

**PETITION FOR VARIANCE  
BEFORE THE HEARING BOARD OF THE  
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

SOUTH COAST AIR QUALITY  
CLERK OF THE BOARD

PETITIONER: CIRCLE K STORES INC.

CASE NO: 6270-1

FACILITY ID: 169378

FACILITY ADDRESS: 4528 SEPULVEDA BLVD.

*[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]*

City, State, Zip: Sherman Oaks Ca. 91403

1. TYPE OF VARIANCE REQUESTED (more than one box may be checked: see Attachment A, Item 1, before selecting)

☐ INTERIM    ☒ SHORT    ☐ REGULAR    ☐ EMERGENCY    ☒ EX PARTE EMERGENCY

2. CONTACT: Name, title, company (if different than Petitioner), address, and phone number of persons authorized to receive notices regarding this Petition (no more than two authorized persons).

Tonya McGrady

Circle K Construction Manger

255 E. Rincon St. #100

Corona Ca      Zip 92879      Zip

☎ ( 909 ) 732-5255      Ext.      ☎ (     )      Ext.

Fax (     )      Fax (     )

E-mail tmcgrady@circlek.com      E-mail

3. RECLAIM Permit    ☐ Yes    ☒ No      Title V Permit    ☐ Yes    ☒ No

*Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at [clerkofboard@aqmd.gov](mailto:clerkofboard@aqmd.gov).*

*If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.*

**[ALL DOCUMENTS FILED WITH CLERK'S OFFICE BECOME PUBLIC RECORD]**

4.

**GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice.  
(Required only for Emergency and Interim Variances; see Attachment A, Item 4)

The petition could not be filed in sufficient time to issue the required public notice due to the sudden failure of the VST membrane. As replacement parts for this unit are no longer manufactured, repair was not an option. A permit has been submitted and pending approval for the installation of a new Veeder Root carbon canister, which is ready for replacement upon receipt of approved permit. Parts have been purchased and contractor is available to install immediately upon approval.

5.

Briefly describe the type of business and processes at your facility.

Gasoline station with a convenience store.

6. List the equipment and/or activity(s) that are the subject of this petition (see Attachment A, Item 6, Example #1). **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment. For RECLAIM or Title V facilities, attach *only* the relevant sections of the Facility Permit showing the equipment or process and conditions that are subject to this petition. You must bring the entire Facility Permit to the hearing.**

| Equipment/Activity                            | Application/<br>Permit No. | RECLAIM<br>Device No. | Date<br>Application/Plan<br>Denied<br>(if relevant)* |
|---|----------------------------|-----------------------|--|
| VST Membrane/ Hydrocarbon sensor out of range | N26599                     |                       |  |
|   |                            |                       |  |
|   |                            |                       |  |
|   |                            |                       |  |

\*Attach copy of denial letter

7. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

VST Membrane- Process vapors prior to venting out to the atmosphere and is a part of what keeps our business operational while in compliance. The gasoline station uses the VST membrane – processor as part of the vapor recovery system at our facility.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes ☒ No ☐  
 If yes, how often: Twice a year Date of last maintenance and/or inspection 9/5/2024  
 Describe the maintenance and/or inspection that was performed.

Rule 461 Stage II testing is performed twice a year

9. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief (if requesting variance from Rule 401 or permit condition, see Attachment A). Briefly explain how you are or will be in violation of each rule or condition (see Attachment A, Item 9, Example #2).

| Rule  | Explanation   |
|---|---|
| 461(c)(2)(b)  | Sudden failure of a device that no longer has parts for repair  |
| 203(b)<br>Conditions Nos. 2 and 14 of<br>P/O No. N26599 | The equipment is not operating as required by Condition No. 2, and unable to perform Verification Test on the Hydrocarbon sensor as required by Condition No. 14. |
|   |   |
|   |   |

10. Are the equipment or activities subject to this request currently under variance coverage? Yes ☐ No ☒

| Case No. | Date of Action | Final Compliance Date | Explanation |
|----------|----------------|-----------------------|-------------|
|          |                |                       |             |
|          |                |                       |             |

11. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage? Yes ☐ No ☒

| Case No. | Date of Action | Final Compliance Date | Explanation |
|----------|----------------|-----------------------|-------------|
|          |                |                       |             |
|          |                |                       |             |

12. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year? Yes ☐ No ☒

If yes, you must attach a copy of each notice.

13. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months? Yes ☐ No ☒

If yes, you should be prepared to present details at the hearing.

If yes, you should be prepared to present details at the hearing.

14. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

VST Membrane was tested on 3/10/25 during Rule 461 10-day performance test, due to dispenser replacement. During this test, the testing company discovered hydrocarbon sensor out of range at 0% setting.

A different testing company was sent out to retest on 3.14.25. This still showed a potential issue with hydrocarbon. The inspector issued a notice to comply with by 3.21.25. Since no parts are available for repair, a permit to be replaced with a Carbon Canister has been submitted and has been purchased and ready to be installed as soon as permit is approved by AQMD.

15. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

During the 10-day performance of dispenser replacement on 3.14.25 when we found out that parts are no longer available to repair this unit

16. List date(s) and action(s) you have taken since that time to achieve compliance. That the Petition Form HB-V, and any related instructions, include requirement that the Petitioner include a timeline in suitable, chronological format to address the events, dates, and actions called for by Questions 15 and 16, including the dates of communication with the South Coast AQMD to notify them of the occurrence(s) giving rise to the requested variance.

A change of conditions application to an open permit to construct has been submitted and paid with expedited fees on 3.20.24. App#658982

17. What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: \$\_5,000 a day\_\_\_\_\_

Number of employees laid off (if any):\_7\_\_\_\_\_

Provide detailed information regarding economic losses, if any, (anticipated business closure, breach of contracts, hardship on customers, layoffs, and/or similar impacts).

If the variance is not granted, our gasoline station will face significant economic losses due to an unavoidable temporary closure. Without authorization, we would be unable to dispense fuel, directly halting our primary revenue stream. Each day of closure would result in a substantial loss of sales, impacting our ability to cover operating expenses such as rent, utilities, and payroll.

Additionally, a prolonged shutdown could lead to breaches of supply contracts with fuel distributors, potentially incurring penalties or loss of future business opportunities. Customers who rely on our station, including daily commuters, commercial fleets, and emergency service vehicles, would experience inconvenience, potentially driving them to competitors permanently.

The financial strain could also force us to reduce employee hours or lay off staff, affecting their livelihoods and increasing economic hardship for our workers and their families. Furthermore, a closure may disrupt our convenience store sales, exacerbating the financial impact beyond fuel sales alone.

Granting the variance would allow us to operate until approved replacement system permit is issued, ensuring continued service to our customers while avoiding severe financial and operational consequences.

18. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

Curtailing or terminating operations in lieu of obtaining a variance is not a feasible solution for our gasoline station due to the significant financial and community impact. Temporarily ceasing fuel sales would result in immediate revenue loss, making it difficult to cover fixed costs such as rent, utilities, and employee wages. Additionally, our station provides essential fueling services to the community, including daily commuters, commercial vehicles, and emergency responders, who would be forced to seek alternative locations, potentially leading to permanent customer loss.

19. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

| Pollutant | (A)  | (B)                                   | (C)*                                     |
|-----------|--|---------------------------------------|--|
|           | Total Estimated Excess Emissions (lbs/day) | Reduction Due to Mitigation (lbs/day) | Net Emissions After Mitigation (lbs/day) |
| NA        |  |                                       |  |
|           |  |                                       |  |
|           |  |                                       |  |

\* Column A minus Column B = Column C

Excess Opacity: \_\_\_\_\_ %

20. Show calculations used to estimate quantities in No. 19, or explain why there will be no excess emissions.

The system is vapor-tight and will not release fugitive vapors. It is equipped with new dispensers and hanging hardware, which will most likely operate as a vacuum-assist system. In the event of a pressure increase, the unit is designed to continue functioning correctly, ensuring compliance with vapor recovery requirements and maintaining safe operations.

21. Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

NA



22. How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District? **Any proposed monitoring does not relieve RECLAIM facilities from applicable missing data requirements.**

NA

23. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

Permit has been submitted and paid for replacement of membrane with new veeder root carbon canister.

24. State the date you are requesting the variance to begin: \_\_\_\_\_; and the date by which you expect to achieve final compliance: \_\_\_\_\_.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance. See District Rule 102 for definition of Increments of Progress (see Attachment A, Item 24, Example #3).

List Increments of Progress here:

25. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

\_\_\_\_\_  
Ext. \_\_\_\_\_

\_\_\_\_\_  
Ext. \_\_\_\_\_

If the petition was completed by someone other than the petitioner, please provide their name and title below.

\_\_\_\_\_

Name

Company

Title

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on March 24 2025, at Corona, California

Signature

Print Name

Title: Construction Manager - Circle K

26. SMALL BUSINESS and TABLE III SCHEDULE A FEES: To be eligible for reduced fees for small businesses, individuals, or entities meeting small business gross receipts criterion [see District Rule 303(h)], you must complete the following:

***Declaration Re Reduced Fee Eligibility***

1. The petitioner is
- a) ☐ an individual, or
  - b) ☐ an officer, partner or owner of the petitioner herein, or a duly authorized agent of the petitioner authorized to make the representations set forth herein.

***If you selected 1a, above, skip item 2.***

2. The petitioner is
- a) ☐ a business that meets the following definition of Small Business as set forth in District Rule 102:  
SMALL BUSINESS means a business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of both concerns shall meet these criteria:
    - (a) the number of employees is 10 or less; **AND**
    - (b) the total gross annual receipts are \$500,000 or less **or**
    - (iii) the facility is a not-for-profit training center.

**-OR-**

- b) ☐ an entity with total gross annual receipts of \$500,000 or less.

3. Therefore, I believe the petitioner qualifies for reduced fees for purpose of filing fees and excess emission fee calculations, in accordance with Rule 303(h).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, at \_\_\_\_\_, California

Signature

Print Name

Title

**ATTACHMENT A**

**ITEM 1**

Type of Variance Requested:

- (a) **SHORT:** If compliance with District rule(s) can be achieved in **90 days or less**, request a short variance. (Hearing will be held approximately 21 days from date of filing--10-day posted notice required.)



## PERMIT TO OPERATE

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.  
If the billing for annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

Legal Owner  
or Operator:

CIRCLE K STORES, INC., JUDITH NELSON SITE 2211210  
255 E. RINCON, SUITE 100  
CORONA, CA 92879-1368

ID 169378

Equipment Location: 4528 SEPULVEDA BLVD., SHERMAN OAKS, CA 91403

### Equipment Description:

Fuel Storage and Dispensing Facility Consisting of:

- 1) 8 - GASOLINE BALANCE NOZZLES DISPENSING 24 PRODUCTS EQUIPPED WITH PHASE II VAPOR RECOVERY SYSTEM, VAPOR SYSTEMS TECHNOLOGIES, INC., PHASE II ENHANCED VAPOR RECOVERY (EVR) SYSTEM WITH A VST MEMBRANE PROCESSOR INCLUDING VEEDER-ROOT IN-STATION DIAGNOSTICS (ISD) SYSTEM (VR-204-C/L).
- 2) 1 - GASOLINE UNDERGROUND STORAGE TANK, 10,000 GALLON CAPACITY, EQUIPPED WITH PHASE I VAPOR RECOVERY SYSTEM PHIL-TITE (VR-101-D/L), NOT METHANOL COMPATIBLE.
- 3) 2 - GASOLINE UNDERGROUND STORAGE TANKS, EACH 8,000 GALLON CAPACITY, EQUIPPED WITH PHASE I VAPOR RECOVERY SYSTEM PHIL-TITE (VR-101-D/L), NOT METHANOL COMPATIBLE.

Conditions:

### SECTION I: GENERAL CONDITIONS

1. OPERATION OF THIS EQUIPMENT SHALL BE IN COMPLIANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT WAS ISSUED, UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.

### SECTION II: PHASE I VAPOR RECOVERY SYSTEM AND TESTING REQUIREMENTS

3. EXCEPT FOR DIESEL TRANSFERS, PHASE I VAPOR RECOVERY SYSTEMS SHALL BE IN FULL OPERATION WHENEVER FUEL IS BEING TRANSFERRED INTO STORAGE TANKS.
4. A STATIC TORQUE TEST OF ROTATABLE PHASE I ADAPTORS SHALL BE CONDUCTED TO QUANTIFY THE AMOUNT OF STATIC TORQUE REQUIRED TO START THE ROTATION OF THE ROTATABLE PHASE I ADAPTORS. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE TEST PROCEDURE METHOD OUTLINED IN TP-201.1B (OCTOBER 8, 2003) AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO



South Coast Air Quality Management District  
Certified Copy

FILE COPY



## PERMIT TO OPERATE

### CONTINUATION OF PERMIT TO OPERATE

THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE, WITHIN SEVENTY-TWO (72) HOURS OF TEST.

5. DEPENDING ON THE SYSTEM CONFIGURATION, EITHER A LEAK RATE TEST OF DROP TUBE/DRAIN VALVE ASSEMBLY SHALL BE CONDUCTED TO QUANTIFY THE PRESSURE INTEGRITY OF BOTH THE DROP TUBE AND DRAIN VALVE SEAL OR A LEAK RATE TEST OF DROP TUBE OVERFILL PREVENTION DEVICE AND DRAIN VALVE SHALL BE CONDUCTED TO QUANTIFY THE PRESSURE INTEGRITY OF THE DROP TUBE OVERFILL PREVENTION DEVICE AND THE PRESSURE INTEGRITY OF THE SPILL CONTAINER DRAIN VALVE. EITHER TEST SHALL BE CONDUCTED IN ACCORDANCE WITH TEST PROCEDURE METHOD TP-201.1C (OCTOBER 8, 2003) OR TP-201.1D (OCTOBER 8, 2003), RESPECTIVELY. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE, WITHIN SEVENTY-TWO (72) HOURS OF TEST.
6. A LEAK RATE AND CRACKING PRESSURE TEST OF PRESSURE/VACUUM RELIEF VENT VALVES SHALL BE CONDUCTED WITHIN TEN DAYS (10) AFTER THE START OF OPERATION OF THE PHASE I EVR EQUIPMENT AND AT LEAST ONCE EVERY THREE (3) YEARS THEREAFTER TO DETERMINE THE PRESSURE AND VACUUM AT WHICH THE PRESSURE/VACUUM VENT VALVE ACTUATES, AND TO DETERMINE THE VOLUMETRIC LEAK RATE AT A GIVEN PRESSURE. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE TEST PROCEDURE METHOD TP-201.1E (OCTOBER 8, 2003). RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE, WITHIN SEVENTY-TWO (72) HOURS OF TEST. THIS TEST RESULT SHALL BE KEPT ON SITE FOR THREE (3) YEARS AND MADE AVAILABLE TO DISTRICT REPRESENTATIVES UPON REQUEST.

### SECTION III: PHASE II VAPOR RECOVERY SYSTEM AND TESTING REQUIREMENTS

7. EXCEPT FOR DIESEL TRANSFERS, PHASE II VAPOR RECOVERY SYSTEMS SHALL BE IN FULL OPERATION WHENEVER FUEL IS BEING TRANSFERRED INTO MOTOR VEHICLES, AS DEFINED IN RULE 461.
8. A STATIC PRESSURE PERFORMANCE TEST SHALL BE CONDUCTED TO DEMONSTRATE THAT THE STORAGE TANKS, THE REMOTE AND/OR NOZZLE VAPOR RECOVERY CHECK VALVES, ASSOCIATED VAPOR RETURN PIPING AND FITTINGS ARE FREE FROM VAPOR LEAKS. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH CARB TEST PROCEDURE METHOD TP-201.3 (MARCH 17, 1999), AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE, WITHIN SEVENTY-TWO (72) HOURS OF TEST.
9. THE STATIC PRESSURE PERFORMANCE TEST TP-201.3, SHALL BE CONDUCTED IN ACCORDANCE WITH THE MOST RECENT VERSION OF EXHIBIT 4 OF CARB EXECUTIVE ORDER VR-204. VERIFICATION OF COMPLETING EACH STEP AS OUTLINED SHALL BE DOCUMENTED BY SUBMITTING A COPY OF EXHIBIT 4 TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
10. THE PHASE II VAPOR RECOVERY SYSTEM SHALL BE INSTALLED, OPERATED, AND MAINTAINED SUCH THAT THE MAXIMUM ALLOWABLE PRESSURE THROUGH THE SYSTEM INCLUDING NOZZLE, VAPOR HOSE, SWIVELS, AND UNDERGROUND PIPING DOES NOT EXCEED



South Coast Air Quality Management District  
Certified Copy

FILE COPY



## PERMIT TO OPERATE

### CONTINUATION OF PERMIT TO OPERATE

THE DYNAMIC BACK PRESSURES DESCRIBED BY THE CALIFORNIA AIR RESOURCES BOARD EXECUTIVE ORDER BY WHICH THE SYSTEM WAS CERTIFIED:

| NITROGEN FLOWRATES<br>(CFH) | DYNAMIC BACK PRESSURE<br>(INCHES OF WATER) |
|-----------------------------|--|
| 60                          | 0.35                                       |
| 80                          | 0.62                                       |

DYNAMIC BACK PRESSURE TESTS SHALL BE CONDUCTED TO DETERMINE THE PHASE II SYSTEM VAPOR RECOVERY BACK PRESSURES. THE TESTS SHALL BE CONDUCTED IN ACCORDANCE WITH CARB TEST PROCEDURE TP-201.4, METHODOLOGY 1 (JULY 3, 2002); AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. FURTHERMORE, CARB TEST PROCEDURE TP-201.4, METHODOLOGY 6 (JULY 3, 2002); SHALL BE CONDUCTED WITHIN 10 (TEN) DAYS FROM START OF OPERATION AS A PERFORMANCE TEST ONLY. A COPY OF THE TP-201.4, METHODOLOGY 6 TEST RESULT SHALL REMAIN PERMANENTLY ON SITE. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE, WITHIN SEVENTY-TWO (72) HOURS OF TESTS.

11. THE DYNAMIC BACK PRESSURE TESTS TP-201.4, SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 6 OF CARB EXECUTIVE ORDER VR-204. VERIFICATION OF COMPLETING EACH STEP AS OUTLINED SHALL BE DOCUMENTED BY SUBMITTING A COPY OF EXHIBIT 6 TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
12. A LIQUID REMOVAL TEST SHALL BE CONDUCTED TO QUANTIFY THE REMOVAL RATE OF LIQUID FROM THE VAPOR PASSAGE OF A PHASE II BALANCE SYSTEM HOSE EQUIPPED WITH A LIQUID REMOVAL DEVICE. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 5 OF CARB EXECUTIVE ORDER VR-204, AS A PERFORMANCE TEST AND REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
13. A NOZZLE BAG TEST SHALL BE CONDUCTED ON THE VST PHASE II EVR NOZZLES TO VERIFY THE INTEGRITY OF THE VAPOR VALVE. THE TEST SHALL BE CONDUCTED ON ANY NEWLY INSTALLED OR REPLACED VST PHASE II EVR NOZZLES AND IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 7 OF CARB EXECUTIVE ORDER VR-204. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
14. A HYDROCARBON SENSOR VERIFICATION TEST SHALL BE CONDUCTED TO DETERMINE THE ACCURACY OF THE VST HYDROCARBON NON-DISPERSIVE INFRARED SENSOR (HC SENSOR) USING KNOWN HYDROCARBON CONCENTRATIONS (PROPANE) CALIBRATION GASES AT GASOLINE DISPENSING FACILITIES. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 8 OF CARB EXECUTIVE ORDER VR-204, AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.





## PERMIT TO OPERATE

### CONTINUATION OF PERMIT TO OPERATE

15. A DETERMINATION OF PROCESSOR ACTIVATION PRESSURE TEST SHALL BE CONDUCTED TO DETERMINE COMPLIANCE WITH THE VST PROCESSOR ACTIVATION PRESSURE REQUIREMENT. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 9 OF CARB EXECUTIVE ORDER VR-204, AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
16. A VAPOR PRESSURE SENSOR VERIFICATION TEST SHALL BE CONDUCTED TO DETERMINE THE PRESSURE MANAGEMENT CONTROL VAPOR PRESSURE SENSOR IS OPERATING IN ACCORDANCE WITH THE PRESSURE SENSOR REQUIREMENTS. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 10 OF CARB EXECUTIVE ORDER VR-204, AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
17. IF THE VAPOR PROCESSOR UNIT IS NOT ACCESSIBLE FOR INSPECTION AND PERFORMING TESTS PURPOSES FROM GROUND LEVEL, THE OWNER/OPERATOR SHALL PROVIDE SAFE ACCESS, WHICH IS ON-SITE AND IMMEDIATELY AVAILABLE UPON REQUEST, TO THE VAPOR PROCESSOR UNIT. THE ACCESS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE GENERAL INDUSTRY SAFETY ORDERS OF THE STATE OF CALIFORNIA OR IN COMPLIANCE WITH STANDARDS SPECIFIED BY THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH OF THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS (I.E. CAL/OSHA).

#### SECTION IV: IN-STATION DIAGNOSTICS SYSTEM AND TESTING REQUIREMENTS

18. AN ISD VAPOR FLOW METER OPERABILITY TEST SHALL BE CONDUCTED TO VERIFY THE SETUP AND OPERATION OF THE VAPOR FLOW METER. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE LATEST VERSION OF EXHIBIT 17 OF CARB EXECUTIVE ORDER VR-204, AS A PERFORMANCE TEST AND AS A REVERIFICATION TEST. FURTHERMORE, THE ISD OPERABILITY TEST SHALL BE CONDUCTED IMMEDIATELY WHENEVER A VAPOR PRESSURE SENSOR OR A VAPOR FLOW METER IS REPLACED. RESULTS SHALL BE SUBMITTED TO THE AQMD, OFFICE OF ENGINEERING AND COMPLIANCE WITHIN SEVENTY-TWO (72) HOURS OF TEST.
19. WITHIN TWO (2) HOURS OF DETECTING THE FIRST ISD WARNING ALARM BY THE ISD SYSTEM, THE FACILITY ATTENDANT SHALL NOTIFY THE RESPONSIBLE COMPANY OFFICIAL OR THEIR DESIGNEE AND REQUEST IMMEDIATE SERVICE TO CORRECT THE PROBLEM. ALL INFORMATION RELATING TO THE ALARM EVENT AND REPORTING SHALL BE IMMEDIATELY RECORDED ON AN AQMD APPROVED FORM AND SHALL BE MADE AVAILABLE TO THE DISTRICT REPRESENTATIVE UPON REQUEST. ONLY PERSONS AUTHORIZED BY THE APPLICABLE ARB CERTIFICATION EXECUTIVE ORDERS SHALL BE ALLOWED TO MAKE VAPOR RECOVERY OR ISD SYSTEM REPAIRS.
20. IF A SECOND ISD WARNING ALARM OCCURS INDICATING THAT THE SAME PROBLEM STILL EXISTS OR IF A FAILURE ALARM OCCURS WHERE GASOLINE DISPENSING IS TERMINATED, THE ISD SYSTEM MAY BE RESET TO ALLOW FOR VEHICLE FUELING TO RESUME ONLY IF:



South Coast Air Quality Management District  
Certified Copy

FILE COPY



## PERMIT TO OPERATE

### CONTINUATION OF PERMIT TO OPERATE

- A) THE FUELING POINT(S) ASSOCIATED WITH THE PROBLEM THAT TRIGGERED THE FAILURE ALARM IS ISOLATED AND NOT OPERATED UNTIL THE REQUIRED REPAIRS HAVE BEEN COMPLETED; OR
- B) AN ORDER FOR ABATEMENT OR OTHER ADMINISTRATIVE RELIEF HAS BEEN ISSUED BY THE AQMD HEARING BOARD ALLOWING GASOLINE DISPENSING TO CONTINUE; OR
- C) ALL REQUIRED REPAIRS TO CORRECT THE PROBLEM THAT TRIGGERED THE SECOND WARNING OR FAILURE ALARM HAVE BEEN COMPLETED, AND THE NECESSARY APPLICABLE TESTS OR PROCEDURES HAVE BEEN PERFORMED. A LISTING OF THE REQUIRED TESTS AND OR PROCEDURES CAN BE FOUND IN ARB'S EXECUTIVE ORDER VR-204 INSTALLATION, OPERATION, AND MAINTENANCE MANUAL, SECTION 12 (VEEDER-ROOT: ISD INSTALLATION MANUAL), SUBSECTION 5 (OPERATION), TABLE 3 (ISD ALARM SUMMARY), AND TABLES 4 AND 5 (OTHER ALARMS).

AT A MINIMUM, ALL INFORMATION RELATING TO THE ALARM EVENT, COURSE OF ACTION TAKEN, REPAIRS MADE, AND TESTS OR PROCEDURES PERFORMED SHALL BE IMMEDIATELY RECORDED ON AN AQMD APPROVED FORM AND SHALL BE MADE AVAILABLE TO THE DISTRICT REPRESENTATIVE UPON REQUEST.

- 21. THE CLEAR TEST AFTER REPAIR (RESET) FUNCTION FOR THE VEEDER-ROOT ISD SYSTEM SHALL ONLY BE UTILIZED ONCE AFTER THE FIRST ISD WARNING ALARM OR IF THE OWNER/OPERATOR HAS COMPLETED EITHER CONDITION 20A, 20B, OR 20C ABOVE.
- 22. THERE SHALL BE NO GASOLINE DISPENSING IF THE ISD SYSTEM IS SHUT OFF, TAMPERED WITH, DISCONNECTED, OR OTHERWISE DISABLED.

### SECTION V: GENERAL REQUIREMENTS

- 23. ALL PHASE I AND PHASE II VAPOR RECOVERY EQUIPMENT AT THIS FACILITY SHALL BE INSTALLED, OPERATED AND MAINTAINED TO MEET ALL CALIFORNIA AIR RESOURCES BOARD CERTIFICATION REQUIREMENTS.
- 24. WITHIN THIRTY (30) DAYS FROM THE ISSUANCE DATE OF THIS PERMIT, THE OWNER OR OPERATOR OF THIS EQUIPMENT SHALL COMPLETE THE FOLLOWING TASKS:
  - A) ENROLL/ATTEND AND PASS AN AQMD APPROVED RULE 461 SELF-COMPLIANCE PROGRAM.
  - B) PROVIDE PROOF THAT A PERIODIC COMPLIANCE INSPECTION WAS PERFORMED WITHIN THE LAST TWELVE MONTHS. IF PROOF CAN NOT BE PROVIDED, CONDUCT A PERIODIC COMPLIANCE INSPECTION WITHIN THIRTY (30) DAYS FROM THE ISSUANCE DATE OF THIS PERMIT.
  - C) DEVELOP AND IMPLEMENT AN OPERATION AND MAINTENANCE MANUAL. THIS MANUAL SHALL BE KEPT ON SITE AND MADE AVAILABLE TO DISTRICT REPRESENTATIVES UPON REQUEST.
  - D) PROVIDE PROOF THAT THE REQUIRED VAPOR RECOVERY TESTS AS MENTIONED IN THIS PERMIT TO OPERATE WERE CONDUCTED WITHIN THE LAST SIX MONTHS FOR FACILITIES WITH A MONTHLY THROUGHPUT OF GREATER THAN 100,000 GALLONS PER MONTH; OR WITHIN THE LAST TWELVE MONTHS FOR FACILITIES WITH A MONTHLY



South Coast Air Quality Management District  
Certified Copy

FILE COPY





## PERMIT TO OPERATE

### CONTINUATION OF PERMIT TO OPERATE

THROUGHPUT OF LESS THAN 100,000 GALLONS PER MONTH. IF PROOF CAN NOT BE PROVIDED, CONDUCT THE REQUIRED VAPOR RECOVERY TESTS WITHIN THIRTY (30) DAYS FROM THE ISSUANCE DATE OF THIS PERMIT.

25. NEW EQUIPMENT INSTALLATIONS AND SUBSEQUENT SERVICE AND REPAIRS FOR ANY CERTIFIED COMPONENT FOR WHICH THIS PERMIT WAS ISSUED, SHALL ONLY BE PERFORMED BY A CURRENT AND CERTIFIED PERSON WHO HAS SUCCESSFULLY COMPLETED THE MANUFACTURER'S TRAINING COURSE AND APPROPRIATE INTERNATIONAL CODE COUNCIL (ICC) CERTIFICATION OR CARB EQUIVALENT TRAINING. COMPLETION OF ANY AQMD TRAINING COURSE DOES NOT CONSTITUTE AS A SUBSTITUTE FOR THIS REQUIREMENT. PROOF OF SUCCESSFUL COMPLETION OF ANY MANUFACTURER TRAINING COURSE SHALL BE WITH THE MANUFACTURER.
26. UNLESS AQMD RULE 461 REQUIRES A MORE FREQUENT TESTING OR INSPECTION SCHEDULE, THE OWNER/OPERATOR SHALL BE RESPONSIBLE TO PERFORM THE SCHEDULED WEEKLY, QUARTERLY, AND ANNUAL INSPECTIONS AS OUTLINED IN THE ARB APPROVED INSTALLATION, OPERATION, AND MAINTENANCE MANUAL FOR THE VST PHASE II EVR SYSTEMS, AS WELL AS ALL THE REQUIRED VAPOR RECOVERY SYSTEM TESTS AS PER THE CURRENT AND APPROPRIATE ARB EXECUTIVE ORDER.
27. THE AQMD SHALL BE NOTIFIED BY E-MAIL AT [R461TESTING@AQMD.GOV](mailto:R461TESTING@AQMD.GOV) OR BY FACSIMILE AT TELEPHONE NUMBER (909) 396-3606 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO ANY OF THE ABOVE MENTIONED TESTING REQUIREMENTS. SUCH NOTIFICATION SHALL INCLUDE THE NAME OF THE OWNER OR OPERATOR; THE NAME OF THE CONTRACTOR; THE LOCATION OF THE FACILITY; AND THE SCHEDULED START AND COMPLETION DATES OF THE TESTS TO BE PERFORMED.
28. THE TESTING FOR THE ABOVE MENTIONED TESTS SHALL BE CONDUCTED IN ACCORDANCE WITH THE MOST RECENT RULE 461 AMENDMENT OR CARB EXECUTIVE ORDER REQUIREMENTS, WHICHEVER IS MORE STRINGENT.
29. ALL RECORDS AND TEST RESULTS THAT ARE REQUIRED TO BE MAINTAINED BY RULE 461 SHALL BE KEPT ON SITE FOR FOUR YEARS AND MADE AVAILABLE TO DISTRICT REPRESENTATIVES UPON REQUEST.

### NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR COPY SHALL BE POSTED ON OR WITHIN 8 METERS OF THE EQUIPMENT.



South Coast Air Quality Management District  
Certified Copy

FILE COPY



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
21865 Copley Drive, Diamond Bar, CA 91765

page 7  
Permit No.  
N26599  
A/N 528215

## PERMIT TO OPERATE

CONTINUATION OF PERMIT TO OPERATE

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF OTHER GOVERNMENT AGENCIES.

EXECUTIVE OFFICER

*Dorris M. Bailey*

By Dorris M. Bailey/jm04  
03/07/2012



South Coast Air Quality Management District  
Certified Copy

FILE COPY