

1200-3-18-.24 GASOLINE DISPENSING FACILITIES - STAGE I AND STAGE II VAPOR RECOVERY.

(1) Applicability of this rule is as follows:

- (a) This rule applies to any gasoline dispensing facility in Davidson, Rutherford, Shelby, Sumner, Williamson, or Wilson County and the appurtenant equipment necessary to the gasoline dispensing facility and to any gasoline tank truck which transfers gasoline to storage vessels at such facilities.
- (b) With respect to requirements concerning transfers from gasoline tank trucks to gasoline storage vessels at gasoline dispensing facilities, the following are subject only to part (3)(a)1. of this rule:
 - 1. Any transfer made to a gasoline dispensing facility storage tank that is equipped with a floating roof or an approved equivalent, this approval being a revision to the State Implementation Plan;
 - 2. Any stationary gasoline storage container with a capacity that is less than 2,080 liters (L) (550 gallons [gal]) that is used exclusively for the fueling of implements of husbandry;
 - 3. Any stationary storage tank with a capacity of less than 7,600 L (2,000 gal) that was constructed prior to January 1, 1979; and
 - 4. Any stationary storage tank with a capacity of less than 950 L (250 gal) that was constructed after December 31, 1978.
- (c) Any gasoline dispensing facility which dispenses less than 10,000 gallons of gasoline per month is subject only to the provisions of part (3)(a)1. and Subparagraph (5)(b) of this rule.
- (d) The requirements of Subparagraph (3)(c) of this rule do not apply to any gasoline dispensing facility which satisfies any of the following:
 - 1. Is in a county other than Davidson, Rutherford, Sumner, Williamson, or Wilson County;
 - 2. Dispenses less than 10,000 gallons of gasoline per month; or
 - 3. Dispenses less than 50,000 gallons of gasoline per month and is owned by an independent small business marketer of gasoline.
 - 4. Dispenses gasoline for only refueling of aircraft or marine vessels.
- (e) Any gasoline dispensing facility that exceeds the applicability threshold specified in Subparagraph (c) or (d) of this paragraph shall be subject to all the respective provisions of this rule for facilities exceeding the applicability threshold and shall remain subject to these provisions even if its throughput later falls below the threshold. The owner or operator shall inform the Technical Secretary within 30 days following the exceedance.

(2) For the purpose of this rule, the following definitions apply:

- (a) "Independent small business marketer of gasoline" means a person engaged in the marketing of gasoline who would be required to pay for procurement and installation of vapor recovery equipment, unless such person satisfies either of the following:
 - 1. With respect to refining:
 - (i) Is a refiner; or
 - (ii) Controls, is controlled by, or is under common control with, a refiner; or
 - (iii) Is otherwise directly or indirectly affiliated with a refiner or with a person who controls, is controlled by, or is under a common control with a refiner (unless the sole affiliation referred to herein is by means of a supply contract or an agreement or contract to use a trademark, trade name, service mark, or other identifying symbol or name owned by such refiner

or any such person); or

2. Receives less than 50 percent of his annual income from refining or marketing of gasoline.

For the purpose of this definition, the term "refiner" shall not include any refiner whose total refinery capacity (including the refinery capacity of any person who controls, is controlled by, or is under common control with, such refiner) does not exceed 65,000 barrels per day. For purposes of this definition, "control" of a corporation means ownership of more than 50 percent of its stock. Verification of satisfaction of criteria specified in this definition shall be by notarized certification to the Technical Secretary, in which case this additional verification shall be furnished to the Technical Secretary immediately.

- (b) "Vacuum assist system" means the gasoline vapor recovery system that employs a vacuum generating device to effect transfer of gasoline vapor displaced in fueling a vehicle tank to a gasoline storage tank, vapor storage tank, or vapor processing unit.

(3) Standards as follow apply:

- (a) The owner or operator of each gasoline dispensing facility subject to this rule shall comply with the following requirements:

1. All gasoline storage vessels at gasoline dispensing facilities shall be loaded by submerged fill;
2. All vapor lines on the storage vessel shall be equipped with closures that automatically seal upon disconnect;
3. A vapor balance system shall be designed and installed such that, with a vapor-tight line from the gasoline storage tank to the gasoline tank truck, the back pressure in a gasoline tank truck unloading gasoline does not exceed 450 millimeters (mm) (18 inches [in]) of water pressure or 150 mm (5.9 in) of water vacuum;
4. If a gauging well separate from the fill tube is used for manual measurement, it shall be provided with a submerged drop tube that extends to within 150 mm (5.9 in) of the gasoline storage vessel bottom; and
5. Liquid fill connections for all systems shall be equipped with vapor-tight caps.

- (b) The owner or operator of a gasoline tank truck shall not unload gasoline to a gasoline storage vessel subject to vapor-tightness requirements during unloading unless the following conditions are met:

1. All hoses, adaptors, and couplers in the vapor balance system are properly connected;
2. All vapor return hoses, couplers, and adaptors used in the gasoline delivery are vapor-tight;
3. All vapor return equipment are compatible with the vapor balance equipment installed on the gasoline dispensing facility storage vessel;
4. All hatches on the gasoline tank truck are kept closed and securely fastened; and
5. The filling of storage vessels at gasoline dispensing facilities is limited to unloading by vapor-tight gasoline tank trucks.

- (c) The owner or operator of each gasoline dispensing facility subject to this rule shall comply with the following requirements:

1. All gasoline dispensing shall be by equipment served by a vapor recovery system approved by the Technical Secretary, certified by the California Air Resources Board, and designed, installed, operated, and maintained to recover gasoline vapors displaced during dispensing to automobile fuel tanks, and accessible for inspection and testing;

2. The vapor recovery system shall include for any dispenser and system the following:
 - (i) Vapor-tight coaxial hose to conduct vapors captured during dispensing except on new vehicle fueling lines at motor vehicle assembly plants where vapor-tight dual hoses on vacuum assist systems may be employed in lieu of vapor-tight coaxial hose;
 - (ii) For balance systems:
 - (I) Installation of piping between the dispenser and the vapor collection tank which precludes liquid blockage in the piping; and
 - (II) No device which inhibits immediate testing for dynamic backpressure;
 - (iii) For vacuum assist systems, sufficient vacuum to prevent escape of gasoline vapors during dispensing;
 - (iv) Vapor-tight piping, fittings, cups, couplers, and adapters; and
 - (v) Maintenance of vapor tightness throughout the vapor recovery system, except during facility storage tank loading, gauging, and sampling and during maintenance and testing necessitating disruption in the integrity of the system.
3. Use of any aftermarket or rebuilt parts is restricted to parts approved by the California Air Resources Board.
4. Gasoline shall not be dispensed from a dispensing unit served by or permitted to be served by a component which does not satisfy the following:
 - (i) Each component required for operation of the system is in place and, to the extent it can be confirmed by sensory inspection, is unimpaired and operational;
 - (ii) Each nozzle boot is not torn in either of the following manners:
 - (I) Triangular-shaped or similar tear 1/2 inch or more to a side, or hole 1/2 inch or more in length; or
 - (II) Slit 1 inch or more in length.
 - (iii) Each faceplate or flexible cone is not damaged in the following manner:
 - (I) For balance nozzles and nozzles for aspirator and educator assist type systems, damage such that the capability to achieve a seal with a fillpipe interface is diminished for an accumulated total of 1/4 of the circumference of the faceplate; or
 - (II) For nozzles for vacuum assist systems, more than 1/4 of the flexible cone is missing;
 - (iv) Each nozzle shutoff mechanism is operational;
 - (v) Each vacuum producing unit is operational;
 - (vi) Each vapor processing unit is operational;
 - (vii) Each fitting, cap, coupler, and adapter is vapor-tight; and
 - (viii) Each pressure/vacuum relief valve, vapor check valve, and dry break is operational.
5. The owner or operator shall conspicuously display fueling instructions and information in the gasoline dispensing area. These instructions and this information shall describe to customers

clearly the proper procedure to be used for fueling vehicles from the dispenser. These instructions and this information shall include instruction about the proper method of reporting system defects first to facility management, and, then if defects are not corrected, to the Technical Secretary. The notice of the method of reporting to the Technical Secretary shall be displayed no earlier than 3 months after and no later than 6 months after the display of the other instructions and information listed above.

- (4) Test methods as follow apply:
- (a) Unless otherwise specified in this rule, the test method found in Rule 1200-3-18-.85 of this chapter to determine compliance with the vapor-tight requirements of Paragraph (3) of this rule for lines, piping, caps, couplers, adaptors, and fittings;
 - (b) The test methods found in Appendix J, Technical Guidance – Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities, Volume II, EPA-450/3-91-022b (November 1991), to determine compliance with applicable requirements specified in Subparagraph (3)(c) of this rule; and/or
 - (c) Other methods necessary for demonstration of compliance approved by the Technical Secretary and the EPA.
- (5) Recordkeeping requirements apply as follow:
- (a) Each owner or operator subject to provisions of this rule shall comply with the recordkeeping requirements of this rule. Except as otherwise specified in this chapter, these records will be maintained for a minimum of 3 years and shall be made available to the Technical Secretary upon request.
 - (b) If any exemption based upon the quantity of gasoline dispensed is claimed for a facility subject to this rule, the owner or operator of the facility shall maintain records showing the quantity of gasoline dispensed each month at the facility.
 - (c) Required permits and required logs of maintenance shall be kept at the facility for which the permits are issued and the logs created.
- (6) The owner or operator of any facility containing sources subject to this rule shall :
- (a) Comply with the requirements in Rule 1200-3-18-.04(1) and (2) of this chapter, including an initial compliance demonstration with the applicable requirements specified in Subparagraph (3)(c) by the applicable test methods specified in Subparagraphs (4)(b) and (c) of this rule;
 - (b) Within 30 days following the occurrence of an incident which could reasonably be expected to have adversely affected the performance of the system, such as excavation near system piping or following replacement of the system, perform applicable testing to demonstrate compliance is maintained;
 - (c) Within 5 years following any compliance demonstration for the complete system, demonstrate the system maintains compliance; and
 - (d) Provide the Technical Secretary written notice of any compliance demonstration testing. This notice shall be provided to the Technical Secretary such that the Technical Secretary is informed of the proposed testing at least 14 days before the proposed date of testing, thereby providing the Technical Secretary opportunity to observe the testing.
- (7) Compliance with the requirements of Subparagraph (3)(c) shall be as follows:
- (a) For facilities subject to this rule owned by an independent small business marketer of gasoline:
 - 1. No less than one-third of these facilities shall have achieved compliance by June 21, 1994;
 - 2. No less than two-thirds of these facilities shall have achieved compliance June 21, 1995;

3. All facilities shall have achieved compliance by June 21, 1996; and
 4. By June 21, 1994, the independent small business marketer shall designate in writing to the Technical Secretary which facilities will achieve compliance by the respective dates of parts 1., 2., and 3. of this subparagraph.
- (b) For facilities subject to this rule not owned by an independent small business marketer of gasoline:
1. For which construction commenced after November 15, 1990, compliance shall be achieved by December 21, 1993;
 2. Which dispense at least 100,000 gallons of gasoline per month, based on average monthly sales for the 2-year period before June 21, 1993, and for which construction commenced before November 15, 1990, compliance shall be achieved by June 21, 1994, and
 3. Not accounted for in parts 1. and 2. of this subparagraph, compliance shall be achieved by June 21, 1995.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed March 8, 1993; effective April 22, 1993. Stay for rules 1200-3-18-.24(1)(d), 1200-3-18-.24(2), 1200-3-18-.24(3)(c), 1200-3-18-.24(4)(b), 1200-3-18-.24(6)(c), 1200-3-18-.24(d) and 1200-3-18-.24(7), filed April 16, 1993; effective June 21, 1993. Amendment filed May 30, 1996; effective August 10, 1996.