

DEALER ALERT

TO: Environmental Health and Safety (EHS) Coordinator
FROM: Sam Celly, BChE MChE, JD CSP
SUBJECT: California ARB Regulations Impacting Aboveground Storage Tanks (AST), Gasoline & SCAQMD Rule 461(e)(7)(D) for both AST & UST
DATE: January 15, 2015

CALIFORNIA ARB REGULATIONS IMPACTING ABOVEGROUND GASOLINE TANKS

California Air Resources Board (CARB), a division of Cal-EPA, is the regulatory body that controls emissions of pollutants into the atmosphere in the state of California. CARB rules regarding gasoline AST upgrades such as Enhanced Vapor Recovery (EVR) Standing Loss Control (SLC) can be found at: <http://www.arb.ca.gov/vapor/cp-206.pdf>. APCD's that require SLC and Phase I EVR are as follows: San Joaquin Valley (SJVAPCD), Sacramento Metro (SMAQMD), Ventura County (VCAPCD), San Diego (SDAPCD), BAAQMD and SCAQMD. Check with your District for upgrades and related application that maybe necessary.

SLC Upgrades Deadline Was April 1, 2013: The standing control requirement is intended to keep the gasoline cool inside the tanks so as to minimize losses by evaporation (paint job). The standing loss control system requires an approved pressure/vent valve be installed to prevent vapors from escaping from the tank. All new tanks come with SLC and Phase I EVR so this regulation is applicable to existing AST gasoline tanks.

Phase I EVR Upgrade Deadline Was July 1, 2014: Generally, CARB rules apply to tanks with sizes 250 gallons or more.

APCD	Phase I EVR Threshold	Phase II
San Diego APCD*	250 gallons or more	No equipment approved 1/1/15
SJVAPCD**, BAAQMD**, VCAPCD***	250 gallons or more	No equipment approved 1/1/15
SCAQMD*	≥ 251 gallons	No equipment approved 1/1/15

*SDAPCD & SCAQMD have no throughput limitations for SLC and Phase I upgrades.

**SJVAPCD, SMAQMD, BAAQMD exempt Phase I upgrades if throughput is less than 18,000G/yr.

*** VCAPCD exempts when throughput is less than 6000/yr.

Install Phase II EVR by Approval Date Plus 4 Years: Currently, there are no Phase II EVR & ISD systems approved for AST. Once a Phase II EVR system for AST is certified, owners and operators will have 4 years to upgrade to Phase II EVR subject to threshold limitations adopted by each district.

SCAQMD ONLY RULE: ANNUAL REPORTING OF GASOLINE USAGE (AGST AND UST)

All dealerships with aboveground storage tanks (AST) and or underground gasoline tanks (UST) must report monthly throughput data for each month of 2014 to the SCAMQD by fax to (909) 396-3761. Deadline for reporting is March 1, 2015. Form to report data is attached. Rule 461(e)(7)(D) also requires operators to retain throughput records from the past two years to be available on site at all times. <http://www.aqmd.gov/rules/reg/reg04/r461.pdf>.

Sam has been helping automobile dealers comply with EPA & OSHA regulations since 1987. Sam is the past-Chair of the Law Committee and the Environmental Issues Committee of the AIHA. Sam has a BE & MS in Chemical Engineering followed by a JD from Southwestern University School of Law. Send your comments to sam@cellyservices.com.