

BOARD MEETING DATE: September 4, 2026

AGENDA NO. 32

PROPOSAL: Determine That Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Is Exempt from CEQA; Amend Rule 461; and Submit for Inclusion Into State Implementation Plan

SYNOPSIS: Rule 461 reduces emissions of VOC and toxic air contaminants by establishing operational requirements for gasoline dispensing facilities. Proposed amendments to Rule 461 will include an alternative recordkeeping pathway for daily fuel dispensing records at non-retail gasoline dispensing facilities exclusively serving motor vehicles equipped with onboard refueling vapor recovery systems. The proposed amendments will also include administrative changes.

COMMITTEE: Stationary Source, June 26, 2026, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, is exempt from the requirements of the California Environmental Quality Act;
2. Amending Rule 461– Gasoline Transfer and Dispensing; and
3. Directing staff to submit Proposed Amended Rule 461 – Gasoline Transfer and Dispensing to CARB and U.S. EPA for inclusion into the State Implementation Plan.

Wayne Natri
Executive Officer

SR:MK:NF:SW:JW

Background

Rule 461 – Gasoline Transfer and Dispensing (Rule 461) was adopted in 1976 to control VOC and toxic air contaminant (TAC) emissions during the filling of gasoline into storage tanks and dispensing gasoline from gasoline dispensing facilities into motor vehicles. Gasoline transfer and storage equipment must be certified by the CARB, including Phase I and Phase II vapor recovery systems.

Rule 461 requires gasoline dispensing facilities (GDFs) to install CARB-certified Phase II Enhanced Vapor Recovery (EVR) systems to capture vapors released during vehicle refueling at gasoline dispensers. For non-retail GDFs, Rule 461 provides an alternative compliance option which allows the dispensing of gasoline into fleet vehicles without requiring the use of CARB-certified Phase II EVR systems, provided that the motor vehicles are equipped with Onboard Refueling Vapor Recovery systems (ORVR). ORVR is a vehicle-integrated fuel vapor emission control system designed to capture gasoline vapors that contain VOC emissions from being released during refueling operations.

Facility operators electing to comply with Rule 461 using the alternative compliance option are required to maintain records to demonstrate that gasoline is only dispensed into motor vehicles equipped with ORVR. The recordkeeping must document each fueling episode including the date, quantity of fuel dispensed into each motor vehicle, and the motor vehicle's make, model, model year, and vehicle identification number. Facility operators with large fleets comprised of vehicles exclusively equipped with ORVR, such as rental vehicle companies, have reached out seeking an alternative provision to daily recordkeeping for each individual vehicle to allow recordkeeping for the total aggregate gasoline dispensed into all vehicles at their facility.

Proposal

Proposed Amended Rule 461 (PAR 461) streamlines recordkeeping requirements for operators of non-retail GDFs filling into fleets that consist exclusively of ORVR-equipped motor vehicles by allowing documentation of facility total aggregate gasoline dispensed per day in lieu of recording daily fuel dispensed on a per vehicle basis to meet recordkeeping requirements. Operators would continue to be required to maintain a daily inventory list of vehicles to demonstrate only vehicles equipped with ORVR are fueled on any specific day. The proposed amendments will maintain essential recordkeeping requirements to support compliance while addressing stakeholder concerns on the administrative workload associated with the current rule requirements. The proposed amendments will also include editorial corrections and the removal of an outdated provision which has been superseded by state reporting requirements.

Public Process

The development of PAR 461 was conducted through a public process. A Public Workshop was held on June 24, 2026, to present the proposed amended rule to the general public and stakeholders to solicit comments.

Emission Reductions

The proposed amendments to Rule 461 are administrative and will not result in any emission reductions.

Key Issues

Throughout the rulemaking process, staff worked with stakeholders to resolve key issues. Staff are not aware of any key remaining issues.

California Environmental Quality Act (CEQA)

Pursuant to CEQA Guidelines Sections 15002(k) and 15061, the proposed project (PAR 461) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board Letter. If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation.

Socioeconomic Analysis

A socioeconomic impact assessment is not required by Health and Safety Code Sections 40440.8 and 40728.5 and has not been prepared because PAR 461 contains administrative changes that will not significantly affect air quality or emission limitations, and thus, will not result in significant socioeconomic impacts.

Implementation and Resource Impact

Existing staff resources are adequate to implement the proposed amendments.

AQMP and Legal Mandates

South Coast AQMD is required to adopt an Air Quality Management Plan (AQMP) demonstrating compliance with all federal regulations and standards. South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PAR 461 is not part of a control measure in the 2022 AQMP but will be submitted for inclusion into the SIP.

Attachments

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 461
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Presentation

ATTACHMENT A
SUMMARY OF PROPOSAL

Proposed Amended Rule 461 – Gasoline Transfer and Dispensing

Recordkeeping Requirements for Non-Retail Gasoline Dispensing Facilities

- Added alternative recordkeeping requirement option to record total daily fuel quantity

Other Administrative Clarification

- Updated incorrect numbering in subparagraph (c)(1)(B)
- Removed subdivision (h)

ATTACHMENT B
KEY ISSUES AND RESPONSES

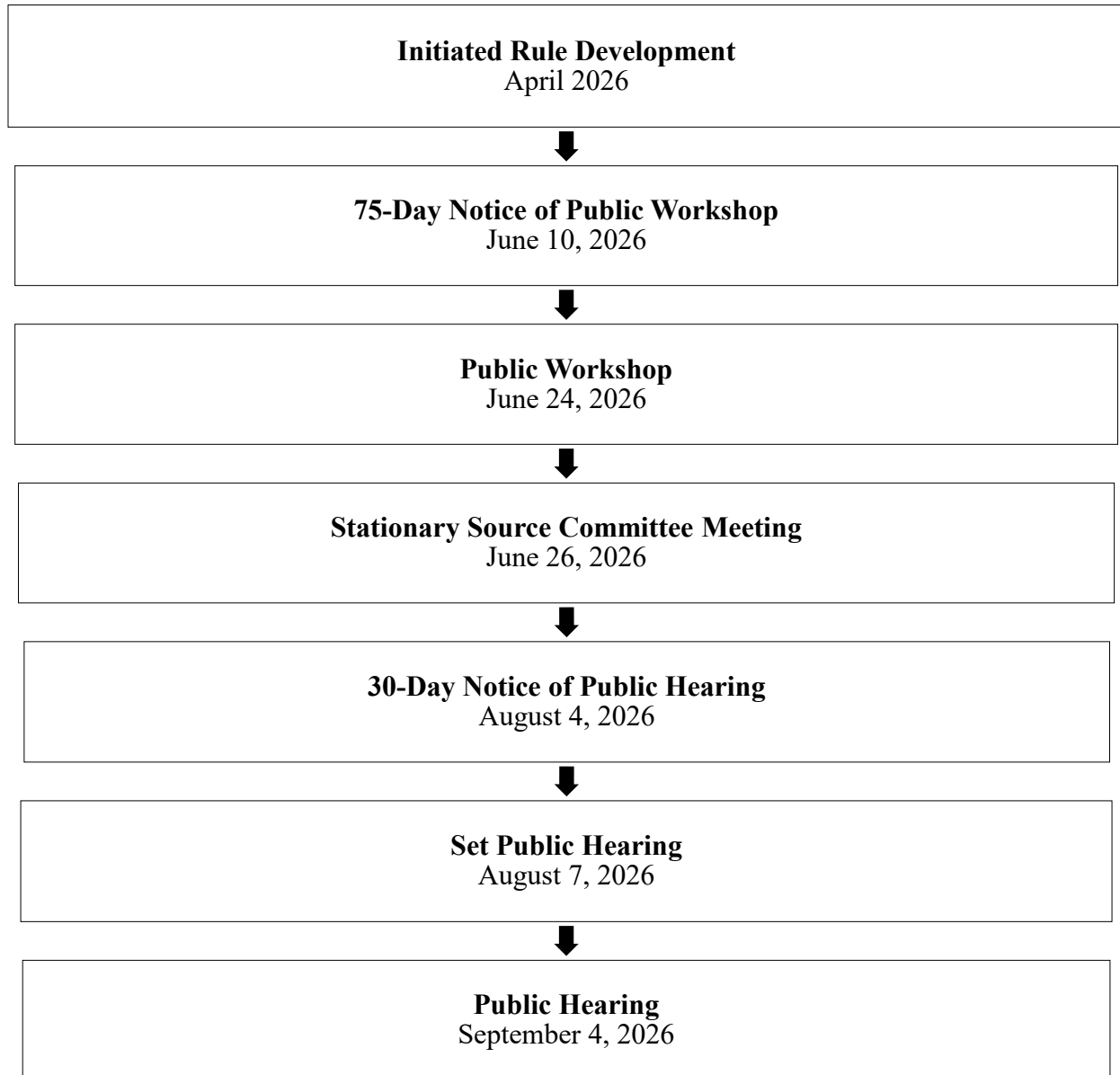
Proposed Amended Rule 461 – Gasoline Transfer and Dispensing

Throughout the rulemaking process, staff worked with stakeholders to resolve key issues. Staff is not aware of any key remaining issues.

ATTACHMENT C

RULE DEVELOPMENT PROCESS

Proposed Amended Rule 461 – Gasoline Transfer and Dispensing



Five (5) months spent in rule development

One (1) Public Workshop

One (1) Stationary Source Committee Meeting

ATTACHMENT D
KEY CONTACTS LIST

Proposed Amended Rule 461 – Gasoline Transfer and Dispensing

American Car Rental Association

Avis Budget Group, Inc.

Enterprise Holdings, Inc.

MVI Field Services LLC

Sixt Rent a Car, LLC

The Hertz Corporation

ATTACHMENT E

RESOLUTION NO. 26-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 461 – Gasoline Transfer and Dispensing.

A Resolution of the South Coast AQMD Governing Board directing staff to submit Proposed Amended Rule 461 – Gasoline Transfer and Dispensing to CARB and U.S. EPA for inclusion into the State Implementation Plan.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 461 is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l), and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines, after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that Proposed Amended Rule 461 is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that because the proposed project provides a new recordkeeping option and contains other clarifications and administrative changes without requiring physical modifications, it can be seen with certainty that there is no possibility that Proposed Amended Rule 461 may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, Proposed Amended Rule 461 and supporting documentation, including but not limited to, the Notice of Exemption, Board Letter, and Final Staff Report, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the proposed project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that the modifications to Proposed Amended Rule 461 since the Notice of Public Hearing was published are not so substantial as to significantly affect the meaning of Proposed Amended Rule 461 within the meaning of Health and Safety Code Section 40726 because: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the Notice of Public Hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 461 will be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the Public Hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 461 to streamline recordkeeping requirements applicable to operators of fleets with only motor vehicles equipped with onboard refueling vapor recovery systems by allowing records of total daily fuel dispensed in lieu of fuel dispensed on a per-vehicle basis; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, and 41508; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461 is written and displayed so that its meaning can be easily understood by persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in adopting Proposed Amended Rule 461, references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5; and

WHEREAS, the South Coast AQMD Governing Board finds that no comparative analysis pursuant to Health and Safety Code Section 40727.2 is required because Proposed Amended Rule 461 does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461 does not significantly affect air quality or emission limitations and would not result in any significant socioeconomic impacts; therefore, a socioeconomic impact assessment pursuant to Health and Safety Code Sections 40440.8 and 40728.5 is not required; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461 does not include new Best Available Retrofit Control Technology (BARCT) requirements nor a feasible measure pursuant to Health and Safety Code Section 40914, therefore analyses for cost-effectiveness and incremental cost-effectiveness consistent with Health and Safety Code Section 40920.6, are not applicable; and

WHEREAS, the South Coast AQMD staff conducted a Public Workshop regarding Proposed Amended Rule 461 on June 24, 2026; and

WHEREAS, the Public Hearing has been properly noticed in accordance with all provisions of Health and Safety Code Sections 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a Public Hearing in accordance with all provisions of state and federal law; and

WHEREAS, the South Coast AQMD specifies the Planning and Rules Manager of Proposed Amended Rule 461 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the proposed amended rule is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 461 is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on Proposed Amended Rule 461; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 461 as set forth in the attached, and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 461 be submitted for inclusion in the State Implementation Plan; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 461 and supporting documentation to the California Air Resources Board for approval and subsequently submitted to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F

(Adopted January 9, 1976)(Amended September 3, 1976)(Amended February 4, 1977)
(Amended November 18, 1977)(Amended February 3, 1978)(Amended January 5, 1979)
(Amended May 4, 1979)(Amended December 7, 1979)(Amended January 16, 1981)
(Amended October 15, 1982)(Amended November 1, 1985)(Amended March 4, 1988)
(Amended July 7, 1989)(Amended September 8, 1995)(Amended April 21, 2000)
(Amended June 15, 2001)(Amended January 9, 2004)(Amended June 3, 2005)
(Amended March 7, 2008)(Amended April 6, 2012)(Amended January 7, 2022)
(Amended Date of Adoption)

PROPOSED AMENDED RULE 461 - GASOLINE TRANSFER AND DISPENSING

(a) Applicability

This rule applies to the transfer of gasoline from any tank truck, trailer, or railroad tank car into any stationary storage tank, and from any stationary storage tank into any motor vehicle fuel tank.

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (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.
- (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.
- (3) BELLOWS-LESS NOZZLE is any nozzle that incorporates an aspirator or vacuum 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.
- (4) BREAKAWAY COUPLING is a component attached to the coaxial hose, which allows the safe separation of the hose from the dispenser or the hose from the nozzle in the event of a forced removal such as in the case of a “drive-off.”

- (b) (5) CARB CERTIFIED or certified by CARB means a Phase I or Phase II vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- (6) CLEARLY AND PERMANENTLY MARKED means an identification of the qualified manufacturer's name, model number, and other required information on a vapor recovery system component that is legible, and the identification is either directly stamped on or attached to the component using methods or materials that would endure constant long term use.
- (7) COAXIAL HOSE is a hose that contains two passages one within the other. 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.
- (8) DISPENSER is a gasoline dispensing unit used for housing the aboveground gasoline and vapor recovery piping, the gasoline meters, and to hang gasoline-dispensing nozzles when they are not in use for fueling.
- (9) 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.
- (10) DUAL-POINT DESIGN is a type of Phase I vapor recovery system that delivers gasoline liquid into storage tanks and recovers the displaced vapors through two separate openings on the tank.
- (11) 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) Sections 3 through 9.

- (b) (12) FUELING POSITION is a fuel dispensing unit consisting of nozzle(s) and meter(s) with the capability to deliver only one fuel product at one time.
- (13) GASOLINE is any petroleum distillate or petroleum distillate/alcohol blend having a True Vapor Pressure greater than 200 mm Hg (3.9 psi) and less than 760 mm Hg (14.7 psi) at 100 degrees F as determined by ASTM Method D323-89.
- (14) GASOLINE TRANSFER AND DISPENSING FACILITY is a stationary facility, consisting of one or more storage tanks and associated equipment, which receive, store, and dispense gasoline.
- (15) GASOLINE VAPORS are the organic compounds in vapor form displaced during gasoline transfer and dispensing operations, and includes entrained liquid gasoline.
- (16) INSERTION INTERLOCK MECHANISM is 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.
- (17) INSTALLER/CONTRACTOR is a person(s) engaged in the installation of new or alterations of existing vapor recovery systems and components at a gasoline transfer and dispensing facility.
- (18) LIQUID REMOVAL DEVICE is a device designed specifically to remove trapped liquid from the vapor passages of a coaxial hose.
- (19) LIQUID TIGHT is a liquid leak rate not exceeding three drops per minute.
- (20) 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.
- (21) 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.
- (22) MOTOR VEHICLE is any self-propelled vehicle as defined in Section 415 of the California Vehicle Code.
- (23) OWNER/OPERATOR is any person who owns, leases, or operates a gasoline transfer and dispensing facility.
- (24) PERFORMANCE TEST is the first test or series of tests performed on a new or altered CARB certified gasoline vapor recovery system to demonstrate compliance with the CARB Executive Order and District permit conditions upon completion of construction or alteration of the vapor recovery system.

- (b) (25) PRESSURE/VACUUM RELIEF VALVE is a valve that is installed on the vent pipes of the gasoline storage tanks to relieve pressure or vacuum build-up at preset values of pressure or vacuum.
- (26) QUALIFIED MANUFACTURER is the original equipment manufacturer of the CARB certified vapor recovery system or component, or a rebuilder who is authorized by CARB to rebuild the designated CARB certified component.
- (27) QUALIFIED REPAIR is a repair or maintenance of the gasoline transfer and dispensing equipment or vapor recovery system component that would restore the function or performance of such equipment/component following the qualified manufacturer's instructions and using only the applicable CARB certified parts supplied by the qualified manufacturer. Unless otherwise authorized by CARB, a repair or maintenance shall not be considered a qualified repair if the action changes the size, shape or materials of construction of any gasoline vapor passage, or if it may otherwise obstruct, hinder, or reduce the recovery of gasoline vapors during operation.
- (28) REBUILD is 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.
- (29) RETAIL GASOLINE TRANSFER AND DISPENSING FACILITY is any gasoline transfer and dispensing facility subject to the payment of California sales tax for the sale of gasoline to the public.
- (30) 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.
- (31) 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.

- (b) (32) SUBMERGED FILL TUBE is any storage tank fill tube with the highest level of the discharge opening entirely submerged, when the liquid level above the bottom of the tank is:
 - (A) 15.2 cm (6 inches), for tanks filled from the top, or
 - (B) 45.7 cm (18 inches) for tanks filled from the side.
- (33) 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.
- (34) VAPOR RECOVERY SYSTEM is a system installed at a gasoline transfer and dispensing facility for collection and recovery of gasoline vapors displaced or emitted from the stationary storage tanks (Phase I) and during refueling of vehicle fuel tanks (Phase II). A Phase II vapor recovery system may be a balance system, which operates on the principle of vapor displacement, or a vacuum-assist system, which uses a mechanical vacuum-producing device to create a vacuum.
- (35) VAPOR TIGHT means the detection of less than 10,000 ppm hydrocarbon concentration, as determined by EPA Method 21, using an appropriate analyzer calibrated with methane.
- (c) Equipment and Operation Requirements
 - (1) Gasoline Transfer into Stationary Storage Tanks (Phase I)

A person shall not transfer, allow the transfer, or provide equipment for the transfer of gasoline from any tank truck, trailer, or railroad tank car into any stationary storage tank with a capacity of 950 liters (251 gallons) or more unless all of the following conditions are met:

 - (A) Underground storage tanks are equipped with a "CARB certified" enhanced vapor recovery system having a minimum volumetric efficiency of 98% and an emission factor not exceeding 0.15 pounds per 1,000 gallons. The vapor recovery system shall be maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual and shall meet all of the following:
 - (i) All fill tubes are equipped with vapor tight caps;
 - (ii) All dry breaks are equipped with vapor tight seals and vapor tight caps;

- (c) (1) (A) (iii) The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
- (iv) Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use; and
- (v) A "CARB certified" spill box shall be installed and maintained free of standing liquid, debris and other foreign matter. The spill box shall be equipped with an integral drain valve or other devices that are certified by CARB to return spilled gasoline to the underground stationary storage tank. The drain valve shall be maintained closed and free of vapor emissions at all times except when the valve is actively in use.
- (B) Aboveground Storage Tanks are equipped with a "CARB certified" vapor recovery system having a minimum volumetric efficiency of 95% and is maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual and shall meet all of the following:
 - (i) All fill tubes are equipped with vapor tight caps;
 - (ii) All dry breaks are equipped with vapor tight seals and vapor tight caps;
 - (iii) The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
 - ~~(iv)~~ (iv) All vapor return lines without dry breaks are equipped with vapor tight caps; and
 - (v) Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use.
- (C) A person shall not operate, or allow the operation of a gasoline delivery tank truck/trailer or railroad tank car, unless it is "CARB certified" and maintained in compliance with the certification requirements and shall meet all of the following:
 - (i) Each gasoline delivery elbow is equipped with sight windows;

- (c) (1) (C) (ii) The fuel delivery lines shall be maintained liquid tight, vapor tight, and free of air ingestion. A fuel delivery that is free of air ingestion is determined by observing the fuel stream as clear and free of air bubbles through the sight windows on the delivery system, except during the initial and final 60 seconds of fuel transferring;
 - (iii) All vapor return lines are connected between the delivery tank truck/trailer or railroad tank car, and the stationary storage tank. In addition, all associated hoses, fittings, and couplings are maintained in a liquid-tight and vapor-tight condition; and
 - (iv) The hatch on any tank truck/trailer shall be equipped with a vapor tight cover during gasoline transfer and pumping. The hatch shall not be opened except for visual inspection, which may be performed after at least three minutes following the completion of the gasoline transfer or pumping. Except otherwise specified by CARB, visual inspection shall be completed in three minutes or less.
- (2) Gasoline Transfer into Vehicle Fuel Tanks (Phase II)

A person shall not transfer, or allow the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank with a capacity of 950 liters (251 gallons) or more into any motor vehicle fuel tank of greater than 19 liters (5 gallons) capacity unless all of the following conditions are met:

 - (A) The dispensing unit used to transfer the gasoline from the stationary storage tank to the motor vehicle fuel tank is equipped with a "CARB certified" vapor recovery system as capable of recovering or processing displaced gasoline vapors by at least 95%, or having an emission factor not exceeding 0.38 pounds per 1,000 gallons, as applicable;
 - (B) The vapor recovery system and associated components are operated and maintained in a manner in accordance with the manufacturer's specifications and the applicable CARB certification including the corresponding CARB approved Installation, Operation and Maintenance Manual;

- (c) (2) (C) The system and associated components shall be maintained vapor tight and liquid tight at all times;
- (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) 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; and
- (G) 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 paragraph (e)(6) 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.

- (c) (3) Additional Requirements
- (A) A person shall not supply, offer for sale, sell, 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.
 - (B) For a breakdown (as defined in Rules 102 and 430) of a central vapor incineration or processing unit, the provisions of Rule 430 shall apply. "End of Cycle" as that term is used in Rule 430 shall be deemed to mean the completion of fueling by the last customer who was fueling at the time of the breakdown for the application of Rule 430 in subparagraph (c)(3)(B).
 - (C) Any Installer/Contractor shall not install, alter, repair or replace a Phase I or Phase II enhanced vapor recovery system or any component thereof without first successfully obtaining the manufacturer's certification and successfully completed any relevant state certification program, through the International Code Council (ICC), or any equivalent state certification program required for the installation and alteration of a vapor recovery system. The requirement for obtaining relevant certification shall take effect six months after such test becomes available.
 - (D) The owner/operator of an enhanced vapor recovery system or their direct employees are not considered installers/contractors when replacing any defective nozzles, hoses and breakaways with new or CARB certified re-manufactured components of the same make and model, or alternative(s) specifically identified in the latest applicable CARB Executive Order, provided that person successfully obtained the manufacturer's certification and has successfully completed any relevant state certification program, through the International Code Council (ICC), or any equivalent

state certification program required for the replacement of components. The requirement for obtaining relevant certification shall take effect six months after such test becomes available.

- (c) (3) (E) A person shall not perform or allow the "pump-out" (bulk transfer) of gasoline from a storage tank subject to paragraph (c)(1) unless such bulk transfer is performed using a vapor collection and transfer system capable of returning the displaced vapors to the stationary storage tank.
- (F) A person shall not store, or allow the storage of, gasoline in any stationary storage tank with a capacity of 950 liters (251 gallons) or more unless such tank complies with Rule 463 or complies with the following:
 - (i) The tank is equipped with a Phase I vapor recovery system; and
 - (ii) The tank is operated and maintained with an integral vapor-tight drain valve to return spilled gasoline to the storage tank, if the tank is equipped with a spill container.
- (G) The owner/operator shall conspicuously post the District-required signs specified in Attachment A of this rule in the immediate gasoline dispensing area.
- (H) For a dispenser that is not intended to be used to fuel motor vehicles, the owner/operator shall have a sign posted on it to that effect.
- (I) A person shall not store, or allow the storage of, gasoline in any stationary storage tank with a capacity of 950 liters (251 gallons) or more unless the vent pipe of the tank complies with all of the following:
 - (i) The vent pipe opening is equipped with a "CARB certified" pressure-vacuum relief valve.
 - (ii) The vent pipe opening for a stationary storage tank is at least 12 feet above the driveway level used for tank truck filling operations.
 - (iii) Unless otherwise specified in the applicable CARB Executive Orders, the pressure-vacuum relief valve for an underground storage tank vent shall be set for pressure relief at 2.5 to 6.0 inches water column and vacuum relief at 6.0 to 10.0 inches water column. The valves for vents on

aboveground tanks shall meet the applicable CARB certified specifications.

- (c) (3) (I) (iv) Pressure-vacuum relief valves for stationary storage tanks, as supplied and installed, shall be color-coded or otherwise clearly marked to identify the pressure-vacuum setting. The valves shall be installed on the vent pipe(s) such that the color codes or marks shall be legible to ground-level observers.
- (v) For the purpose of this requirement, vent pipes of gasoline storage tanks may be manifolded to a single valve when the stationary storage tanks are manifolded according to the applicable CARB Executive Order.
- (J) A person shall not store gasoline in open container(s) of any size or handle gasoline in any manner (spillage, spraying, etc.) that allows gasoline liquid or gasoline vapors to enter the atmosphere, contaminate the ground, or the sewer.
- (K) The failure of an owner/operator to meet any requirements of subdivision (c) of this rule shall constitute a violation. Such non-compliant equipment shall be tagged "Out of Order".
- (L) Except during active repair activity, the "Out of Order" tag specified in subparagraph (c)(3)(K) shall not be removed and the non-compliant equipment shall not be used, allowed 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; and
 - (ii) The non-compliant equipment has been reinspected and/or the repair has been reported to the Executive Officer or his designee.
- (M) The owner/operator shall repair or replace any vapor recovery component having minor defects within seven days, pursuant to Section 41960.2(e) of the California Health and Safety Codes.
- (N) The owner/operator and/or the installer/contractor shall have all underground storage tank installations and associated piping configuration inspected by the Executive Officer or his designee prior to backfilling, to verify that all underground equipment is properly installed in accordance with the requirements specified in

the applicable CARB Executive Order. The owner/operator and/or installer/contractor shall schedule a time for inspection with the District by District-approved method and obtain a confirmation number at least three days (at least one of the days shall be regular District business days) prior to the backfilling. At or before the scheduled time of inspection, the owner/operator and/or installer/contractor shall ensure that all underground storage tank installation and associated piping meet all requirements under the applicable CARB Executive Order including the corresponding Installation, Operation and Maintenance Manual and shall be in a state ready to be backfilled. After successfully passing the verification inspection, all underground piping shall be backfilled without being disturbed.

- (c) (3) (O) The owner/operator of any gasoline transfer and dispensing facility shall implement a maintenance program and document the program in an operation and maintenance (O&M) manual for the vapor recovery system. The O&M manual shall be kept at the facility and made available to any person who operates, inspects, maintains, repairs, or tests the equipment at the facility as well as the Executive Officer upon request. The O&M manual shall contain detailed instructions that ensure proper operation and maintenance of the vapor recovery system and its components in compliance with all applicable rules and regulations. The O&M manual shall reference all manufacturer required maintenance cycles as delineated in the CARB Executive Order that certified the system. The manual shall, at a minimum, include the following current information:
- (i) All applicable CARB Executive Orders, Approval Letters, and District Permits.
 - (ii) The manufacturer's specifications and instructions for installation, operation, repair and maintenance required pursuant to CARB Certification Procedure CP-201, and any additional instructions provided by the manufacturer.
 - (iii) System and/or component testing requirements, including test schedules and passing criteria for each of the standard tests listed under subdivision (f). The owner/operator may

- include any non-CARB required diagnostic and other tests as part of the testing requirements.
- (c) (3) (O) (iv) Additional O&M instructions, if any, that are designed to ensure compliance with the applicable rules, regulations, CARB Executive Orders and District permit conditions, including replacement schedules for failure or wear prone components.
- (P) Equipment subject to paragraph (c)(1) or (c)(2) is operated and maintained with no major defect.
- (Q) The owner/operator of any gasoline transfer and dispensing facility shall submit the facility's monthly gasoline throughput data for the previous calendar year to the Executive Officer on or before March 1 following each calendar year.
- (4) In lieu of compliance with paragraph (c)(2), the owner/operator of a non-retail gasoline transfer and dispensing facility shall:
 - (A) If the gasoline transfer and dispensing equipment was issued a permit prior to January 7, 2022, use either:
 - (i) Hoses, breakaways, and nozzles that are part of a "CARB certified" vapor recovery system, with the vapor return line sealed off; or
 - (ii) CARB certified non-vapor recovery component for dispensing that includes only low permeation conventional hose assemblies and enhanced conventional nozzles identified in the most recent revision of CARB Executive Order NVR-1;
 - (B) If the gasoline transfer and dispensing equipment was issued a permit or modified after January 7, 2022, use a CARB certified non-vapor recovery component for dispensing that includes only low permeation conventional hose assemblies and enhanced conventional nozzles identified in the most recent revision of CARB Executive Order NVR-1;
 - (C) Dispense only into a motor vehicle that is owned or under direct control of the operator, except for a motor vehicle used in responding to an emergency;

- (c) (4) (D) Dispense only into a motor vehicle equipped with an onboard refueling vapor recovery (ORVR) system, except for a motor vehicle used in responding to an emergency;
- (E) Record the daily quantity of fuel dispensed according to one of the following methods:
 - (i) Record the date, quantity of fuel dispensed into each motor vehicle, and the motor vehicle's make, model, model year, and vehicle identification number; or
 - (ii) Record the date, total fuel dispensed, and a list of motor vehicles fueled including the motor vehicle's make, model, model year, and vehicle identification number;
- (F) Maintain records specified in subparagraph (c)(4)(E)- at the facility for at least five years; and
- (G) Provide the records specified in subparagraph (c)(4)(E) to the Executive Officer upon request.

(d) Self-Compliance Program Requirements

The owner/operator of any retail gasoline transfer and dispensing facility shall implement a self-compliance program as follows:

- (1) The self-compliance program shall include the following elements:
 - (A) Daily 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.
 - (B) 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.
 - (C) Maintenance schedules consistent with the applicable Phase I and Phase II vapor recovery systems and components installed at the gasoline transfer and dispensing facility.
 - (D) A procedure to determine and record the next required test date based on throughput during the 12 months preceding the time of a successful test.
 - (E) An employee training program including the following:

- (d)
 - (1) (E)
 - (i) Itemized training procedures for employees responsible for conducting any part of the self-compliance program.
 - (ii) A training schedule to periodically train any employee responsible for conducting any part of the self-compliance program.
 - (iii) A record for each employee of the dates of training provided and the next training date.
 - (iv) 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.
 - (2) Any equipment with major defect(s) which are identified during the daily maintenance inspections or periodic compliance inspections shall be removed from service, repaired, brought into compliance, and duly entered into the repair logs required under paragraph (e)(6) before being returned to service.
 - (3) Defects discovered during self inspection and repaired shall not constitute a violation of Rule 461.
 - (4) Training and Certification
 - (A) A person shall not conduct daily maintenance inspections specified in subparagraph (d)(1)(A) or do required recordkeeping unless such person has completed an appropriate District-approved training program.
 - (B) A person shall not conduct periodic compliance inspections specified in subparagraph (d)(1)(B) or do required recordkeeping unless such person has completed an appropriate District-approved training program in the inspection and maintenance of vapor recovery systems and has received a certification issued by the District.
- (e) Testing, Reporting and Recordkeeping Requirements
 - (1) Within 10 calendar days after initial operation of dispensing fuel into 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 subdivision (f), and any additional tests required by the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and

Maintenance Manual 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 subparagraphs (e)(3)(D) and (e)(3)(E).

- (e) (2) The owner/operator shall conduct and successfully pass the reverification tests in accordance with the test methods specified in subdivision (f), and any additional tests required by the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual or District Permits, to verify the proper operation of the vapor recovery systems. Test results shall be submitted as stated in subparagraphs (e)(3)(D) and (e)(3)(E).
 - (A) The reverification tests at retail gasoline transfer and dispensing facilities shall be conducted no less frequently than as scheduled below, based on the facility's maximum monthly gasoline throughput during the 12-month period immediately preceding the required test:
 - (i) The owner/operator of a facility with a maximum monthly throughput of 100,000 gallons or greater shall complete the reverification tests semiannually.
 - (ii) The owner/operator of a facility with a maximum monthly throughput less than 100,000 gallons shall complete the reverification tests annually.
 - (iii) The owner/operator of a facility with less than 12 months throughput data shall conduct reverification tests semiannually. In case of a change of operator of a facility, throughput under the previous owner/operator may be used to determine the applicable test frequency.
 - (B) The owner/operator of a non-retail gasoline transfer and dispensing facility shall complete the reverification tests annually.
 - (C) Once a facility reverification testing month(s) are established, subsequent reverification testing shall be conducted during the same months each year. When a new performance test schedule is required due to a facility alteration, new reverification testing months shall be established based on the date of the performance tests.
 - (D) In case of a change of operator, the new operator shall conduct the next reverification test on the same testing month as established by

the previous operator, if the previous reverification testing records are available. When no testing records are available, the new operator shall complete all the applicable reverification testing within 30 calendar days of the change of operator.

- (e) (3) A person who conducts performance or reverification tests shall comply with all of the following:
 - (A) Conduct performance or reverification tests in accordance with the applicable test methods listed in subdivision (f) 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 and obtain a confirmation number at least three days prior to testing (at least one of the days shall be regular District business days), except as specified in paragraph (e)(4). In the event that a performance test or reverification test cannot be conducted at the scheduled date and time, the test may be re-scheduled 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 subparagraph shall be provided electronically via a District approved method. Notwithstanding, the three-day notice may not be required for reverification tests conducted after a drive-off pursuant to clause (c)(2)(G)(i), provided that the person conducting the tests complies with all other applicable provisions of the rule.
 - (C) Conduct performance and reverification tests between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday. Notwithstanding, the Executive Officer may approve testing on a weekend day (Saturday or Sunday) based on the following criteria:
 - (i) The District shall approve a limited number of reverification testing requests per weekend on a first-come-first-served basis. These reverification tests are subject to the following restrictions:
 - (I) The person conducting the tests has notified the District pursuant to subparagraph (e)(3)(B) for reverification tests. The requests shall be made no more than 30 calendar days in advance of the testing.

- (e) (3) (C) (i) (II) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.
- (III) Upon request by the Executive Officer, the person who conducted the tests on a weekend day for which the District staff was not present shall repeat the reverification testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted. The GDF shall pay the cost of the repeat reverification testing.
- (ii) The District shall approve all requests for a retest on a weekend day provided that the retest meets the following conditions:
 - (I) The retest on a weekend day is necessary as the repairs and retest following a failed reverification test cannot be completed by Friday.
 - (II) The person conducting the test has notified the District pursuant to subparagraph (e)(4)(A) or left a phone notification before midnight of the day before the retest.
 - (III) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.
 - (IV) Upon request by the Executive Officer, the person who conducted the test on a weekend day for which the District staff was not present shall repeat the reverification testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted. The GDF shall pay the cost of the repeat reverification testing.
- (D) Submit a copy of the PASS/FAIL test results electronically via a District approved method to the Executive Officer within 72 hours 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 14 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 AQMD facility ID number of the location being tested, the

equipment Permit to Operate or Application number, the AQMD ID number of the company performing the tests, a statement whether the system or component tested meets the required standards, and the name, AQMD tester ID number and signature of the person responsible for conducting the tests.

- (e) (3) (F) Successfully completed the District's Tester Orientation class.
- (G) Successfully completed the International Code Council (ICC) tester certifications (or equivalent state certifications) examination during the previous 24 months. This provision shall take effect six months after such a test becomes available.
- (H) Successfully re-completed the District's Tester Orientation class after having been cited within any 6-month period for at least two violations of subparagraph (e)(3)(A) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a performance or reverification test. The tester shall cease conducting any performance or reverification test after receiving the second notice of violation until such time that the tester has successfully re-completed the District Tester Orientation class.
- (I) Not committed more than three violations of subparagraph (e)(3)(A) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a performance or reverification test during any 12-month period.
- (4) Notwithstanding subparagraph (e)(3)(B), the owner/operator of a gasoline transfer and dispensing facility that has failed a reverification test or portions thereof may retest the facility prior to resuming operation provided that the person conducting the tests has complied with one of the following:
 - (A) Notify the District electronically via a District approved method and obtain a confirmation number at least 12 hours prior to retesting (at least six of the hours shall be regular District business hours); or
 - (B) When all necessary repairs are performed during the same day the facility has failed any of the applicable reverification tests, the owner/operator may retest the facility on the same day without re-notification, provided that the reasons for the test failure and any repairs performed are properly documented in the test reports and the repair logs pursuant to subparagraphs (e)(6)(B) and (e)(6)(C).

- (e) (5) 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 reverification tests. Notwithstanding the above, when a dispenser associated with any equipment that has failed a reverification 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 Executive Officer pursuant to subparagraphs (e)(6)(C), (e)(3)(D) and (e)(3)(E).
- (6) 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, reverification 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 transfer and 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 years (or five 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 Executive Officer. All records shall be made available to the Executive Officer upon request both on site during inspections and offsite as specified.

 - (A) Records of all components installed, defective components identified or repaired during self-compliance inspections.
 - (B) Repair logs, which shall include:
 - (i) Date and time of each repair.
 - (ii) The name of the person(s) who performed the repair, and, if applicable, the name, address and phone number of the person's employer.
 - (iii) Description of service performed.

- (e) (6) (B) (iv) Each component that was installed, repaired, serviced, or removed, including the required component identification information pursuant to subparagraph (c)(3)(A).
 - (v) Each component that was installed as replacement, if applicable, including the required component identification information pursuant to subparagraph (c)(3)(A).
 - (vi) 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.
 - (C) Records of tests, which shall include:
 - (i) Date and time of each test.
 - (ii) District confirmation number of notifications.
 - (iii) Name, affiliation, address and phone number of the person(s) who performed the test.
 - (iv) Test data and calibration data for all equipment used.
 - (v) 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.
 - (vi) For a retest following a failed performance or reverification test, description of repairs performed pursuant to subparagraph (e)(4)(B).
 - (vii) Copies of test reports in District approved format.
 - (D) Monthly gasoline throughput records.
 - (E) Records to prove that the installer/contractor that installed or altered the enhanced vapor recovery 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 subparagraph (c)(3)(A).
- (f) Performance and Reverification Test Methods

All required tests shall be conducted in accordance with the most recently CARB approved version of CARB test methods or as stated in the applicable CARB Executive Orders including the corresponding Installation, Operation and

Maintenance Manual test procedures or any other test methods approved in writing by the USEPA, CARB, or the District.

(g) Exemptions

- (1) The provisions of this rule shall not apply to the transfer of gasoline into testing equipment used to verify the efficiency of the vapor recovery system by CARB or the District or testing contractors, the accuracy of the gasoline dispensing equipment by the Department of Weight and Measures, and the fire safety standards by the Fire Department.
- (2) The requirements of paragraph (c)(2) shall not apply to the fueling of Tournament of Roses parade floats.
- (3) For the purposes of this rule, any requirement for equipment or component(s) to be CARB certified where an applicable valid Executive Order has not been issued by CARB shall not apply until an applicable Executive Order becomes effective.

~~(h) — Rule 1402 Inventory Requirements~~

~~A retail gasoline transfer and dispensing facility that is in compliance with all applicable provisions of this rule, CARB Executive Orders, and District permit conditions shall not be required to submit an emission inventory to the Executive Officer, pursuant to subparagraph (p)(1)(B) of Rule 1402 — Control of Toxic Air Contaminants from Existing Sources, and is deemed in compliance with the requirements of Rule 1402, unless the facility exceeds the significant risk level as defined in Rule 1402.~~

ATTACHMENT A

AQMD-REQUIRED SIGNS

- I. The operator shall post nozzle operating instructions and the following signs:
- (A) SCAQMD toll-free telephone number: "If you have nozzle problems, please call the Air Quality Management District at the toll-free number (800) 242-4020;" or equivalent information approved in writing by the Executive Officer; and
 - (B) A "warning" stating:

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

- II. All required signs shall conform to all of the following:
- (A) For decal signs:
 - (i) Each sign shall be visible from all fueling positions it serves; and
 - (ii) Sign shall be readable from a distance of 3 feet.
 - (B) All other signs:
 - (i) For pump toppers, one double-back sign per island;
 - (ii) For permanent (non-decal) signs, two single-sided or one double-sided sign(s) per two (2) dispensers.
 - (iii) All signs shall be readable from a distance of 6 feet.

ATTACHMENT B**DAILY MAINTENANCE INSPECTION PROTOCOL**

The owner/operator of a retail gasoline transfer and dispensing facility shall at minimum verify the following during the daily 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 submerged fill tube seals properly against the 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 required 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.

ATTACHMENT C - CONTINUED

- (C) 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 and the vapor collection holes are not obstructed.
14. For vacuum-assist systems, the vapor processing unit and burner are functioning properly.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report

Proposed Amended Rule 461 – Gasoline Storage and Dispensing

September 2026

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EXECUTIVE SUMMARY

Rule 461 – Gasoline Transfer and Dispensing applies to the transfer of gasoline from any tank truck trailer, or railroad tank car into a stationary storage tank, and from any stationary storage tank into any motor vehicle fuel tank. This rule applies to all facilities that have certain storage capacity to transfer and dispense gasoline. In general, gasoline transfer and storage equipment must be certified by the California Air Resources Board (CARB). Staff is proposing amendments to Rule 461 – Gasoline Transfer and Dispensing to provide a streamlined recordkeeping compliance option for non-retail operators dispensing gasoline exclusively into motor vehicles equipped with Onboard Refueling Vapor Recovery (ORVR) systems. ORVR is a vehicle-integrated fuel vapor emission control system designed to capture volatile organic compounds (VOCs) released during refueling and prevent their escape into the ambient air.

Rule 461 requires all gasoline dispensing equipment, including nozzles, hoses, and underground storage tank components, to be CARB-certified and routinely tested to ensure proper operation and leak prevention. The rule also requires Phase I vapor recovery systems, which control emissions during fuel delivery to storage tanks, and Phase II vapor recovery systems, which control emissions during vehicle refueling, to be properly installed and maintained.

As part of the 2008 amendments, Rule 461 established an alternative compliance option allowing owners or operators of gasoline dispensing facilities to dispense gasoline into motor vehicles without installing CARB-certified Phase II Enhanced Vapor Recovery (EVR) systems, provided that fueling is limited exclusively to motor vehicles equipped with ORVR systems and owned or directly controlled by the facility operator. This compliance option includes additional recordkeeping requirements. Under the existing provisions of Rule 461 subparagraph (c)(4)(E), facility operators utilizing this compliance option must maintain detailed fuel dispensing records for each individual vehicle per fuel episode.

Proposed amendments to Rule 461 would streamline recordkeeping requirements for operators whose fleets consist exclusively of ORVR-equipped motor vehicles by allowing documentation of total daily fuel dispensing quantities in aggregate in lieu of recording fuel dispensed on a per vehicle basis. Operators would continue to be required to maintain a daily inventory list of vehicles to demonstrate only vehicles equipped with ORVR are fueled on that day. The proposed amendments will maintain essential recordkeeping requirements to support compliance while addressing stakeholder requests to reduce the administrative workload. The proposed amendments also include an editorial correction and the removal of an outdated provision which has been superseded by state reporting requirements.

The proposed amendments to Rule 461 (PAR 461) are administrative in nature and will not result in emission reductions or additional costs. PAR 461 will be developed through a public process. A Public Workshop for PAR 461 was held on June 24, 2026.

CHAPTER 1: BACKGROUND

INTRODUCTION

REGULATORY HISTORY

THE NEED FOR PROPOSED AMENDED RULE 461

EQUIPMENT OVERVIEW

PUBLIC PROCESS

INTRODUCTION

Rule 461 – Gasoline Transfer and Dispensing is applicable to the transfer of gasoline from any tank truck trailer, or railroad tank car into a stationary storage tank, and from any stationary storage tank into any motor vehicle fuel tank. Rule 461 controls VOC and toxic air contaminant (TAC) emissions during the filling of storage tanks and when dispensing gasoline from stationary gasoline dispensing facilities.

Rule 461 mandates that all equipment, including nozzles, hoses, and underground storage tank components, be certified by CARB and regularly tested for leaks and performance. The rule requires Phase I (transfer from delivery vehicle to storage tank) and Phase II (transfer from storage tank to motor vehicle) systems to be installed and maintained to prevent leaks.

EVR regulations became state law on April 1, 2001. All Gasoline Dispensing Facilities (GDFs) were to be equipped with Phase I EVR systems to capture displaced gasoline vapor from being released to the atmosphere during the transfer of gasoline from the cargo tank to gasoline storage tanks. Phase II EVR systems are certified to several new standards, including ORVR compatibility, more stringent spillage and “dripless nozzle” requirements, in-station diagnostics, and storage tank pressure limits.

There are approximately 4,200 retail GDFs and 4,400 non-retail GDFs permitted for operation within the South Coast AQMD jurisdiction.

For non-retail facilities dispensing fuel to only motor vehicles equipped with ORVR systems, Rule 461 provides an alternative compliance option which allows the owner or operator of a non-retail gasoline dispensing station to dispense gasoline into their fleet motor vehicles without installation of Phase II EVR. This alternative compliance option requires the owner or operator to demonstrate that the gasoline dispensed is only to motor vehicles equipped with ORVR and includes daily recordkeeping requirements on a per vehicle basis.

REGULATORY HISTORY

Gasoline is a source of VOCs and TACs. Due to gasoline’s high volatility and vapor pressure, it readily evaporates into the atmosphere, and effective control of gasoline vapors is essential to minimize fugitive emissions of VOCs and TACs to reduce potential impacts on public health.

Rule 461

Rule 461 was originally adopted on January 9, 1976, and has since been amended twenty times to strengthen controls on VOCs and TACs. The most recent amendment, adopted on January 7, 2022, relocated provisions governing mobile fueling operations into a separate Rule 461.1 in response to the growth of on-demand retail fueling services.

The 2008 amendment for Rule 461 introduced an alternative to compliance with requirements for installation of CARB certified Phase II EVR systems for fleets. The amendment allowed the owner or operator of a gasoline dispensing facility to dispense gasoline into their fleet motor vehicles provided they:

- Use existing CARB-certified Phase II vapor recovery system with vapor return lines blocked off;
- Only dispense into motor vehicles that are equipped with ORVR and are owned or under direct control by the operator; and
- Maintain additional recordkeeping.

Federal and State Regulations

In 1993, the U.S. Environmental Protection Agency (EPA) adopted the On-board Diagnostic (OBD II) System for passenger cars and light-duty trucks and eventually for heavy-duty gasoline vehicles up to 14,000 gross vehicle weight rating (GVWR). OBD II is designed to monitor the performance of systems such as engine and emission control systems. OBD II also monitors the evaporative emissions control system, which includes ORVR. ORVR is designed to share the same vapor lines, purge valves, purge lines and an activated carbon canister as the other engine systems and emission control systems.

Section 182(b)(3) of the federal Clean Air Act (CAA) requires GDFs located within Moderate, Serious, Severe, and Extreme ozone nonattainment areas to install and operate Phase II vapor recovery control systems on gasoline dispensing equipment. The U.S. EPA initiated the phased implementation of ORVR systems in vehicles as summarized in Table 1 below.

TABLE 1-1: ORVR PHASE-IN SCHEDULE^{1,2}

Vehicle Class	40% Fleet	80% Fleet	100% Fleet
Passenger Vehicles	1998	1999	2000
Light Duty Trucks & Medium Duty Vehicles (0-6000 lbs GVWR)	2001	2002	2003
Medium Duty Vehicles (6001-8500 lbs GVWR)	2004	2005	2006

ORVR systems were first introduced for 1998 model-year motor vehicles and are required pursuant to Title 13 of the California Code of Regulations, Section 1978,³ and Title 40 of the Code of Federal Regulations, Part 86.⁴ U.S. EPA finalized the ORVR standards on April 6, 1994, with implementation beginning in 1998. CARB approved the adoption of ORVR standards on June 29, 1995, which were formally adopted by Executive Order G-96-026 on April 24, 1996.

¹ California Air Resources Board. (2000, February 4). Staff report: Initial statement of reasons for proposed amendments to the vapor recovery certification and test procedures for gasoline loading and motor vehicle gasoline refueling at service stations. <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/march2000evr/evrisor.pdf>

² South Coast AQMD. (2012, April). PAR 461—Gasoline transfer and dispensing: Attachment F - Final staff report. <https://www.aqmd.gov/docs/default-source/agendas/governing-board/2012/2012-apr6-041.pdf>

³ Cal. Code Regs. tit. 13, § 1978. (2022, August 25). Standards and Test Procedures for Vehicle Refueling Emissions.

⁴ United States Environmental Protection Agency. (2026, May 15). 40 CFR Part 86. <https://www.ecfr.gov/current/title-40/part-86>

THE NEED FOR PROPOSED AMENDED RULE 461

For operators opting for the alternative compliance option of dispensing gasoline exclusively to motor vehicles equipped with ORVR systems in lieu of installation of CARB certified Phase II EVR systems, Rule 461 subparagraph (c)(4)(E) requires the facility operator to maintain detailed fuel dispensing records for each individual vehicle, including:

- Date of refueling episode;
- Quantity of fuel dispensed into each motor vehicle; and
- Each refueled motor vehicle's make, model, model year, and identification number.

For stakeholders operating large and continuously changing fleets comprised of relatively new vehicles, such as rental vehicle companies, daily recordkeeping for total gasoline dispensed would be a viable alternative to the existing requirement of *per vehicle* fuel dispensing records while reducing administrative workload on those operators. The proposed amendments to Rule 461 would retain the option for daily recordkeeping per vehicle while providing an additional option for owners or operators of non-retail GDFs to record daily aggregate fuel throughput for the fleet.

In addition, subdivision (h), which required reporting in accordance with Rule 1402, is now superseded by state reporting requirements under CARB's Emissions Inventory Criteria Guideline (EICG) to fulfill their Criteria Air Pollutants and Toxic Air Contaminants Reporting (CTR)⁵.

EQUIPMENT OVERVIEW

Phase I, Phase II, and ORVR systems are designed to reduce VOC emissions generated during gasoline transfer operations. As shown in Figure 1-1, Phase I systems capture vapors displaced during fuel deliveries from tanker trucks to underground storage tanks. Phase II systems capture vapors released during vehicle refueling at gasoline dispensers. ORVR systems, installed directly on vehicles, capture and store refueling vapors in an onboard carbon canister. Since 2006, all new light-duty vehicles have been equipped with ORVR technology, substantially reducing the need for conventional Phase II vapor recovery systems⁶.

Phase I ⁷

A Phase I vapor recovery system is a required air pollution control system pursuant to Rule 461. The system captures gasoline vapors generated during the transfer of fuel from delivery trucks to underground or aboveground storage tanks by using a sealed, vapor-tight connection that routes displaced vapors back to the delivery vehicle, thereby minimizing the release of smog-forming emissions into the atmosphere. As shown in Figure 1-1, when a tanker truck refills a gasoline aboveground storage tank, the incoming fuel forces existing fumes out. Instead of escaping into the air, these vapors are captured and sent back to the tanker.

⁵ California Air Resources Board. (2022, January). Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants. https://ww2.arb.ca.gov/sites/default/files/2022-02/Unofficial%20CTR_Jan2022_0.pdf

⁶ South Coast AQMD. (2012, April) PAR 461 Final Staff Report. <https://www.aqmd.gov/docs/default-source/agendas/governing-board/2012/2012-apr6-041.pdf>

⁷ South Coast AQMD. (2013, November). Above Ground Storage Tanks – Standing Loss Control and Phase I EVR Requirement. <https://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/ast-outreach-presentation.pdf>

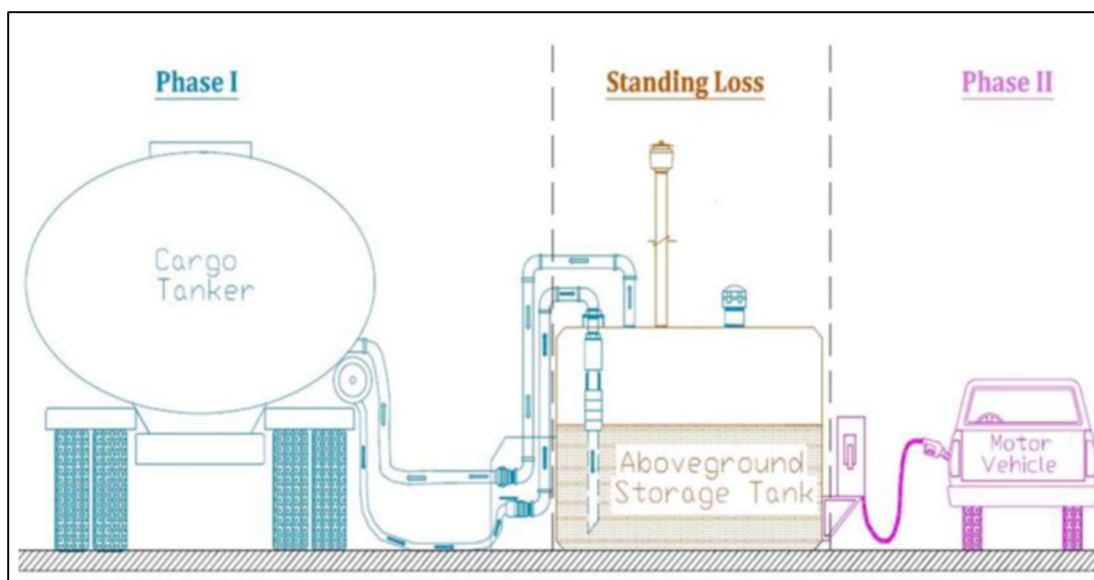
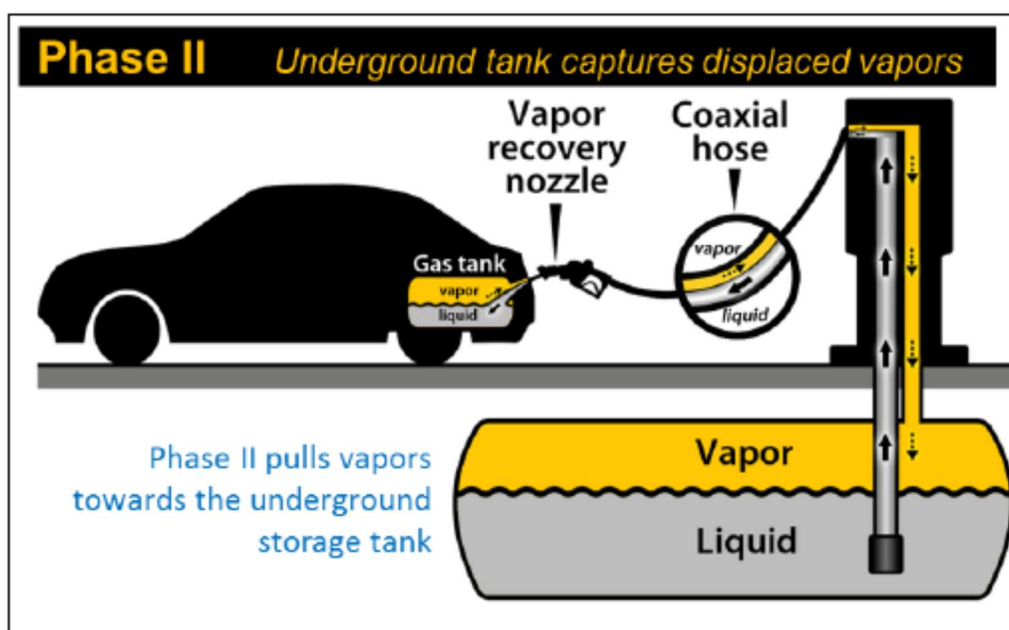


Figure 1-1: Phase I and Phase II Vapor Recovery Systems with an Aboveground Storage Tank

Phase II EVR⁸

Phase II EVR is a system designed to capture displaced vapors that emerge from inside a vehicle's fuel tank when gasoline is dispensed into the tank. As shown in Figure 1-2, during refueling, vapors are pulled from the gasoline tank to the underground storage tank for a vehicle that is not equipped with ORVR that is fueled with Phase II EVR.



⁸ South Coast AQMD. Draft Staff Report, Proposed Amended Rule 1401 – New Source Review of Toxic Air Contaminants. (2017, August). https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/par1401_dsr_080217.pdf

Figure 1-2: Phase II Vapor Recovery UST Captures Displaced Vapors

On-board Refueling Vapor Recovery Systems⁸

ORVR systems are required for all new passenger, light duty and medium duty vehicles as of the 2006 model year. Motor vehicles equipped with ORVR systems use an on-board activated carbon canister to capture displaced gasoline vapor from re-fueling without returning the vapor to the stationary storage tanks.

As shown in Figure 1-3, an ORVR system captures the gasoline vapors that are displaced during refueling and stores those vapors in a canister filled with activated carbon. When the vehicle engine starts, gasoline vapors stored in the canister are purged and burned in the engine. The carbon bed achieves an average control efficiency of 95% as certified by CARB.⁹

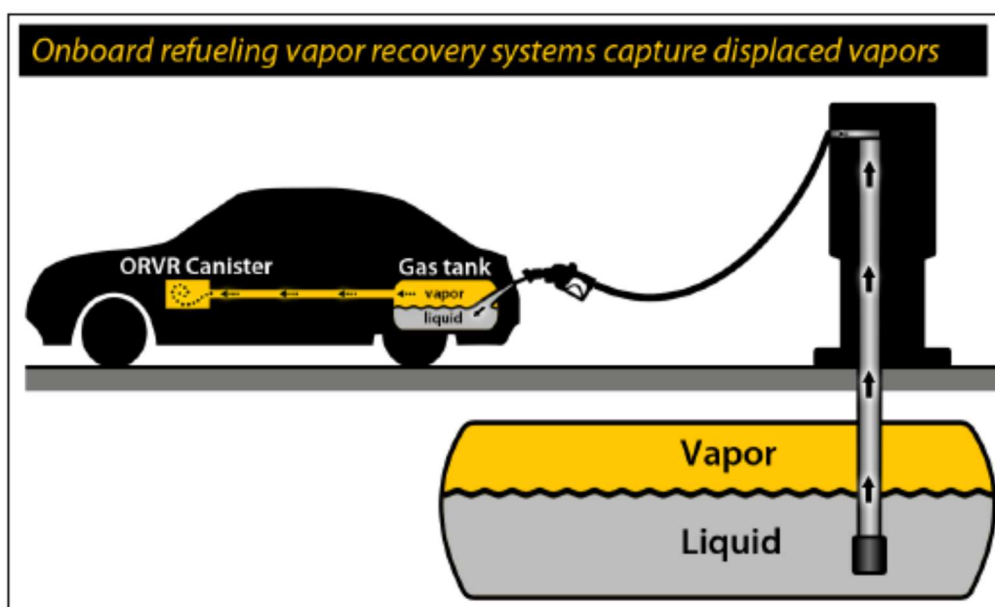


Figure 1-3: Onboard Refueling Vapor Recovery System Capture Displaced Vapors

Figure 1-4 provides a more detailed view of the fuel tank and the modified fillpipe on a vehicle equipped with ORVR. As shown in Figure 1-4, the ORVR system has mechanisms (i.e. a narrowed fillpipe to form a liquid barrier and a mechanical valve at the end of the fillpipe) to prevent vapor within a vehicle fuel tank from escaping via the fillpipe of the vehicle to the Phase II controls. The vapor that would have otherwise escaped through the fillpipe to the Phase II controls is instead directed to a carbon canister contained within the vehicle, which is the actual means of emission control of the ORVR system, to adsorb hydrocarbons contained in the displaced vapor.

⁹ California Air Resources Board. ARB 2013 Gasoline Dispensing Facility Phase II ORVR Emission Factor Update - South Coast AQMD Rule 1401 Working Group. (2017, August 16). https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/par1401_wg4carb_081617.pdf

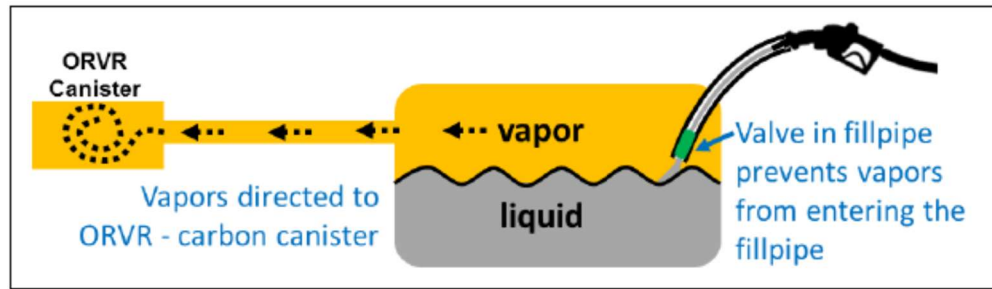


Figure 1-4: Onboard Refueling Vapor Recovery System Capture Displaced Vapors

PUBLIC PROCESS

The development of PAR 461 will be conducted through a public process. A Public Workshop was held on June 24, 2026, where South Coast AQMD staff presented the proposed amended rule language to the public and stakeholders and solicit comments.

CHAPTER 2: SUMMARY OF PROPOSAL

INTRODUCTION

PROPOSED AMENDED RULE 461

INTRODUCTION

PAR 461 includes an alternative recordkeeping option for fleet operators of ORVR-equipped vehicles to record daily fuel dispensing quantity in aggregate in lieu of existing requirements in subparagraph (c)(4)(E) for fuel dispensed per vehicle.

The following information summarizes the proposed amendments for PAR 461. Any modifications to provisions that have been incorporated are explained. PAR 461 also includes an editorial change for a typographical error.

PROPOSED AMENDED RULE 461

Subdivision (c) – Equipment and Operation Requirements

Incorrect Numbering – Clause (c)(1)(B)(vi)

Due to a typographical error, clause (c)(1)(B)(vi) was incorrectly numbered as the sixth item under subparagraph (c)(1)(B). The clause has been corrected to reflect (c)(1)(B)(iv).

Content of Record Keeping Requirement for Non-Retail Gasoline Transfer and Dispensing Facilities – Subparagraph (c)(4)(E)

The owner/operator of a non-retail gasoline transfer and dispensing facility that exclusively fuels ORVR-equipped vehicles may elect to utilize a CARB-certified non-vapor recovery dispensing component that complies with paragraph (c)(4). Under the current requirements of subparagraph (c)(4)(E), facilities selecting this option are required to maintain records documenting the date, quantity of fuel dispensed into each motor vehicle, and the motor vehicle's make, model, model year, and vehicle identification number (VIN).

For stakeholders operating large and continuously changing fleets comprised of relatively new vehicles, such as rental vehicle companies, daily recordkeeping for total gasoline dispensed would be a viable alternative to the existing requirement of per vehicle fuel dispensing records while reducing administrative workload on those operators. The proposed amendments to Rule 461 would retain the option for daily recordkeeping per vehicle, now located in clause (c)(4)(E)(i), while providing an additional option for owners or operators of non-retail GDFs to record daily aggregate fuel throughput for the fleet, located in clause (c)(4)(E)(ii). Both options require the operator to maintain a list of fueled vehicles, including each motor vehicle's make, model, model year, and VIN.

Records specified in this subparagraph are used to demonstrate that the operator only dispenses into motor vehicles equipped with ORVR as specified in subparagraph (c)(4)(D). Facilities may retain a record of fleet vehicles to demonstrate compliance with ORVR requirements, as shown in ~~example~~ Table 2-1. However, the entire list of vehicles must be ORVR-equipped for the facility to demonstrate compliance with the requirements of subparagraph (c)(4)(D).

Table 2-1: Example Fleet List Report

<u>Date</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification Number (VIN)</u>
08/04/26	2022	RAM	C15C	1C6RR7GTXLSXXXXXX
08/04/26	2022	CADI	XT6	1G6KD5RX6KUXXXXXX
08/04/26	2023	CHRY	PACI	1C3CC5DB4FNXXXXXX
08/04/26	2023	NISN	SENT	1N4AL3AP4KCXXXXXX
08/04/26	2023	NISN	SENT	1N4AL3AP4KCXXXXXX
08/04/26	2023	BMW	X1	WBA3B3C5XKFXXXXXX
08/04/26	2024	NISN	ROGU	1N4AL3AP4KCXXXXXX

For example, Rental Car Facility A provides a list of all fleet vehicles present at the facility on a particular day and aggregate fuel dispensed for the same day to comply with subparagraph (c)(4)(D) using recordkeeping option of subparagraph (c)(4)(E)(ii). The list provided consists of 19 cars equipped with ORVR and one car not equipped with ORVR. In this example, Rental Car Facility A would be in violation of subparagraph (c)(4)(D) due to being unable to demonstrate that the facility only dispense fuel into ORVR equipped vehicles.

In comparison, Rental Car Facility B provides a similar list of all fleet vehicles present at the facility on a particular day and aggregate fuel dispensed for the same day to comply using recordkeeping option of subparagraph (c)(4)(E)(ii). The list provided consists of 20 cars equipped with ORVR and zero vehicles not equipped with ORVR. In this example, Rental Car Facility B would be able to demonstrate that the facility only dispenses fuel into ORVR equipped vehicles and in compliance with subparagraph (c)(4)(D).

For facilities who wish to utilize the new aggregate fuel recordkeeping option proposed for subparagraph (c)(4)(E), a permit modification must be submitted to South Coast AQMD prior to implementing this alternative recordkeeping option due to existing conditions in the GDF permit to operate. For a facility to comply with the new recordkeeping option in PAR 461 clause (c)(4)(E)(ii), the existing permit condition will need to be modified to reflect the requirement prior to the transition.

Subdivision (h) — Rule 1402 Inventory Requirements

Subdivision (h) was first introduced on April 21, 2000 to require inventory reporting in accordance with Rule 1402. However as of January 1, 2022, facilities are now required to report emissions data as part of CARB’s EICG and CTR requirements, and thus the subdivision has been superseded by the state reporting program and will be removed from Rule 461.

CHAPTER 3: IMPACT ASSESSMENTS

IMPACT OF RULE AMENDMENT

CALIFORNIA ENVIRONMENTAL QUALITY ACT

SOCIOECONOMIC IMPACT ASSESSMENT

DRAFT FINDINGS UNDER THE HEALTH AND SAFETY CODE

COMPARATIVE ANALYSIS

IMPACT OF RULE AMENDMENT

Impact assessments were conducted as part of PAR 461 rule development to assess environmental and socioeconomic implications. These impact assessments include costs, emission reductions, socioeconomic impacts, and CEQA analysis. Staff prepared draft findings pursuant to Health and Safety Code Sections 40727 and 40727.2, respectively. The proposed amendments to Rule 461 are administrative. There will not be additional emission reductions from implementing PAR 461. The provisions in PAR 461 are not expected to impose any additional costs.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to CEQA Guidelines Sections 15002(k) and 15061, the proposed project (PAR 461) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption ~~will be~~^{has been} prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor’s Office of Land Use and Climate Innovation.

SOCIOECONOMIC IMPACT ASSESSMENT

A socioeconomic impact assessment is not required by Health and Safety Code Sections 40440.8 and 40728.5 and has not been prepared because the proposed amendments to Rule 461 contain administrative changes that will not significantly affect air quality or emission limitations, and thus, will not result in significant socioeconomic impacts.

DRAFT FINDINGS UNDER THE HEALTH AND SAFETY CODE

Requirements to Make Findings

Health and Safety Code Section 40727 requires that the Governing Board make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report. In order to determine compliance with Health and Safety Code Section 40727, Health and Safety Code Section 40727.2 requires a written analysis comparing the proposed amended rule with existing regulations, if the rule meets certain requirements.

Necessity

A need exists to amend PAR 461 to include an option for fleet operators of ORVR-equipped vehicles to record daily aggregated fuel dispensing quantity in lieu of existing requirements in subparagraph (c)(4)(E) for fuel dispensed per vehicle.

Authority

The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 40920.6, and 41508.

Clarity

PAR 461 is written or displayed so that its meaning can be easily understood by the persons directly affected by it.

Consistency

PAR 461 is in harmony with and not in conflict with or contradictory to existing statutes, court decisions, or state or federal regulations.

Non-Duplication

PAR 461 will not impose the same requirements as any existing state or federal regulations. The proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference

In amending this rule, the following statutes which the South Coast AQMD hereby implements, interprets or makes specific are referenced: Health and Safety Code Sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5.

COMPARATIVE ANALYSIS

PAR 461 does not impose a new or more stringent emissions limit or standard, or a new or more stringent monitoring, reporting, or recordkeeping requirement. Therefore, consistent with Health and Safety Code Section 40727.2(g), no comparative analysis is required.

RESPONSE TO COMMENTS

TABLE OF CONTENTS

1. Don Lefevre, American Car Rental Association (ACRA)

Comment Letter #1



July 15, 2026

Mr. Michael Krause
Assistant Deputy Executive Officer
Planning, Rule Development, and Implementation
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Re: Comments in Support of Proposed Amended Rule 461 – Gasoline Transfer and Dispensing

Dear Mr. Krause:

The American Car Rental Association (ACRA), which is the national trade association representing the car rental companies, writes in support of Proposed Amended Rule 461 (PAR 461) and specifically new clause (c)(4)(E)(ii), which would allow operators of fleets composed entirely of ORVR-equipped motor vehicles to record total daily aggregate fuel dispensed in lieu of per-vehicle daily fueling records. We also respectfully request two refinements to subparagraph (c)(4)(E) to ensure the amendment delivers the administrative relief staff intends.

ACRA members operate large, constantly rotating fleets of late-model vehicles, including at the Consolidated Rental Car Facility at Los Angeles International Airport. Because every vehicle in these fleets is equipped with onboard refueling vapor recovery, per-vehicle daily fuel logs impose a substantial administrative burden without any corresponding emissions benefit.

ACRA members maintain, and will continue to maintain, the records required under subparagraph (c)(4)(E). As drafted, however, new clause (c)(4)(E)(ii) requires a daily “list of motor vehicles fueled,” including each vehicle’s make, model, model year, and vehicle identification number (VIN). Because the only way to know which vehicles were fueled on a given day is to identify and log each vehicle at the dispenser, this element preserves the very per-vehicle, per-fueling-event burden the amendment is intended to relieve. Notably, the Preliminary Draft Staff Report describes the new option as requiring “a daily inventory list of vehicles present on-site” — a record our members can generate automatically from existing fleet management systems, and one that demonstrates equally well that fueling is limited to ORVR-equipped vehicles, because every light-duty vehicle of model year 2006 and newer is ORVR-equipped as a matter of federal law.

1-1

Rental fleets are uniquely suited to a streamlined demonstration: they consist exclusively of late-model vehicles and turn over completely every three to four years. ACRA therefore requests that staff add a third compliance option under subparagraph (c)(4)(E) permitting an owner/operator to: (1) certify to the Executive Officer, initially and annually thereafter, that the facility dispenses gasoline exclusively into ORVR-equipped motor vehicles of model year 2006 or newer that are owned or under the direct control of the operator; (2) maintain a current fleet inventory, including each motor vehicle’s make, model, model year, and VIN, in an electronic fleet management or equivalent recordkeeping system; and (3) make such records available to the

1-2

300 New Jersey Ave, NW, Suite 300, Washington, D.C. 20001

Executive Officer upon request. This approach changes neither the emissions standard nor the ORVR-only limitation, and it preserves records fully sufficient — indeed, more readily auditable than manual logs — for the Executive Officer to verify compliance.

1-2

At a minimum, ACRA requests that staff conform the rule text to the Staff Report by revising clause (c)(4)(E)(ii) to require the date, total fuel dispensed, and an inventory list of the fleet motor vehicles at the facility, including each motor vehicle's make, model, model year, and VIN. We further request that subparagraph (c)(4)(F) be revised to permit records to be maintained in electronic form and made available upon request, and that staff streamline the permit modification the Staff Report identifies as a precondition to using the new recordkeeping option.

1-3

We thank Executive Officer Natri, you, and the PAR 461 staff team for the careful and responsive manner in which South Coast AQMD has accommodated industry's input on this issue since ACRA first raised it in October 2025. We look forward to continued collaboration with staff to identify additional ways South Coast AQMD can achieve its goals while reducing industry burdens. We respectfully urge staff to incorporate these refinements into PAR 461, and the Governing Board to adopt the strengthened amendment at the September 4, 2026 Public Hearing.

Please contact me at Don.Lefev@acradrives.org should you have any questions.

Sincerely,



Don Lefev
President & CEO
American Car Rental Association

Staff Response to Comment Letter #1

1-1 Response:

PAR 461 adds a new recordkeeping option for facilities electing to comply with the alternative compliance option specified in paragraph (c)(4) which allows non-retail gasoline transfer and dispensing facilities to operate in lieu of the Phase II requirements of paragraph (c)(2). As part of the alternative compliance pathway, subparagraph (c)(4)(D) limits the facility to dispense into only motor vehicles equipped with an onboard vapor recovery (ORVR). Compliance with this requirement is demonstrated with recordkeeping requirements.

Current Rule 461 requires facilities to maintain daily per vehicle records such as motor vehicle identification information, date, and quantity of fuel dispensed into each motor vehicle. The proposed amendments will add an option to record aggregate fuel dispensed per facility instead of quantity per vehicle which provides reduced administrative workload on those operators. Staff have also taken steps to align staff report language referenced by the commenter with the proposed rule language to clarify records must demonstrate that only ORVR vehicles are fueled at the facility on any specific day.

1-2 Response:

Staff appreciate the clarification that rental fleets consist of rotating inventory of late-model motor vehicles; however, the suggested edits would create issues to demonstrate and verify compliance with PAR 461. An annually certified fleet inventory with vehicle identification information does not provide the necessary specificity to identify whether a motor vehicle without ORVR is fueled at an applicable facility.

Staff have worked with stakeholders to address concerns surrounding recordkeeping requirements and are not recommending changes to the proposed rule language. For additional clarification on acceptable forms of fleet recordkeeping, please see Chapter 2.

1-3 Response:

Please see response to comment 1-2 for alignment of staff report language.

Rule 461 does not specify the format in which records are maintained if they are provided upon the request to the Executive Officer. Maintaining records in an electronic format is acceptable. Streamlining permit modification is outside the scope of PAR 461; however, facilities have the option to submit express permit processing requests with Form 400-XPP and applicable fees to expedite permit turnaround times.

ATTACHMENT H



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 461 – GASOLINE STORAGE AND
DISPENSING**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation for posting on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.lci.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2026>.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks for the Counties of Los Angeles, Orange, Riverside, and San Bernardino; and Governor's Office of Land Use and Climate Innovation – State Clearinghouse	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Rule 461 – Gasoline Storage and Dispensing

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Rule 461 was adopted to control emissions of volatile organic compounds and toxic air contaminants from gasoline dispensing facilities. Rule 461 currently has an alternative compliance option which allows operators of non-retail gasoline dispensing facilities (GDFs) to dispense gasoline into motor vehicles without requiring the use of California Air Resources Board-certified Phase II Enhanced Vapor Recovery systems, provided that the motor vehicles are equipped with Onboard Refueling Vapor Recovery (ORVR) systems and are owned or directly controlled by the facility operator. Proposed Amended Rule (PAR) 461 will streamline recordkeeping requirements for operators of non-retail GDFs whose fleets consist exclusively of ORVR-equipped motor vehicles by adding an option to allow documentation of total daily fuel dispensing quantities in aggregate, in lieu of the current requirement to record the amount of fuel dispensed on a per vehicle basis. PAR 461 will also include an editorial correction and remove an outdated provision which has been superseded by state reporting requirements. While no emission reductions are expected, increasing the options available in PAR 461 for fleet operators to demonstrate compliance with the recordkeeping provisions will benefit stakeholders by providing flexibility and improved clarity for implementing the applicable requirements while reducing the administrative workload.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status:
CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

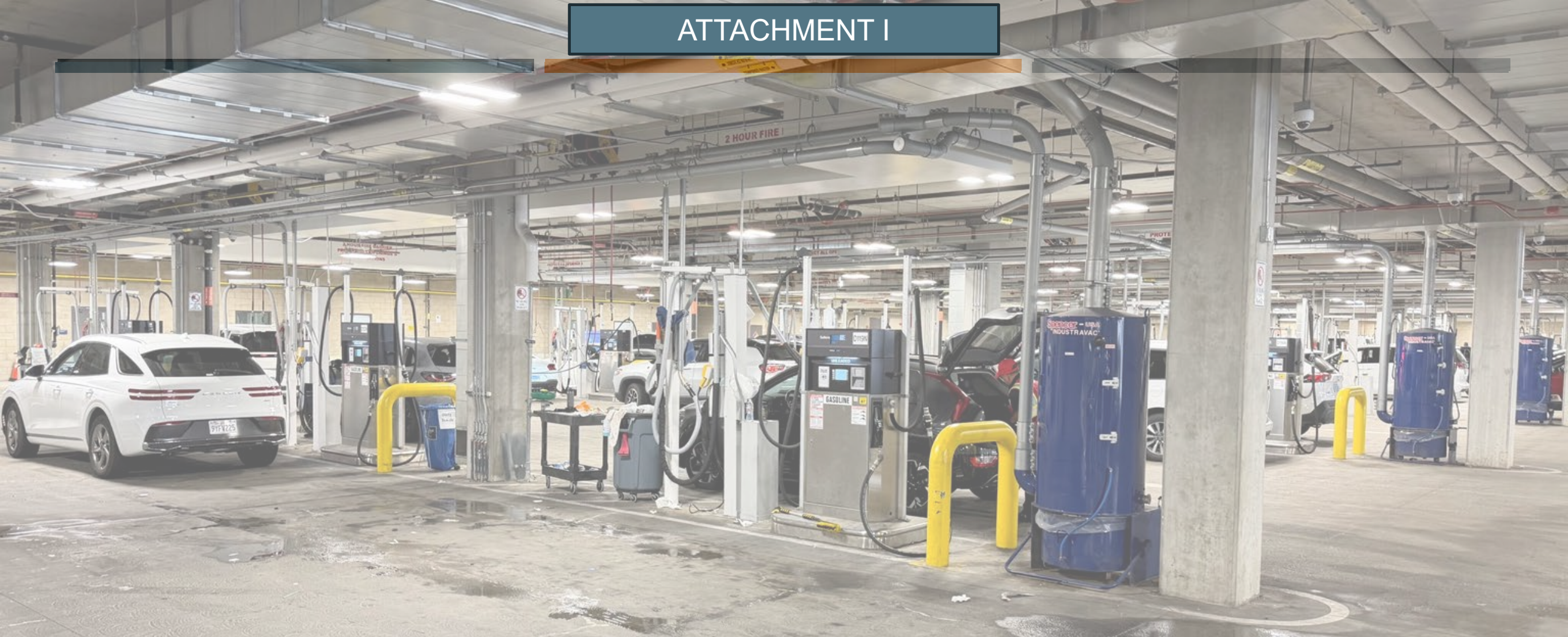
Reasons Why Project Is Exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project (PAR 461) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Because the proposed project provides a new recordkeeping option and contains other clarifications and administrative changes without requiring physical modifications, it can be seen with certainty that there is no possibility that implementation of PAR 461 may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

Date When Project Will Be Considered for Approval (subject to change):
South Coast AQMD Governing Board Public Hearing: September 4, 2026

CEQA Contact Person: Sina Taghvaei, Ph.D.	Phone Number: (909) 396-2192	Email: staghvaei@aqmd.gov
PAR 461 Contact Person: Jennifer Wang	Phone Number: (909) 396-3098	Email: jwang@aqmd.gov

NOTICE OF EXEMPTION FROM CEQA (concluded)

Date Received for Filing: _____ **Signature:** (Signed and Dated Upon Board Approval)
Kevin Ni
Program Supervisor, CEQA
Planning, Rule Development, and
Implementation



**Proposed Amended Rule 461 –
Gasoline Transfer and Dispensing**
Board Meeting
September 4, 2026

Rule 461 Background

History and Applicability

- Adopted in 1976 to regulate gasoline transfer and dispensing facilities
- Applies to gasoline transfer from:
 - Any tank truck, trailer, or railroad tank car into any stationary storage tank, and
 - Any stationary storage tank into any motor vehicle fuel tank

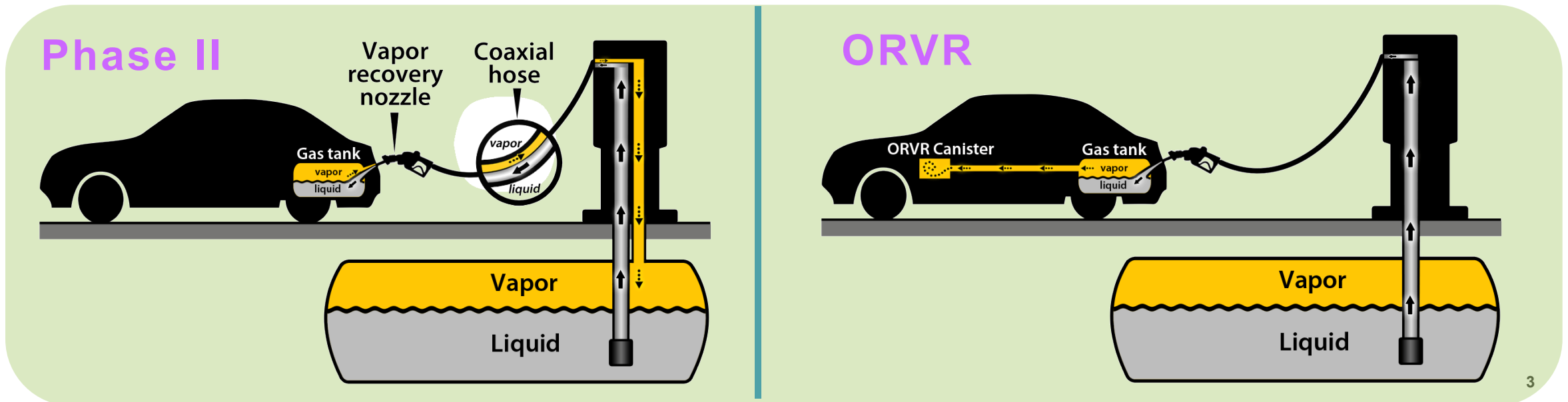
Requirement

- Reduces VOC and toxic air contaminant emissions by requiring:
 - CARB certified vapor recovery equipment
 - Periodic testing and maintenance



Phase II Vapor Recovery System For Gasoline Refueling And Onboard Vapor Recovery System (ORVR)

- ❑ Rule 461 requires gasoline dispensing facilities to install CARB-certified Phase II vapor recovery systems
 - An alternative compliance option allows non-retail gasoline dispensing facility not equipped with a CARB-certified Phase II vapor recovery system to dispense gasoline only into ORVR equipped vehicles
- ❑ ORVR is a vehicle-based control system which captures gasoline vapors during refueling



Daily Recordkeeping for Alternative Option for Phase II

- ❑ Operators are required to maintain records to demonstrate only ORVR equipped vehicles are fueled at the non-retail gasoline dispensing facility
- ❑ Records of fueling episodes are required for each vehicle, including:
 - Date of fueling;
 - Quantity of fuel dispensed for each vehicle; and
 - Make, model, model year, and vehicle identification number of all motor vehicles refueled at the facility



Need for PAR 461

- ❑ Industry stakeholders with fleets of newer vehicle equipped with ORVR* requested for an option to provide aggregate daily recordkeeping for all fuel dispensed into their motor vehicles



* ORVR is required on all new motor vehicles up to 8,500 LBs Gross Vehicle Weight Rating as of the 2006 model year

Proposed Amendments

- Added a provision which allows operators of fleets fueling exclusively ORVR equipped vehicles at non-retail gasoline dispensing facility to record total aggregate fuel dispensed

Existing	Option #1
Record date and quantity of fuel dispensed <u>per vehicle</u>	

New	Option #2*
Record date and quantity of <u>total</u> fuel dispensed	

Both options retain daily recordkeeping for identification information for fueled vehicles, including make, model, model year, and Vehicle Identification Number

- Subdivision (h) has been superseded by the state air toxics reporting program and will be removed from Rule 461

Impact Assessments

Socioeconomic Impact Assessment

Not required by Health and Safety Code Sections 40440.8 and 40728.5 because:

- PAR 461 contains administrative changes which will not significantly affect air quality or emission limitations
- No significant socioeconomic impacts expected

California Environmental Quality Act (CEQA)

- PAR 461 contains administrative changes which will not require physical modifications that would result in adverse environmental impacts
- A Notice of Exemption has been prepared

Staff Recommendation

□ Adopt Resolution:

- Determining that PAR 461 is exempt from the requirements of CEQA
- Amending Rule 461 - Gasoline Transfer and Dispensing
- Directing staff to submit PAR 461 to CARB and U.S. EPA for inclusion into the State Implementation Plan