



South Coast Air Quality Management District

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AQMD Rule 461 Advisory No. 19-05

IMPORTANT NOTICE TO GASOLINE DISTRIBUTION AND SUPPLY COMPANIES AND DELIVERY TRUCK OWNER/OPERATORS

EXTENSION OF EXERCISE OF ENFORCEMENT DISCRETION FOR GASOLINE DELIVERIES TO DISPENSING FACILITIES WITHOUT ENHANCED VAPOR RECOVERY UPGRADES THROUGH JULY 15, 2005

On April 1, 2005, all existing non-Enhanced Vapor Recovery (EVR) Phase I systems on underground storage tanks were decertified for use by the California Air Resources Board (CARB). Because of the shortage of certified equipment and installation contractors to complete the upgrades by the April 1, 2005 deadline, the South Coast Air Quality Management District (AQMD) exercised enforcement discretion by temporarily suspending for 60 days the issuance of Notices of Violation to suppliers delivering gasoline to facilities with non-EVR Phase I systems (Advisory 16-05). This Advisory extends that exercise of discretion and notifies you that **effective July 16, 2005, full field enforcement of bulk delivery requirements will resume except with regard to bulk deliveries to gasoline dispensing facilities (GDFs) which are active respondents in pending stipulated Group Order for Abatement proceedings and which are in compliance with any Orders issued in those proceedings.**

Effective July 16, 2005, Notices of Violation will be issued to those gasoline distribution and supply companies and delivery truck owners/operators found to have delivered gasoline to non-EVR Phase I systems, unless the GDF is an active and compliant respondent in a pending stipulated Group Order for Abatement proceeding, as aforesaid. Enforcement action will also be taken against the gasoline dispensing facility itself. GDFs that are active and compliant respondents in the stipulated Group Order for Abatement compliance option are listed on the AQMD website by city at <http://www.aqmd.gov/comply/Rule461/delivery.htm>. This list will be updated as new information becomes available.

What does a non-compliant Phase I System look like?

Visual cues that a Phase I system has not been upgraded to EVR can include any of the following:

- Coaxial fills
- Drain valve in the vapor recovery spill container
- Non-rotatable, non-turnable adaptors
- Any pressure-vacuum valve other than the OPW 623V or Husky 4885
- Drain valve drains to the tank's vapor space and not into the submerged drip tube

Remember, after July 15, 2005, do not deliver gasoline to underground storage tanks at facilities that are not properly equipped with Enhanced Vapor Recovery Phase I systems unless the GDF is listed on the AQMD website at the time of delivery. Be vigilant to observe fill equipment tagged out of service by AQMD inspectors and never deliver fuel into tagged out systems. Failure to comply will result in enforcement action by the AQMD.

For questions regarding this advisory, please call the Rule 461 Advisory Hotline at 1-866-770-9140 or provide your questions via email to gkasper@aqmd.gov.