

## REGULATION II PROHIBITIONS

### Rule 215      **Phase II Vapor Recovery System Requirements**

A.      No owner or operator of a retail service station shall transfer, permit the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank at a retail service station into a motor vehicle fuel tank unless an ARB-certified Phase II vapor recovery system is installed and used during transfer.

B.      **Exemptions to Rule 215 A**

1.      **Phase I Exempted Tanks**

A transfer of gasoline from a stationary storage tank which is exempt from Phase I requirements pursuant to Rule 214 B.

2.      **Facilities With Less than 480,000 Gallons Annual Output**

A transfer of gasoline from an existing retail service station with an annual gasoline throughput of 480,000 or fewer gallons. After the throughput exceeds 480,000 gallons this exemption shall expire on January 1 of the following year.

C.      **Compliance Schedule**

1.      **Throughput in Excess of 480,000 Gallons After 1988**

If during any calendar year or portion of a calendar year **after** 1988, the gasoline throughput from an existing retail service station meets or exceeds 480,000 gallons, the exemption pursuant to Rule 215 B. 2 will expire. Upon expiration of this exemption the owner or operator of the retail service station shall:

- a.      Immediately notify the Air Pollution Control Officer, in writing, in advance of the intended Phase II vapor recovery installation; and
- b.      Secure all necessary permits and other approvals for the installation of the Phase II vapor recovery system within fifteen (15) months from the date the exemption expires; and
- c.      Install the Phase II vapor recovery system within two (2) years from the date the exemption expires.

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### **2. New Retail Service Station**

The owner or operator of any new retail service station shall install and use an ARB-certified Phase II vapor recovery system at the time gasoline is first delivered to the facility.

### **3. Tank Replacement**

At the time of tank replacement at an existing service station, an ARB-certified Phase II vapor recovery system shall be installed and used thereafter on all of the station's facilities, unless exempted by Rule 214.B (Phase I).

### **D. Operation and Maintenance**

1. A person shall not transfer, permit the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank subject to the provisions of Rule 215 A (Phase II) into any motor vehicle fuel tank unless:

- a. The vapor recovery system is operating in accordance with the manufacturer's specifications and is maintained to be leak free, vapor tight, and in good working order; and
- b. The equipment subject to this rule is operated and maintained with none of the defects contained in the California Code of Regulations, Section 94006.

#### **c. Posting of Operating Instructions**

The owner or operator of each gasoline dispensing facility requiring a Phase II vapor recovery system shall conspicuously post in the gasoline dispensing area operating instructions for the system and the District's or the Air Resources Board's telephone number for complaints. The instructions shall clearly describe how to fuel vehicles correctly with the vapor recovery nozzles, and shall include a warning that topping off may result in spillage or recirculation of gasoline.

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### **E. Defective Phase II Equipment - Prohibition of Use**

Whenever the Air Pollution Control Officer or his designee determines that a Phase II vapor recovery system, or any component thereof, contains a defect specified by the Air Resources Board pursuant to Rule 215 D. 1.a., 1.b., the Air Pollution Control Officer or his designee shall mark such system or component "Out of Order". No person shall use or permit the use of such marked component or system until it has been repaired, replaced, or adjusted as required to permit proper operation, and the Air Pollution Control Officer or his designee has re-inspected it or has authorized its use pending re-inspection.

### **F. Federal Ozone Non-attainment Areas**

The following provisions shall apply only in those portions of the District designated as non-attainment of any federal ambient air quality standard for ozone and are in addition to and supersede all other provisions of this rule:

1. No owner or operator of a stationary gasoline tank, retail or non-retail, with a capacity greater than 250 gallons, shall transfer, permit the transfer, or provide equipment for the transfer of gasoline from a stationary gasoline storage tank into a motor vehicle fuel tank unless an ARB-certified Phase II vapor recovery system is installed and used during the transfer.
2. Exemptions to Section A of this rule:
  - a) Small Tanks

A gasoline storage tank with a capacity of 250 gallons or less.
  - b) Annual Volume Throughput

Any facility, retail or non-retail, where each and every month of operation in a calendar year has a volume throughput of less than 10,000 gallons of gasoline.
3. Compliance Schedule

Any facility not exempt from this rule shall come into compliance with this rule no later than October 31, 2008 or within 15 months from the date the exemption expires.