Determination of Volatile Organic Compounds Leaks.

(b) Vapor Recovery System Efficiency for Delivery Vessels shall be determined by the EPA Method entitled Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (method specified in the CTG EPA-450/2-78-051), or the CARB Method entitled, "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks".

(c) Reid Vapor Pressure shall be determined in accordance with ASTM Method D 323-~~82~~99a, and the T~~t~~rue V~~v~~apor P~~p~~ressure in psi absolute of stored liquid shall be determined by using the nomograph contained in American Petroleum Institute Bulletin 2517 for conversion of Reid vapor pressure to ~~t~~True V~~v~~apor P~~p~~ressure.[*Yolo-Solano Rule 2.21-Organic Liquid Storage and Transer, 9/14/2016 references updated ASTM*]

(d) Vapor Recovery System Efficiency for Service Stations shall be determined by the CARB Methods in CP-201" Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities ".

(e) Vapor Recovery System Efficiency for Bulk Plants shall be determined by CARB Method CP-202~~, "~~, "Certification ~~of~~ Procedure for Vapor Recovery Systems ~~–~~of Bulk Plants".

(f~~e~~) Vapor Recovery System Efficiency for Terminals shall be determined by CARB Method CP-203, "Certification ~~of~~ Procedure for Vapor Recovery Systems ~~– Gasoline~~of Terminals".

(g) CARB Vapor Recovery Test Procedure TP-204.3 – Determination of Leaks

(h~~f~~) ~~Vapor Recovery System Efficiency for Service Stations shall be determined by the CARB Methods in "Test Procedures for Determining the Efficiency of Gasoline Vapor Recovery Systems at Service Stations".~~ [*Updated Certification Procedure Titles for CP-201-203 to reflect what is currently listed on the CARB website*]

See SIP Table at http://www.mdaqmd.ca.gov/ ~~Modules/ShowDocument.aspx?documentid=45~~

~~[SIP: Approved 5/3/95, 60 FR 21702, 40 CFR 52.220(c)(198)(i)(E)(1); Approved 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(85)(v)(A); Approved 12/21/78, 43 FR 59489, 40 CFR 52.220(c)(42)(xiii)(A); Approved 7/26/77, 42 FR 37976, 40 CFR 52.220(c)(31)(vi)(A)]~~

(**Adopted:** 01/09/76; **Amended:** 05/07/76; **Amended:** 07/09/76; **CARB Ex. Ord. G-73:** 02/01/77; **Readopted:** 07/25/77; **Amended:** 02/20/79; **Amended:** 12/19/88; **Amended:** 11/02/92; **Amended:** mm/dd/yy)

RULE 463
Storage of Organic Liquids

(A) General Description

(1) Purpose:

~~The purpose of this rule is to~~To ~~limit~~ control the emissions of V~~v~~olatile O~~o~~rganic C~~c~~ompounds (VOC) and toxic compounds ~~(such as benzene)~~ during the s~~S~~torage of o~~O~~rganic ~~L~~liquids~~, and in conjunction with Rules 461 and 462, limit the emissions from the storage, transfer, and dispensing of organic liquids, including bulk facilities, retail service stations, and others, the transport of fuels between these facilities and the transfer of fuel into motor vehicle tanks.~~

(2) Applicability:

(a) All above ground Gasoline storage tanks of capacity of at least 250 gallons (950 liters);

(b) All above ground Organic Liquid storage tanks of capacity of at least 19,815 gallons (75,000 liters); and

(c) All Organic Liquid storage tanks of capacity of at least 39,630 gallons (150,000 liters).

(B) Definitions

The definitions contained in, District Rule 102 – Definition of Terms, shall apply unless a term is otherwise defined herein:~~For the purposes of this rule, the following terms are defined.~~

~~(1) Gasoline: means any organic liquid, including petroleum distillate and methanol, having a Ried Vapor Pressure of 200 mm Hg (3.9 pounds per square inch), or greater, and used as a motor vehicle fuel, or any fuel which is commonly or commercially known or sold as gasoline.~~ [*in 102*]

~~(2) Organic Liquid: means any compound of carbon, including organic materials, organic solvents and gasoline, which is in a liquid phase at ambient or storage conditions~~ [*move to 102*]~~.~~

~~(3) Organic Materials: means chemical compounds of carbon excluding: carbon monoxide, carbon dioxide, carbonic acid, metallic carb~~_~~ides, metallic carbonates and ammonium carbonate.~~[*in 102*]

~~(4) Organic Solvents: includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, except that such material exhibiting a boiling point higher than 104 oC (219oF) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvent unless exposed to temperatures exceeding 104oC (219oF). *[in 102]*~~

~~(1) "External Floating Roof" - A vapor loss control device, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and which is equipped with an approved closure device between the tank shell and roof edge. [*Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97*]~~ *[Moved from the draft to 102]*

~~(2) "Internal Floating Roof" - A vapor loss control device consisting of a fixed roof with an internal floating-type cover which prevents the release or emission to the atmosphere of organic vapors or gases at an efficiency equivalent to an approved External Floating Roof closure device. [*Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97*] [Moved from the draft to 102]*

(1) "Metallic-Shoe Seal" - A type of seal used to minimize evaporative losses of Organic Liquids from a storage tank equipped with an External Floating Roof. It serves a primary seal, and is constructed with vertical metal plates or "shoes", connected by braces or other devices to the circumference of the floating roof. They are partially immersed in the liquid being stored, and are suspended in such a way that they are forced outward against the inner tank wall. [*Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97*]

(2) "Resilient-Toroid Seal" - A type of seal used to minimize evaporative losses of Organic Liquids from a storage tank equipped with an External Floating Roof. It is a toroidal tube, or "donut", made of fabric or other resilient material, that rests on the surface of the stored liquid. It serves as primary seal that minimizes evaporative losses from the tank. The toroid seal may be filled with air, foam, or other resilient material. [*Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97*]

~~() "True Vapor Pressure" - The true vapor pressure under actual storage conditions as determined by the test method ASTM D-323-82. [*Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97*] [*move from draft to 102*] [*definitions added to provide clarity and reduce repetition in the rule*]~~

(C) Requirements

(1) Tanks Over ~~150,000 Liters In~~39, 630 gallons of Capacity

No person shall place, store or hold in any ~~stationary tank, reservoir or other container of more than~~ storage tank, with a capacity of 39,630 gallons ~~150,000 liters (39,630 gallons~~ (150,000 liters) or greater, ~~capacity,~~ any organic liquid having a T~~t~~rue V~~v~~apor P~~p~~ressure of 25.8 mm Hg (0.5 psi) ~~77.5 mm Hg (1.5 psia)~~ or greater ~~under actual storage conditions~~, unless such tank~~, reservoir or other~~

~~container~~ is a pressure tank maintaining working pressures sufficient at all times to prevent organic vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices, which is properly installed, properly maintained and in good operating order: *[Reduced vapor pressure found in other District rules; Placer APCD, Rule 212 – Storage of Organic Liquids, 6/19/97; South Coast AQMD, Rule 463 – Organic Liquid Storage, 11/4/11; Yolo-Solano, Rule 2.21, 8/21/16; Antelope Valley AQMD, Rule 463 – Organic Liquid Storage, 3/11/94.]*

(a) An Eexternal Ffloating Rroof, ~~consisting of a pontoon-type or double-deck-type cover~~ that rests on the surface of the liquid contents at all times, except as provided in Subsection (C)(3)(c) and is equipped with a closure device between the tank shell and roof edge. Except as provided in Subsections (C)(1)(a)(~~3~~iii) and (C)(1)(a)(~~4~~iv), the closure device shall consist of two seals, one above the other; the one below shall be referred to as the primary seal, and the one above shall be referred to as the secondary seal. Seal designs shall be submitted to the ~~Air Pollution Control Officer (~~APCO~~)~~ and shall not be installed or used unless they are approved by the APCO as meeting the criteria set forth in Section (F) - Specifications f~~F~~or Closure Devices, as applicable. *[External floating roof defined in definitions]*

(i) For a closure device on a welded tank shell which uses a Mmetallic-Ss~~hoe-type~~ Sseal as its primary seal: refer to Section (F)(1) for specifications.

(ii) For a closure device which use~~sd~~ a Rresilient-T~~t~~oroid-~~type~~ Ss~~e~~al as its primary seal: refer to Section (F)(2) for specifications.

(iii) For a closure device on a ~~reieted~~ riveted tank shell which uses a Mmetallic-Ss~~hoe-type~~ Sseal as its primary seal: refer to Section (F)(3) for specifications.

(iv) EXEMPTION: The requirements of Subsections (F)(1) through (F)(3) shall not apply to any person who demonstrates to the APCO that a closure device has been installed, ~~or is available for installation~~, which by itself or in conjunction with other vapor loss control devices, controls vapor loss at all tank levels with an effectiveness equivalent to a closure device on a welded tank which meets the requirements of Subsection (F)(1). This exemption is subject to the specifications of Section (F)(4) of this rule.

(v) ANNUAL DISTRICT INSPECTIONS: The primary seal envelope shall be made available for unobstructed inspection by the ~~APCO on~~APCO on an annual basis at the location selected along its circumference at random by the APCO. In the case of riveted tanks with toroid-type seals, eight such locations shall be made available; in all other cases, four such locations shall be made available. ~~If the APCO detects one or more violations as a result of any such inspection, the APCO~~If a violation is discovered during an annual inspection, the APCO may require ~~such~~ further

unobstructed inspection of the primary seal ~~as may be necessary~~ to determine the seal condition for its entire circumference. In addition, for tanks ~~with~~ installing a secondary seal ~~s installed after February 20, 1979,~~ the primary seal envelope shall be made available for inspection by the APCO prior to installation of the secondary seal. ~~Thereafter, and for tanks with secondary seals installed before February 20, 1979, the primary seal envelope~~Secondary seals that are already in place shall be made available for unobstructed inspection by the APCO for its full length every 5 years ~~after February 20, 1979~~. In the event that a ~~, except that if the~~ secondary seal is voluntarily removed by the Oowner ~~or~~/Ooperator ~~prior thereto~~, it shall be made available for such inspection at that time. The Oowner ~~or~~/Ooperator shall provide notification to the APCO no less than 7 working days prior to voluntary removal of the secondary seal. [*date no longer applicable, all secondary seals are now subject to 5 year unobstructed inspections*]

(vi) All openings in the roof except pressure-vacuum valves, which shall be set to within ten percent (10%) of the maximum allowable working pressure of the roof, shall provide a projection below the liquid surface to prevent belching of liquid and to prevent entrained or formed organic vapor from escaping from the liquid contents of the tank and shall be equipped with a cover, seal, or lid. The cover, seal, or lid shall at all times be in closed position, with no visible gaps, except when the device or appurtenance is in use.

(vii) Any emergency roof drain shall be provided with a slotted membrane fabric cover, or equivalent, that covers at least nine-tenths of the area of the opening.

(viii) A floating roof shall not be used if the organic liquid stored has a Ttrue Vvapor Ppressure of 569 mm Hg (11 psi) absolute or greater under storage conditions.

(b) A fixed roof with an internal-floating-type cover that rests on the surface of the liquid contents at all times except as provided in Subsection (C)(3)(c) and is equipped with a closure device.

(i) For a fixed roof tank the closure device shall consist of either a liquid mounted primary seal only, or two seals:, a primary and a secondary seal. All openings and fittings shall be fully gasketed and/or controlled in a manner specified by the APCO. The closure device shall control vapor loss with an effectiveness equivalent to the outlined criteria in ~~a closure device which meets the requirements of paragraph~~ Subsection (F)(1). Internal Ffloating Rroof and seal designs shall be submitted to the APCO and shall not be installed or used unless they are approved by the APCO.

(ii) A fixed roof tank ~~container~~ with an internal-floating-¬type cover shall not be used if the organic liquid stored has a Ttrue Vvapor

Ppressure of 569 mm Hg (11 psi) absolute or greater under actual storage conditions.

(iii) ~~Compliance shall be verified by measuring with an explosimeter the concentration of organic compound in the vapor space above the internal floating roof, in terms of the lower explosive limit (LEL). Such reading for an internal floating roof shall not exceed 50 percent of the LEL for those installed prior to December 19, 1988 and 30 percent of the LEL for those installed after December 19, 1988.~~ Compliance shall be verified by measuring the vapor space above the floating roof with an explosimeter, which will determine the lower explosive limit (LEL). LEL readings for the Internal Floating Roof shall not exceed 50 percent (50%) for those installed prior to December 19, 1988 and 30 percent (30%) of the LEL for those installed after December 19, 1988. [*Content not changed, rewrote for clarification*]

(iv) Visual i~~I~~nspection of the secondary seal shall be performed by the tank operators semi-annually. A record of such inspection shall be maintained and such records shall be made available for review by the APCO upon request.

(v) The primary and secondary seals shall be inspected and repaired, if necessary, each time the tank is emptied and gas-freed. The APCO shall be notified at least 48 hours in advance of each such gas-freeing.

(c) A fixed roof tank with a vapor recovery system consisting of a system capable of collecting all organic vapors and gases, and a vapor return or disposal system ~~-~~capable of processing such vapors and gases, so as to prevent their emission to the atmosphere at an efficiency of at least 95 percent (95%) by weight.

(i) Any tank gauging or sampling device on a tank vented to the vapor recovery system shall be equipped with a gas-tight cover which shall be closed at all times except during gauging or sampling.

(ii) All piping, valves and fittings shall be constructed and maintained ~~in a gas tight condition~~both Liquid Tight and Vapor Tight, such that no organic vapor or gas leaks are detectable. [*new to D4. Liquid Tight and Vapor Tight are defined in our rule 102, and provides additional clarity*].

(d) Other equipment having a vapor loss control efficiency of at least 95~~%~~ percent (95%) by weight, provided an application for installation of such equipment is submitted to and written approval from the APCO prior to the commencement of construction and/or operation.

(2) Tanks w~~W~~ith ~~150,000 Liters~~39,630 Gallons ~~O~~or Less Capacity

A person shall not place, store or hold in any above-ground ~~stationary~~ storage tank~~, or other container of~~ with a capacity of 39,630 gallons (150,000 liters)

~~(39,630)~~ or less, ~~capacity~~ any organic liquid having a Tt~~t~~rue Vv~~v~~apor Pp~~p~~ressure of 77.5 mm Hg (1.5 psia) or greater under actual storage conditions, unless such tank is equipped with a pressure-vacuum valve which is set to within ten percent (10%) of the maximum allowable working pressure of the ~~container~~ tank, or is equipped with a vapor loss control device which complies with the requirements set forth in Section (C)(1). ~~The provisions of this section shall not apply to any container of 950 liters (251 gallons) or less capacity.~~ [*covered in applicability statement*]

(3) Additional Requirements

(a) All of the components of a facility including but not limited to tanks, flanges, seals, pipes, pumps, valves, meters, connectors, shall be maintained and operated so as to prevent Ff~~f~~ugitive Vv~~v~~apor Ll~~l~~eaks, Ff~~f~~ugitive ~~l~~Liquid Ll~~l~~eaks, and excess organic liquid drainage during transfer, storage and handling operations.

(b) Efficiency, as ~~used~~ outlined in Subsections (C)(1)(c) and (~~e~~C)(1)(d) means a comparison of controlled emissions to those emissions which would occur from a fixed or cone roof tank in the same product service without a vapor control system. Base line emissions shall be calculated by using the criteria outlined in American Petroleum Institute Bulletin 2518.

(c) The roof of any internal or Ee~~e~~xternal Ff~~f~~loating Rr~~r~~oof tank is to be floating on the liquid at all times (i.e. free of the roof leg supports) except when the tank is being completely emptied for cleaning, or repair. The process of emptying, and/or refilling, when the roof is resting on the leg supports, shall be continuous and shall be accomplished as rapidly as possible, and:~~:~~

(i) If the tank has been gas-freed and is to be refilled with Gg~~g~~asoline, the roof shall be refloated with water, or equivalent procedure approved by the APCO.

(d) Owner/Operator Inspection Requirements:

(i) All floating roof tanks subject to this rule shall be inspected twice per year at 4 to 8 months intervals.

(ii) Additionally, the primary and secondary seals shall be inspected each time a floating roof tank is emptied and degassed. Gap measurements shall be performed on an External Floating Roof tank when the liquid surface is still but not more than 24 hours after the tank roof is refloated.

(e) Maintenance Requirements:

Any floating roof tank which does not comply with any provision of this rule shall be brought into compliance within 72 hours of the determination of non-compliance. The repaired or replacement component shall be

reinspected the first time the component is in operation after the repair or replacement. *[Sections (C)(3)(d) & (C)(3)(e) obtained from South Coast AQMD, Rule 463 – Organic Liquid Storage, 11/4/11]*

(D) Record Keeping and Recording

(1) A person whose tanks are subject to this rule shall keep an accurate record of liquids stored in such ~~containers~~ tanks and the T~~t~~rue V~~v~~apor P~~p~~ressure ranges of such liquids, or other criteria, as approved by the APCO.

(2) Organic liquids listed on the addendum to this rule shall be deemed to be in compliance with the appropriate vapor pressure limits for the tank in which it is stored, provided the actual storage temperature does not exceed the corresponding maximum temperature listed as recorded on a daily basis.~~.~~

(3) The O~~o~~wner ~~or~~/ O~~o~~perator shall maintain a log of all inspections, repairs and maintenance on equipment subject to this rule. Such a log or records shall be maintained at the facility for at least ~~2~~ 5 years and shall be made available to the APCO upon request.

(E) Exemptions

(1) The provisions of Subsection (C)(3)(c) shall not apply to ~~gasoline~~ Gasoline storage tanks at bulk ~~gasoline~~ Gasoline distribution terminals which do not have:

(a) E~~e~~xisting facilities for treatment of waste water used to refloat the tank roof; or

(b) F~~f~~acilities for equivalent emission control when refloating the roof with product.

(2) Notwithstanding the secondary and primary seal requirements of subparagraphs (F)(1), a secondary or primary seal may be loosened or removed for preventive maintenance, inspection and/or repair upon prior notification and subject to the prior written approval of the APCO and for a period not exceeding 72 hours.

(F) Specifications f~~F~~or Closure Devices

(1) For a closure device on a welded tank shell which uses a M~~m~~etallic-S~~s~~hoe-~~type~~ S~~s~~eal as its primary seal:

(a) Gaps between the tank shell and the primary seal shall not exceed 1 ½ inches (3.8 centimeters) ~~(1-1/2 inches)~~ for an accumulative length of 10 percent (10%), ½ inch (1.3 centimeters) ~~(1/2 inch)~~ for another 30 percent (30%), and 1/8 of an inch (0.32 centimeter~~s~~) ~~(1/8 inch)~~ for the remaining 60 percent (60%) of the circumference of the tank. No gap between the tank shell and the primary seal shall exceed 1 ½ inches (3.8 centimeters). ~~(1-1/2 inches).~~ No continuous gap greater than a 1/8 of an inch (0.32

centimeters) (1/8 inch) shall exceed 10% percent (10%) of the circumference of the tank.

(b) Gaps between the tank shell and the secondary seal shall not exceed a 1/8 of an inch (0.32 centimeters) (1/8 inch) for an accumulative length of 95 percent (95%) of the circumference of the tank, and shall not exceed a ½ an inch (1.3 centimeters) (1/2 inch) for an accumulative length of the remaining 5 percent (5%) of the circumference of the tank. No gap between the tank shell and the secondary seal shall exceed ½ an inch (1.3 centimeters) (1/2 inch).

(c) Metallic-Sshoe-type Sseals installed on or after date of adoption of this rule, shall be installed so that one end of the shoe extends into the stored liquid and the other end extends a minimum vertical distance of 24 inches (61 centimeters) (24 inches) above the stored liquid surface.

(d) The geometry of the shoe shall be such that the maximum gap between the shoe and the tank shell is no greater than double the gap allowed by the seal gap criteria for a length of at least 18 inches (46 centimeters) (18 inches) in the vertical plane above the liquid surface. There shall be no holes or tears in, or openings which allow the emission of organic vapors through the secondary seal or in the primary seal envelope surrounding the annular vapor space enclosed by the roof edge, stored liquid surface, shoe, and seal fabric . (A typical metallic shoe type seal with a pantagraph type hanger is shown in Figure 1. This sketch is for illustrative purposes only and does not constitute endorsement of any product or company.) *[Figure 1 is no longer available]*

(e) The secondary seal shall allow easy insertion of probes up to 1 ½ inches (3.8 centimeters) (1-1/2 inches) in width in order to measure gaps in the primary seal in accordance with section (C) (1) (a) (v). [*clarifying*]

(f) The secondary seal shall extend from the roof to the tank shell and shall not be attached to the primary seal.

(2) For a closure device which used a Rresilient-Ttoroid-type sSeal as its primary seal:

(a) If installation was commenced prior to February 20, 1980, gaps between the tank shell and the primary seal shall not exceed an 1/8 of an inch (0.32 centimeters) (1/8 inch) for an accumulative length of 95 percent (95%) of the circumference of the tank, and shall not exceed a ½ an inch (1.3 centimeters) (1/2 inch) for an accumulative length of the remaining 5 percent (5%) of the tank circumference. No gap between the tank shell and the 2primary seal shall exceed a ½ an inch (1.3 centimeters). (1/2 inch).

(b) If installation was commenced prior to February 20, 1980 gaps between the tank shell and the secondary seal shall not exceed an 1/8 of an inch

(0.32 centimeters) (1/8 inch) for an accumulative length of 95 percent (95%) of the circumference of the tank, and shall not exceed a ½ an inch (1.3 centimeters) (1/2 inch) for an accumulative length of the remaining 5 percent (5%) of the tank circumference. No gap between the tank shell and the secondary seal shall exceed a ½ an inch (1.3 centimeters) (1/2 inch). (A typical resilient-toroid-type seal with resilient-foam-type filling is shown in Figure 2. This sketch is for illustrative purposes only and does not constitute endorsement of any product or company.) [*Figure 2 is no longer available]*

(c) If installation is commenced after February 20, 1980, the tank Oowner or/ Ooperator shall, prior to installation, demonstrate to the Air Pollution Control OfficerAPCO, that the closure device controls vapor loss with an effectiveness equivalent to a closure device on a welded tank which meets the requirements of Subsection (F)(1)(a). The Air Pollution Control OfficerAPCO shall determine whether equivalence exists in accordance with Subsection (C)(1)(a)(4iv). If equivalence is demonstrated using primary or secondary seal gap criteria (if any) different from the criteria specified in Subsections (F)(2)(a) or (b), those criteria shall be controlling for all purposes of this rule in lieu of the criteria specified in Subsections (F)(2)(a) and (b).

(d) There shall be no holes or tears in, or openings which allow the emission of organic vapors through the secondary seal or in the primary seal envelope surrounding the annular vapor space enclosed by the roof edge, seal fabric and secondary seal.

(e) The secondary seal shall allow easy insertion of probes up to 1 ½ inches (3.8 centimeters) (1-1/2 inches) in width in order to measure gaps in the primary seal.

(f) The secondary seal shall extend from the roof of the tank shell and not be attached to the primary seal.

(3) For a closure device on a riveted tank shell which uses a Mmetallic-Sshoe-type Sseal as its primary seal;

(a) The closure device shall consist of two seals, one above the other; the one below shall be referred to as the primary seal, and the one above shall be referred to as the secondary seal.

(b) The closure device shall control vapor loss with an effectiveness equivalent to a closure device on a welded tank which meets the requirements of Subsection (F)(1). The APCO shall determine whether equivalence exists in accordance with Subsection (C)(1)(a)(4iv). Gaps between the primary and secondary seals shall not exceed the gaps (if any) associated with the closure device approved as equivalent by the APCO, and shall be controlling for all purposes of this rule.

(c) Metallic-Sshoe-~~type~~ Sseals installed on or after February 20, 1979 shall be installed so that one end of the shoe extends into the stored liquid and the other end extends a minimum vertical distance of 24 inches (61 centimeters) ~~(24 inches~~) above the stored liquid surface. The geometry of the shoe shall be such that the maximum gap between the shoe and the tank shell is no greater than double the gap allowed by the seal gap criteria for a length of at least 18 inches (46 centimeters) ~~(18 inches)~~ in the vertical plan~~ce~~. ~~(A typical metallic shoe-type seal with a pantagraph-type hanger is shown in Figure 1. This sketch is for illustrative purposes only and does not constitute endorsement of any product or company).~~ [*depiction in figure 1 is no longer available*]

(d) There shall be no holes or tears in, or openings which allow the emission of organic vapors through the envelope surrounding the annular vapor space enclosed by the roof edge, stored liquid surface, shoe, and seal fabric.

(e) Any secondary seal shall allow easy insertion of probes up to 2 ½ inches (6.4 centimeters) ~~(2-1/2 inches)~~ in width in order to measure gaps in the primary seal.

(f) Any secondary seal shall extend from the roof to the tank shell and shall not be attached to the primary seal.

(4) The Oowner ~~or~~/-Ooperator of any tank with such a system, or proposed to be equipped with such a system, shall, prior to use on installation, demonstrate equivalence to the APCO as follows:

(a) By an actual emissions test in a full-size or scale sealed tank facility which accurately collects and measures all hydrocarbon emissions associated with a given closure device, and which accurately simulates other emission variables, such as temperature, barometric pressure and wind. The test facility shall be subject to prior approval by the APCO, or,

(b) By a pressure leak test, engineering evaluation or other means, where the APCO determines that the same is an accurate method of determining equivalence.

(G) If any portion of this rule shall be found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule, which shall continue to be in full force and effect.

(H) Compliance Verification Test Methods*

(1) True Vapor Pressure shall be determined in accordance with ASTM Method D 323-82, or the unmodified Reid Method and the T~~t~~rue V~~v~~apor P~~p~~ressure in psi absolute of stored liquid shall be determined by using the nomographs contained in American Petroleum Institute Bulletin 2517 for conversion of Reid vapor pressure to T~~t~~rue V~~v~~apor P~~p~~ressure.

(2) Vapor Tightness (Fugitive Vapor Leaks) for all equipment described in Section (C) shall be determined by EPA Method 21 - Determination of Volatile Organic Compounds Leaks.

(3) Vapor Tightness for delivery vessels shall be determined by the EPA Method entitled Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (method specified in the CTG EPA-450/2-78-051), or the CARB Method entitled, "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks".

(4) Vapor Tightness for bulk plants shall be determined by CARB Method CP-202, "Certification ~~of~~ Procedure for Vapor Recovery Systems ~~–~~ of Bulk Plants".

(5) Vapor Tightness terminals shall be determined by CARB Method CP-203, "Certification ~~of~~ Procedure for Vapor Recovery Systems ~~– Gasoline~~of Terminals".

(6) Vapor Tightness for service stations shall be determined by the CARB Methods in CP-201 "~~"~~Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities~~Test Procedures for Determining the Efficiency of Gasoline Vapor Recovery Systems at Service Stations~~". *[Updated Certification Procedure Titles for CP-201-203 to reflect what is currently listed on the CARB website]*

* A violation determined by any one of these test methods shall constitute a violation of the rule.

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
RULE 463 - ADDENDUM

STORAGE TEMPERATURES vs. ~~ACTUAL~~ TRUE VAPOR PRESSURE
(gravity/initial boiling points referenced)

	Reference Property A - API B - IBP, °F		Temperature, °F Not to Exceed Vapor Pressure	
Organic Liquids	A	B	0.5 pisa	1.5 pisa
Crude Oils	12	---	---	---
	13	---	120	180
	14	---	85	145
	16	---	60	107
	18	---	55	93
	20	---	52	84
	22	---	49	77
	24	---	45	73
	26	---	42	70
	28	---	40	67
	30	---	38	64
Middle Distillates				
Kerosene	42.5	350	195	250
Diesel	36.4	372	230	290
Gas Oil	26.2	390	249	310
Stove Oil	23	421	275	340
Jet Fuels				
JP-1	43.1	330	165	230
JP-3	54.7	110	---	25
JP-4	51.5	150	20	68
JP-5	39.6	355	205	260
JP-7	44-50	360	205	260

	Reference Property A - API B - IBP, °F		Temperature, °F Not to Exceed Vapor Pressure	
Fuel Oil				
# 1	42.5	350	195	250
# 2	36.4	372	230	290
# 3	26.2	390	249	310
# 4	23.0	421	275	340
# 5	19.9	560	380	465
# 6	16.2	625	450	---
Asphalts				
60-100 pen.	---	---	490	550
120-150 pen.	---	---	450	500
200-300 pen.	---	---	360	420
Acetone	47.0	133	---	35
Acrylonitrile	41.8	173	30	60
Benzene	27.7	176	35	70
Cyclohexane	49.7	177	35	70
Ethylacetate	23.6	171	35	70
Ethyl Alcohol	47.0	173	45	83
Isopropyl Alcohol	47.0	181	45	87
Methyl Alcohol	47.0	148	---	50
Mehylethyl Ketone	44.3	175	30	70
Toluene	30.0	231	73	115
Vinyl Acetate	19.6	163	---	60
Carbon Disulfide	10.6	116	---	10
Carbon Tetra-Chloride	13.4	170	30	60
Chloroform	12.5	142	---	40

	Reference Property A - API B - IBP, °F		Temperature, °F Not to Exceed Vapor Pressure	
1,2-Dichloro-ethane	10.5	180	35	77
Methylene Chloride	11.1	104	---	70
1,1,1-Trichloro-ethane	11.2	165	60	100
Trichloroethylene	12.3	188	50	91

See SIP Table at http://www.mdaqmd.ca.gov/ ~~Modules/ShowDocument.aspx?documentid=45~~

~~[SIP: Approved 5/3/95, 60 FR 21702, 40 CFR 52.220(c)(191)(i)(C); Approved 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(xii)(B); Approved _____, _____, 40 CFR 52.220(c)(42)(xiii)(A)]~~

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
RULE 463 - ADDENDUM

STORAGE TEMPERATURES vs. ~~ACTUAL~~ TRUE VAPOR PRESSURE
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	14	---	85	145
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	18	---	55	93
	20	---	52	84
	22	---	49	77
	24	---	45	73
	26	---	42	70
	28	---	40	67
	30	---	38	64
Middle Distillates				
Kerosene	42.5	350	195	250
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Gas Oil	26.2	390	249	310
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Jet Fuels				
JP-1	43.1	330	165	230
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	Reference Property A - API B - IBP, °F		Temperature, °F Not to Exceed Vapor Pressure	
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See SIP Table at http://www.mdaqmd.ca.gov/ ~~Modules/ShowDocument.aspx?documentid=45~~

~~[SIP: Approved 5/3/95, 60 FR 21702, 40 CFR 52.220(c)(191)(i)(C); Approved 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(xii)(B); Approved _____, _____, 40 CFR 52.220(c)(42)(xiii)(A)]~~

Appendix "B"

Public Notice Documents

1. Draft Proof of Publication – Daily Press
2. Draft Proof of Publication – Riverside Press Enterprise

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NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on October 23, 2017 at 10:00 A.M. to consider the proposed amendment of Rule 102 – *Definition of Terms,* Rule 461 – *Gasoline Transfer and Dispensing,* Rule 462 – *Organic Liquid Loading,* Rule 463 – *Storage of Organic Liquids,* Rule 1115 – *Metal Parts & Products Coating Operations,* and Rule 1160 – *Internal Combustion Engines.*

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed rules and the associated Staff Reports are on file and may be obtained from the Executive Office Manager at the MDAQMD Offices. Written comments may be submitted to Brad Poiriez, APCO at the above office address. Written comments should be received no later than October 20, 2017 to be considered. If you have any questions regarding Rule 102 or Rule 1115 you may contact Tracy Walters at (760) 245-1661 extension 6122 for further information. If you have any questions regarding Rules 461, 462, or 463 you may contact Michelle Zumwalt at extension 5756 for further information. If you have any questions regarding Rule 1160 you may contact Sheri Haggard at extension 1864 for further information. Traducción esta disponible por solicitud.

The proposed amendment of Rule 102 – *Definition of Terms* is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity.

Rules 461, 462, 463, 1115 and 1160 are proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 – 14 Cal. Code Reg §15308) applies and has prepared a *Notice of Exemption* for this action.

NOTICE OF HEARING

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The proposed amendment of Rule 102 – *Definition of Terms* is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity.

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Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 – 14 Cal. Code Reg §15308) applies and has prepared a *Notice of Exemption* for this action.

Appendix "C"

Public Comments and Responses

1. Kinder Morgan – Comment submittal, August 31, 2017
    a. District Response contained within attached email, September 7, 2017
2. Metropolitan Water District – Comment submittal, September 7, 2017
    a. District Response contained within attached email, September 12, 2017
3. Kinder Morgan – Comment submittal, September 19, 2017
    a. District Response contained within attached email, September 25, 2017
4. Metropolitan Water District – Comment submittal, September 19, 2017
    a. District Response contained within attached email, September 25, 2017

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1.) Comment Submission by: Kinder Morgan

Michelle Zumwalt

From: Michelle Zumwalt
Sent: Thursday, September 7, 2017 11:10 AM
To: 'Picado, Juziel'
Cc: Alan De Salvio
Subject: RE: Amendments to Rules 461, 462 and 463

Also, your interpretation of the breakdown requirements in section 6 are correct.

Thanks,
Michelle

From: Michelle Zumwalt
Sent: Thursday, September 7, 2017 11:07 AM
To: 'Picado, Juziel'
Cc: Alan De Salvio
Subject: RE: Amendments to Rules 461, 462 and 463

Please see responses below…

Please feel free to reach out to me if you have any questions.

Thanks,

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue ● Victorville, CA 92392
Phone: (760) 245-1661 x5756 ● Fax: (760) 245-2022
www.mdaqmd.ca.gov ● www.avaqmd.ca.gov

From: Picado, Juziel [mailto:Juziel_Picado@kindermorgan.com]
Sent: Thursday, August 31, 2017 9:57 AM
To: Michelle Zumwalt
Subject: RE: Amendments to Rules 461, 462 and 463

Hi Michelle,

I have a few comments/questions regarding the proposed amendments to Rules 461, 462 and 463. They are as follows:

Rule 461

1) It is our understanding that this rule is not applicable to bulk terminals. Is this correct?
    a. 461 is not applicable to bulk terminals.

Rule 462

2) Page 1, Sections (A)(1)(a) and (A)(2)(b)
    a. the above mentioned sections do not apply to gas stations.

1

Is loading into motor vehicle fuel tanks gasoline dispensing, i.e. like what is done at gasoline stations? If so, are gasoline stations subject to this rule since it mentioned retail and non-retail service stations by that particular terminology? If gasoline stations are not intended for this rule, we suggest removing any reference to them from this rule.

b. Gas Stations are however subject Section (D) Additional Requirements of this rule, so they cannot be removed.

3) Page 4, Section (C)(1)(e)
This section mentions "facility vapor leaks, or liquid leaks". Could please clarify if what is meant here to be more clear are "fugitive vapor leaks" and "fugitive liquid leaks", as they are defined in Rule 102? Adding the word "fugitive" might be more indicative that what this section of the rule is trying to prevent are fugitive leaks, whether in vapor or liquid form. Please see item 5 below since it is related.

a. Great suggestion, we will incorporate additional language for clarity into the rule.

4) Pages 4-5, Section (C)(2)(a)(iv)
Suggesting to add " excluding floating roof tanks" to clarify since P/V vents are the control for fixed roof tanks, but not for floating roof tanks.

a. Great suggestion, we will incorporate additional language for clarity into the rule.

5) Page 6, Section (D)(4)(a)
There is a limit of 10,000 ppm mentioned in this rule. Is this limit of 10,000 ppm different because it only applies when switch loading only and has nothing to do with the vapors emitted being considered "fugitive vapor leaks" as defined in Rule 102? If the vapors are considered "fugitive", then the limit is 3,000 ppm, as per Rule 102. In other words, why the two limits, one for 10,000 ppm and the other for 3,000 ppm for fugitive vapor leaks?

a. Per RACT, 10,000 ppm is an applicability threshold.

Rule 463
6) Page 6, Section (C)(3)(e)
Is there any reporting requirement for the tanks found in non-compliance under this section, i.e. report the non-compliance? Also, after this rule is adopted, there will be no need to call tank breakdowns which can be brought back to compliance within 72 hours. Conversely, if it will take longer than 72 hours to bring the tank back into compliance then it's considered a breakdown and a breakdown event would have to be reported to the MDAQMD. Is this interpretation correct?

a. Yes, any tanks found to be non-compliant shall be reported/recorded under section (D)(3) of this rule, including the actions to bring it back into compliance.

7) Please clarify if liquids with a true vapor pressure of less than 0.5 psia (e.g. diesel, jet fuel, biodiesel, etc.) are not subject to Rules 462 and 463.

a. Liquids with a true vapor pressure of less than 0.5 psia are subject to both rules 462, and 463 – please see 462 (D), and 463 (C)(3).

Thank you,

Juziel Picado
Specialist – Permitting Compliance
KINDER MORGAN
1100 Town & Country Rd., Suite 700
Orange, CA 92868
Office: (714) 560-4991
Cell: (714) 438-9478
Juziel_Picado@kindermorgan.com

From: Michelle Zumwalt [mailto:mzumwalt@mdaqmd.ca.gov]
Sent: Monday, August 21, 2017 2:40 PM
To: Picado, Juziel
Subject: RE: Amendments to Rules 461, 462 and 463

[This email message was received from the Internet and came from outside of Kinder Morgan]

Good Afternoon Mr. Picado –

We hope to adopt at the October Governing Board meeting, which will be held on October 23, 2017.

Please let me know if you have any additional questions or comments.

Thanks,

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue • Victorville, CA 92392
Phone: (760) 245-1661 x5756 • Fax: (760) 245-2022
www.mdaqmd.ca.gov • www.avaqmd.ca.gov

From: Picado, Juziel [mailto:Juziel_Picado@kindermorgan.com]
Sent: Monday, August 21, 2017 2:32 PM
To: Michelle Zumwalt
Subject: Amendments to Rules 461, 462 and 463

Hi Michelle,

Can you please send me electronic copies of the proposed amendments to Rules 461, 462 and 463? Also, what is the timeline for implementation of these rules?

Thank you,

Juziel Picado
Specialist – Permitting Compliance
KINDER MORGAN

1100 Town & Country Rd., Suite 700
Orange, CA 92868

Office: (714) 560-4991
Cell: (714) 438-9478
Juziel_Picado@kindermorgan.com

2.) Comment Submission by: Metropolitan Water District

Michelle Zumwalt

From: Michelle Zumwalt
Sent: Tuesday, September 12, 2017 11:25 AM
To: 'Kaufman,Carol Y'
Cc: Fang,Anthony C; Cotter,Sean T; Bell,Janet J; Gabelich,Christopher J; Alan De Salvio
Subject: RE: MWD Comments re: MDAQMD Rule Amendments 461, 462 and 463

Good Morning Ms. Kaufman –

It was a pleasure to speak with you as well. I appreciate your taking to time to review and submit comments, please see my responses below. A staff report and updated draft rules will be circulated in the near future.

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue ● Victorville, CA 92392
Phone: (760) 245-1661 x5756 ● Fax: (760) 245-2022
www.mdaqmd.ca.gov ● www.avaqmd.ca.gov

From: Kaufman,Carol Y [mailto:cykaufman@mwdh2o.com]
Sent: Thursday, September 7, 2017 6:41 PM
To: Michelle Zumwalt
Cc: Fang,Anthony C; Cotter,Sean T; Bell,Janet J; Gabelich,Christopher J
Subject: MWD Comments re: MDAQMD Rule Amendments 461, 462 and 463

Hi Michelle,

Thanks for the discussion yesterday and for providing the electronic copies of the draft rule amendments. To follow-up on our conversation, Metropolitan's comments to date on the proposed amendments are as follows:

- Proposed Amended Rule 461, Gasoline Transfer and Dispensing

  "Altered Gasoline Transfer and Dispensing Facility" – The draft rule contains multiple references to an "Altered Gasoline Transfer and Dispensing Facility". We recommend that a definition of the term be included to clarify what type of changes to a system would constitute an alteration that would trigger the specified rule requirements.

  ➢ **District Response –Thank you for your comments, Altered Gasoline Transfer and Dispensing Facility has been added to the definitions in Rule 461.**

- Proposed Amended Rule 462, Organic Liquid Loading

  Applicability – As currently written, the applicability includes Class "A" or "B" facilities that "…include, but are not limited to, bulk facilities, retail and non-retail service stations or any other facility where organic liquids are stored or transferred." However, in reading the rule, it appears that the rule is intended to regulate facilities that have bulk loading operations, and not small non-retail gasoline dispensing facilities that are already regulated in MDAQMD Rule 461 per the CARB Vapor Recovery requirements. We recommend that the applicability be reviewed,

1

and clarified if the intent is to not regulate these type of facilities that are already regulated as gasoline dispensing facilities under Rule 461. As an example, SCAQMD Rule 462 contains the following applicability definition:

> "(6) FACILITY is an organic liquid or gasoline loading rack or set of such racks that load organic liquid or gasoline into tanks, trailers or railroad cars, which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person or persons under common control."

- District Response – In the preliminary version of the draft rule, applicable tanks for loading were struck from the Class "A" Facility and Class "B" Facility definitions. Those tanks, "tank truck, trailer or railroad tank car", have been maintained in the newest draft of the rule. This update maintains that retail and non-retail gasoline dispensing facilities are not subject to Class "A" and Class "B" facility requirements as outlined in Sections (C)(1) and (C)(2) of Rule 462. However Section (D) is subject to the Health and Safety Code Section 41950 – 41974, which cover both Articles 5 – *Gasoline Vapor Control*; and Article 6 - *Gasoline Cargo Tanks*. This makes stationary storage tanks with a capacity of 250 gallons or greater is subject to Section (D) of the rule, which would reasonably include retail and non-retail gasoline dispensing facilities.

The attached electronic copies will be used to continue Metropolitan's review of the proposed amendments, and we will provide any additional comments in advance of the tentative October adoption.

Please let me or Anthony Fang (afang@mwdh2o.com, 213-217-6106) know if you have any questions.

Have a great weekend,

Carol Kaufman
Air Quality Program Manager
Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, CA 90012
213-217-6207
FAX 213-217-6700
Cell 310-850-6105

From: Michelle Zumwalt [mailto:mzumwalt@mdaqmd.ca.gov]
Sent: Wednesday, September 06, 2017 2:20 PM
To: Kaufman,Carol Y
Subject: FW: MDAQMD Rule Amendments 461, 462 and 463

Good Afternoon Carol –

Thank you for reaching out to me. Here are the electronic copies of the preliminary drafts that I am working on. We are planning to go to the board with them in October (10/23/2017). I welcome any additional comments or suggestions that you may have.

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue ● Victorville, CA 92392
Phone: (760) 245-1661 x5756 ● Fax: (760) 245-2022
www.mdaqmd.ca.gov ● www.avaqmd.ca.gov

3.) Comment Submission by: Kinder Morgan

Michelle Zumwalt

From: Michelle Zumwalt
Sent: Monday, September 25, 2017 2:39 PM
To: 'Picado, Juziel'
Cc: Wang, Yijin; Alan De Salvio
Subject: RE: Amendments to Rules 461, 462 and 463

Good Afternoon Mr. Picado –

Please see the District response below. Thank you for helping to clarify this section of the rule.

From: Picado, Juziel [mailto:Juziel_Picado@kindermorgan.com]
Sent: Tuesday, September 19, 2017 6:33 AM
To: Michelle Zumwalt
Cc: Wang, Yijin
Subject: RE: Amendments to Rules 461, 462 and 463

Good Morning Michelle,

I was looking over the second revision of Rule 462 and noticed that section (F)(1)(b)(iv) is not crossed out as it was in the first version. The language in the rule reads "storage and transfer temperatures of the organic liquid". Could you please clarify what is meant by transfer temperatures? Does this mean we have to record the temperature every time an organic liquid is transferred, i.e. the transfer temperature?

- District Response: The struck out language in paragraph (F)(1)(b) currently requires that storage and transfer temperatures be recorded on a daily basis. I will update (F)(1)(b)(iv) to clarify that this record keeping will still be required on a daily basis.

Thanks,

Juziel Picado
Specialist – Permitting Compliance
KINDER MORGAN
1100 Town & Country Rd., Suite 700
Orange, CA 92868
Office: (714) 560-4991
Cell: (714) 438-9478
Juziel_Picado@kindermorgan.com

From: Michelle Zumwalt [mailto:mzumwalt@mdaqmd.ca.gov]
Sent: Thursday, September 07, 2017 11:10 AM
To: Picado, Juziel
Cc: Alan De Salvio
Subject: RE: Amendments to Rules 461, 462 and 463

4.) Comment Submission by: Metropolitan Water District

Michelle Zumwalt

From: Michelle Zumwalt
Sent: Monday, September 25, 2017 4:40 PM
To: 'Kaufman,Carol Y'
Cc: Fang,Anthony C; Cotter,Sean T; Bell,Janet J; Gabelich,Christopher J; Alan De Salvio
Subject: RE: MWD Additional Comments re: MDAQMD Rule Amendments 461, 462 and 463

Good Evening Carol –

Thank you for taking the time to comment on our proposed rules for adoption. Please see below for comments. An updated staff report with redlined rules will follow shortly.

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue • Victorville, CA 92392
Phone: (760) 245-1661 x5756 • Fax: (760) 245-2022
www.mdaqmd.ca.gov • www.avaqmd.ca.gov

From: Kaufman,Carol Y [mailto:cykaufman@mwdh2o.com]
Sent: Tuesday, September 19, 2017 1:59 PM
To: Michelle Zumwalt
Cc: Fang,Anthony C; Cotter,Sean T; Bell,Janet J; Gabelich,Christopher J
Subject: MWD Additional Comments re: MDAQMD Rule Amendments 461, 462 and 463

Hi Ms. Zumwalt,

We appreciate the timely response to our initial comments and for incorporating the recommended definition in Proposed Amended Rule (PAR) 461. Relative to the second comment on PAR 462, Organic Liquid Loading, as we discussed late last week it was made in an attempt to clarify the rule applicability and minimize possible duplication between the organic liquid rules and Rule 461 which is specific for the transfer and dispensing of gasoline (i.e., into any stationary storage tank or mobile fueler or motor vehicle fuel tank).

Along these lines, we ask that the following be considered:

- Proposed Amended Rule 462, Organic Liquid Loading – the Purpose and Applicability should be limited to "facilities that load organic liquids with a vapor pressure of 1.5 psia (77.5 mm Hg) or greater under actual loading conditions into any tank truck, trailer, or railroad tank car." Loading into a stationary storage tank or a motor vehicle fuel tank is already covered in Rule 461. As such, the regulatory requirements (e.g., pursuant to the Health and Safety Code) for retail and non-retail gasoline transfer and dispensing facilities would then be centralized in Rule 461 and not repeated in Rule 462. This applicability is consistent with the approach of other air districts, such as Antelope Valley AQMD (AVAQMD) and SCAQMD, where their Rules 462 are limited to tank truck, trailer, or railroad tank car.
    - District Response: The applicable vapor pressure could vary based on type of organic liquid stored at a facility. Organic Liquid is defined in Rule 102 as, "Any compound of carbon, including organic materials, organic solvents and gasoline, which is in a liquid phase at ambient or storage conditions." Class A

Facility and Class B Facility are defined in 462 as having True Vapor Pressure under actual storage conditions as 77.5 mm (1.5 psia) or greater.

Section D of this rule is subject to the Health and Safety Code Section 41950 – 41974, which cover both Articles 5 – Gasoline Vapor Control; and Article 6 - Gasoline Cargo Tanks. This makes stationary storage tanks with a capacity of 250 gallons or greater is subject to Section (D) of the rule, which would reasonably include retail and non-retail gasoline dispensing facilities.

- Proposed Amended Rule 463, Storage of Organic Liquids – since this rule applies to above ground gasoline storage tanks of capacity of at least 250 gallons, we recommend that the following phrase be added to (C) Requirements, (1)(c)(ii) – "All piping, valves and fittings shall be constructed and maintained in a gas tight condition, such that no organic vapor or gas leaks are detectable, ***in accordance with requirements of other District rules for such equipment.*** This wording is also found in AVAQMD and SCAQMD Rules 463, and appears to be a reference to the Rule 461 requirements for gasoline transfer and dispensing facilities.
    - District Response: Language has been clarified in section (C)(1)(c)(ii) to reference the defined terms (capitalized) in our Definitions Rule 102, "All piping, valves and fittings shall be constructed and maintained both ***Liquid Tight*** and ***Vapor Tight***, such that no organic vapor or gas leaks are detectable."

Thank you again for your consideration of our clarification comments. Please let me or Anthony Fang (afang@mwdh2o.com, 213-217-6106) know if you would like to discuss further.

Take care,

Carol

From: Michelle Zumwalt [mailto:mzumwalt@mdaqmd.ca.gov]
Sent: Tuesday, September 12, 2017 11:25 AM
To: Kaufman,Carol Y
Cc: Fang,Anthony C; Cotter,Sean T; Bell,Janet J; Gabelich,Christopher J; Alan De Salvio
Subject: RE: MWD Comments re: MDAQMD Rule Amendments 461, 462 and 463

Good Morning Ms. Kaufman –

It was a pleasure to speak with you as well. I appreciate your taking to time to review and submit comments, please see my responses below. A staff report and updated draft rules will be circulated in the near future.

Michelle Zumwalt
Air Quality Specialist

Mojave Desert AQMD / Antelope Valley AQMD
14306 Park Avenue ● Victorville, CA 92392
Phone: (760) 245-1661 x5756 ● Fax: (760) 245-2022
www.mdaqmd.ca.gov ● www.avaqmd.ca.gov

From: Kaufman,Carol Y [mailto:cykaufman@mwdh2o.com]
Sent: Thursday, September 7, 2017 6:41 PM

(**Adopted:** 01/09/76; **Amended:** 05/07/76; **Amended:** 07/09/76; **CARB Ex. Ord. G-73:** 02/01/77; **Readopted:** 07/25/77; **Amended:** 02/20/79; **Amended:** 12/19/88; **Amended:** 11/02/92; **Amended:** mm/dd/yy)

Appendix "D"

California Environmental Quality Act Documentation

1. Draft Notice of Exemption – San Bernardino County
2. Draft Notice of Exemption – Riverside County

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NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: .Amendment of: Rule 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Loading*, Rule 463 – *Storage of Organic Liquids*

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: Rule 461, 462 and 463 are proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)
Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))
X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed amendments to Rules 461, 462, and 463 are exempt from CEQA review because the amendments will not create any adverse impacts on the environment. Because there is no potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 10/23/2017

DATE RECEIVED FOR FILING:

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: . Amendment of: Rule 461 – *Gasoline Transfer and Dispensing*, Rule 462 – *Organic Liquid Loading*, Rule 463 – *Storage of Organic Liquids*

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

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Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)
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REASONS WHY PROJECT IS EXEMPT: The proposed amendments to Rules 461, 462, and 463 are exempt from CEQA review because the amendments will not create any adverse impacts on the environment. Because there is no potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 10/23/2017

DATE RECEIVED FOR FILING:

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Appendix "E"
Bibliography

The following documents were consulted in the preparation of this staff report.

CTG'S:

Design Criteria for Stage I Vapor Control Systems – Gasoline Stations
(EPA-450/R-75-102 November 1975)

Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals
(EPA-450/2-77-026 October 1977),

Control of Volatile Organic Emissions from Bulk Gasoline Plants
(EPA-450/2-77-035 December 1977),

Control of Volatile Organic Emissions from Bulk Gasoline Plants
(EPA-450/2-77-035 December 1977),

Control of Volatile Organic Emission from Storage of Petroleum Liquids in Fixed-Roof Tanks
(EPA-450/2-77-036 December 1977),

Control of Volatile Organic Emission from Petroleum Liquid Storage in External Floating Roof Tanks (EPA-450/2-78-047 December 1978) and

Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (EPA-450/2-78-051 December 1978).

2017 CALIFORNIA HEALTH AND SAFETY CODE:

Part 4 – Non-Vehicular Air Pollution Control

Article 5 Gasoline Vapor Control
§41950 – §41964

Article 6 – Gasoline Cargo Tanks
§41970 - §41974

CALIFORNIA AIR RESOURCES BOARD
Vapor Recovery Executive Orders and Certification Test Procedures:

UST (Underground Storage Tanks) Phase I Vapor Recovery Executive Orders (EO's):
AST (Aboveground Storage Tanks) Phase I Vapor Recovery Executive Orders:
Phase II EVR (Enhanced Vapor Recovery) Vapor Recovery Executive Orders
AST Phase II Vapor Recovery Executive Orders
Certification and Test Procedures

AIR DISTRICT RULES:

461 – Gasoline Transfer and Dispensing
AVAQMD Rule 461 – *Gasoline Transfer and Dispensing* (76 FR 5277, 01/31/2001),
SCAQMD Rule 461 – *Gasoline Transfer and Dispensing* (78 FR 21543, 04/11/2013),
YSAQMD Rule 2.22 – *Gasoline Dispensing Facilities* (81 FR 6763, 02/09/2016).

462 – Organic Liquid Loading
AVAQMD Rule 462 – *Organic Liquid Loading* (62 FR 60784, 11/13/1997),
PCAPCD Rule 213 – *Gasoline Transfer into Stationary Storage Containers* (80 FR 7345, 02/10/2015);
SCAQMD Rule 462 – *Organic Liquid Loading* (64 FR 39037, 07/21/1999),
YSAQMD Rule 2.21 – *Organic Liquid Storage and Transfer* (71 FR 63694, 10/31/2006),

463 – Storage of Organic Liquids
AVAQMD Rule 463 – *Storage of Organic Liquids* (61 FR 54941, 10/23/1996);
PCAPCD Rule 212 – *Storage of Organic Liquids* (74 FR 27714, 06/11/2009),
PCAPCD Rule 213 – *Gasoline Transfer into Stationary Storage Containers* (80 FR 7345, 02/10/2015);
SCAQMD Rule 463 – *Storage of Organic Liquids* (78 FR 18854, 11/04/2011);
YSAQMD Rule 2.21 – *Organic Liquid Storage and Transfer* (71 FR 63694, 10/31/2006),

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