

## SECTION 2.07 GASOLINE DISPENSING FACILITIES

Adopted 03/13/80 (462), Revised 02/11/82 (510), 06/13/91 (700), 01/09/92 (717), 10/14/93 (764), 02/10/94 (777), 07/08/99 (885), 12/09/99 (905), 03/25/04 (1023), 09/27/07 (1108), 07/22/10 (1193)

### (a) Applicability

- (1) The requirements of Section 2.07 of this regulation apply to any facility that dispenses gasoline into a motor vehicle fuel tank from a stationary storage tank with a rated capacity of more than 1,000 gallons. The provisions of this rule do not apply to any Stage 1 or Stage 2 vapor recovery system that is not required by this rule. This rule does not require the installation of any In Station Diagnostics (ISD) system.
- (2) This rule shall have an effective date of September 1, 2011.

### (b) Definitions

- (1) **CARB-CERTIFIED** means a Stage 1 or Stage 2 vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued an Executive Order. Each equipment component listed on the applicable certified-CARB Executive Order must be installed. Equipment component(s) not listed in a CARB Executive Order may not be installed as replacement for a certified part.
- (2) **INSTALL or INSTALLING** means establishing or placing in service CARB-certified Stage 1 or Stage 2 vapor recovery equipment at a facility within the Agency's jurisdiction, and includes repairs completed as part of compliance testing. Equipment repairs performed by an owner or operator to correct defects discovered through self-inspection are not included in this definition.
- (3) **ORVR** means the Onboard Refueling Vapor Recovery system contained within a vehicle that captures the gasoline vapors that are displaced when gasoline is dispensed to the vehicle tank.
- (4) **OWNER or OPERATOR** means a person who owns, leases, supervises, or operates a facility subject to this regulation.
- (5) **STAGE 1 MODIFICATION** means any of the following equipment changes or projects, including but not limited to:
  - (A) Installation or replacement of a stationary storage tank rated more than 1,000 gallons that stores gasoline;
  - (B) Replacement of Stage 1 components that are upgrades, including but not limited to replacement of all spill buckets, all drop tubes, or all adaptors.
- (6) **STAGE 2 MODIFICATION** means any of the following equipment changes or projects, including but not limited to:
  - (A) Addition of new fueling position(s);
  - (B) Replacement of all existing dispensers;
  - (C) Converting vapor-balance system to vacuum-assist system or converting vacuum-assist system to vapor-balance system;

- (D) Replacement of Stage 2 vapor recovery components that are upgrades, including but not limited to dispensing configuration changes to include six-pack to blending dispenser conversions, and replacement of pre-ORVR dispensers to ORVR-compatible or Enhanced Vapor Recovery (EVR) technology.
  - (7) **SYSTEM** means the complete and integrated components necessary to provide the vapor recovery emission control service for a gasoline dispensing facility required in Section 2.07 of this regulation. A system may be the Stage 1 vapor recovery equipment, the Stage 2 vapor recovery equipment, and/or the combined integration of appropriate Stage 1 and Stage 2 vapor recovery equipment at a gasoline dispensing facility.
  - (8) **TEST or TESTING** means the performance of a test or method or series of tests or methods to determine the integrity, functionality or effectiveness of CARB-certified Stage 1 or Stage 2 vapor recovery equipment at a facility within the Agency's jurisdiction.
- (c) Installation Requirements
- (1) Installation Requirements – Stage 1
    - (A) All gasoline dispensing facilities with a current annual gasoline throughput greater than 200,000 gallons or with a gasoline storage tank installed after January 1, 1979 shall be equipped with a CARB-certified Stage 1 vapor recovery system.
    - (B) After April 1, 2001, all gasoline dispensing facilities that install or replace a gasoline tank or a Stage 1 vapor recovery system shall be equipped with a CARB-certified EVR system. This requirement includes installations defined as a Stage 1 modification in Section 2.07 of this regulation.
    - (C) Any person installing a CARB-certified Stage 1 vapor recovery system must install the system in accordance with the applicable CARB Executive Order in effect on the date of installation.
    - (D) Any person installing CARB-certified Stage 1 vapor recovery equipment shall be certified as required in Section 2.07(f) of this regulation.
    - (E) All gasoline dispensing facilities with dual-point Stage 1 vapor recovery systems shall be equipped with Stage 1 swivel adapters if the facility is required to be equipped with a Stage 2 vapor recovery system under Section 2.07(c)(2) of this regulation.
  - (2) Installation Requirements – Stage 2
    - (A) All gasoline dispensing facilities with a current annual gasoline throughput greater than 600,000 gallons (or 840,000 gallons for Kitsap County only) shall be equipped with a CARB-certified Stage 2 vapor recovery system.

- (B) All gasoline dispensing facilities with both a current annual gasoline throughput greater than 200,000 gallons and a gasoline storage tank installed after August 2, 1991 shall be equipped with a CARB-certified Stage 2 vapor recovery system.
- (C) All gasoline dispensing facilities with Stage 2 vapor recovery systems installed after April 1, 2003 shall employ either CARB-certified ORVR-compatible systems or CARB-certified EVR systems. This requirement includes installations defined as a Stage 2 modification.
- (D) Any person installing a CARB-certified Stage 2 vapor recovery system must install the system in accordance with the applicable CARB Executive Order in effect on the date of installation.
- (E) Any person installing CARB-certified Stage 2 vapor recovery equipment shall be certified as required in Section 2.07(f) of this regulation.

(d) Maintenance Requirements

- (1) Maintenance Requirements – All Stage 1 vapor recovery systems shall be operated and maintained in accordance with the applicable CARB Executive Order in effect on the date of installation.
- (2) Maintenance Requirements – Stage 2
  - (A) All Stage 2 vapor recovery systems installed after April 1, 2003 must be ORVR-compatible and must be operated and maintained in accordance with the applicable CARB Executive Order in effect on the date of installation. However, ISD system installation is not required.
  - (B) All Stage 2 vapor recovery systems installed prior to April 1, 2003 shall be operated and maintained in accordance with the applicable CARB Executive Order in effect as of April 1, 2003, even if CARB later decertifies the system. For Stage 2 vapor recovery systems installed prior to April 1, 2003, the installation of equipment determined by the manufacturer to be interchangeable with the original approved equipment is allowed.
  - (C) Defects listed in Table 1 are evidence that the installed equipment is not operated or maintained in accordance with Section 2.07 of this regulation. The defects listed in Table 1 shall be included in the operation and maintenance plan required for the facility.

Table 1  
Stage 2 Defects

Equipment	Inspection Procedures	Defects
Nozzle	Visually inspect for leaking gasoline.	Visible gasoline leaks.
Hose (from dispenser to nozzle) including whip hose	Visually inspect the hose for leaking gasoline.	Visible gasoline leaks.

(e) Testing requirements

(1) Stage 1 Initial Installation Testing Requirements

- (A) Owners or operators must obtain the Stage 1 compliance tests identified in Table 2, and each test must be conducted in accordance with the test procedures identified in Table 2. The compliance tests shall be completed after initial installation of any Stage 1 system and prior to dispensing fuel commercially.
- (B) Stage 1 compliance tests shall be performed by person(s) who are certified as required in Section 2.07(f) of this regulation.
- (C) The tests listed in Table 2 are exempt from the requirements of Section 3.07 of Regulation I.

Table 2  
Initial Installation Stage 1 Compliance Tests

Stage 1 EVR Vapor Recovery Systems	CARB Tests Required	CARB Test Procedures <sup>1</sup>	Date of Adoption
	Leak Rate Test <sup>2</sup> .....	TP-201.1C or TP-201.1D ...	October 8, 2003
	Static Pressure Decay <sup>3</sup> .....	TP-201.3 .....	March 17, 1999
	Static Torque of Adaptors .....	TP-201.1B .....	October 8, 2003
	Leak Rate/Cracking P/V <sup>4</sup> .....	TP-201.1E .....	October 8, 2003

<sup>1</sup>Or test procedures that have been approved by CARB as equivalent to CARB procedures.

<sup>2</sup>TP-201.1C has no overfill prevention device and TP-201.1D is required for drop tubes with overfill prevention.

<sup>3</sup>Except that test procedure TP-201.3B (dated 4/12/96) shall be used for above-ground storage tanks.

<sup>4</sup>The test procedures are also listed in Exhibit 2 of the CARB Executive Order.

(2) Stage 2 Testing Requirements

- (A) Owners or operators must obtain the Stage 2 compliance tests identified in Table 3 annually, and each test must be conducted in accordance with the test procedures identified in Table 3. In addition, each test shall be completed no less than 335 days and no more than 395 days since the last annual test.

- (B) For stations with vapor-balance systems, the first annual test completed after September 1, 2011 shall be completed on an annual schedule as specified above or by January 15, 2012, whichever date comes first.
- (C) Owners or operators must obtain a Static Pressure Decay Test semiannually. One test shall be completed during the annual testing required in Section 2.07(e)(2)(A) of this regulation and the other semiannual test shall be completed no less than 150 days and no more than 210 days since the last Static Pressure Decay Test.
- (D) Owners or operators must obtain the Stage 2 compliance tests identified in Table 3 after initial installation of any Stage 2 system and prior to dispensing fuel commercially.
- (E) Stage 2 compliance tests shall be performed by persons who are certified as required in Section 2.07(f) of this regulation.
- (F) The tests listed in Table 3 are exempt from the requirements of Section 3.07 of Regulation I.

Table 3  
Annual Stage 2 Compliance Tests

Stage 2 Vapor Recovery Systems	CARB Tests Required	CARB Test Procedures <sup>1</sup>	Date of Adoption
All Vapor-Balance	Static Pressure Decay <sup>2</sup> .....	TP-201.3.....	March 17, 1999
	Dynamic Back Pressure .....	TP-201.4.....	July 3, 2002
	Tank-Tie Test <sup>3</sup> .....	TP-201.3C.....	March 17, 1999
	Static Torque of Adaptors <sup>4</sup> .....	TP-201.1B.....	October 8, 2003
All Vacuum-Assist <sup>5</sup>	Static Pressure Decay <sup>2</sup> .....	TP-201.3.....	March 17, 1999
	Dynamic Back Pressure .....	TP-201.4.....	July 3, 2002
	Air-to-Liquid Ratio .....	TP-201.5.....	February 1, 2001
	Tank-Tie Test <sup>3</sup> .....	TP-201.3C.....	March 17, 1999
	Static Torque of Adaptors <sup>4</sup> .....	TP-201.1B.....	October 8, 2003

<sup>1</sup>Or test procedures that have been approved by CARB as equivalent to CARB procedures.

<sup>2</sup>For static pressure decay test, test procedure TP-201.3B (dated 4/12/96) shall be used for above-ground storage tanks.

<sup>3</sup>Tank-tie test must be conducted at least once, or after any tank configuration changes to show the tanks are manifolded. The tank-tie test records must be kept on-site to verify compliance.

<sup>4</sup>For static torque of adaptors, testing is required only for stations equipped with dual-point Stage 1 vapor recovery systems.

<sup>5</sup>Vapor return line vacuum integrity tests shall be conducted on each vacuum-assist system equipped with a central vacuum pump annually, in accordance with Exhibit 4 of CARB Executive Orders G-70-165 and G-70-186, as applicable.

(3) Failed Compliance Tests

Owners or operators must notify the Agency in writing within 24 hours of any failed compliance tests, if the defective equipment cannot be repaired or replaced by the person conducting the test on the day of the test. If the defective equipment cannot be repaired by the close of the next business day following the failed compliance test, the owner or operator must stop receiving and/or dispensing gasoline from the defective equipment until it is repaired and retested, and passes all required compliance tests. The requirements in Section 2.07(e)(3) of this regulation do not include any operation of equipment necessary to conduct a retest. Equipment operation after a failed compliance test is evidence of a continuing violation until a passing test has been completed for that equipment.

(4) Test Reports

(A) After the testing required by Section 2.07 of this regulation has been conducted, the owner or operator must obtain a written test report.

(B) The written report must include the following information:

- name and address of the person(s) who conducted each test,
- date of the testing,
- equipment tested,
- test procedures or methods used,
- results of the tests, and
- any repairs made or corrective actions taken necessary to pass the tests.

(C) Owners or operators must keep a copy of the test report on-site at the facility and available for inspection for at least 2 years after the date the report was prepared.

(5) Compliance Testing Activity Reports

(A) Persons completing the Stage 1 or Stage 2 testing identified in Section 2.07 of this regulation shall submit compliance testing activity reports to the Agency. Compliance testing activity reports must be submitted on approved forms through the Agency website and must be received by the Agency no later than 2 days after completion of the compliance test on-site.

(B) Compliance testing activity reports shall include, but not be limited to, the following information:

- identification of the facility,
- date of the testing,
- identification of each test conducted,
- results (pass/fail) of each test conducted,
- name of the person(s) who conducted each test and current certification credential information for each such person, and
- statement of whether repairs were completed, and if so, description of all repairs undertaken and/or completed.

(f) Certification for Persons Testing or Installing

- (1) Persons testing or installing CARB-certified Stage 1 or Stage 2 vapor recovery equipment as required by Section 2.07 of this regulation must be certified by the International Code Council or other association that the Agency has determined provides an examination where persons can demonstrate their knowledge of regulatory codes, standards, and practices pertaining to CARB-certified Stage 1 or Stage 2 vapor recovery equipment, or have passed another qualifying examination approved by the Agency.
- (2) Persons testing or installing CARB-certified Stage 1 or Stage 2 vapor recovery equipment must be certified every other year. Such persons must possess a valid certification at the time of performing any testing or installation of CARB-certified Stage 1 or Stage 2 vapor recovery equipment required by Section 2.07 of this regulation. Subsequent certifications must occur within 2 years of the anniversary date of a person's first certification under Section 2.07(f) of this regulation.
- (3) All testing must be conducted consistent with the requirements of Section 2.07(e) of this regulation.
- (4) The certification requirements in Section 2.07(f) of this regulation do not apply to owners or operators of gasoline dispensing facilities.

(g) Recordkeeping Requirements for Owners or Operators

Owners or operators must keep a copy of all records required by this rule on-site at the facility and available for inspection for at least 2 years after the date the record was prepared.