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TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 120 – AIR RESOURCES

SUBCHAPTER 05 – AIR POLLUTION CONTROL

PART 11 – Petroleum Liquids Marketing and Storage

11.1 Purpose and Authority

11.1.1 Purpose

The purpose of this regulation is to regulate the storage and marketing of petroleum liquids to minimize emissions of volatile organic compounds.

11.1.2 Authority

These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(19) and Chapter 23-23, as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

11.2 Application

~~The terms and provisions of this regulation shall be liberally construed to permit the Department to effectuate the purposes of state laws, goals and policies.~~

11.3 Severability

If any provision of this regulation or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulation shall not be affected thereby.

11.4 Incorporated Materials

A. These regulations hereby adopt and incorporate Appendix B and C of the Environmental Protection Agency's "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems" (EPA-450/2-78-051) (1978) and by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

B. These regulations hereby adopt and incorporate Section 14 of the Petroleum Equipment Institute's “Recommended Practices for Installation and Testing of Vapor-Recovery Systems at Vehicle Fueling Sites” (PEI/RP300-09) (2009) by

reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

C. These regulations hereby adopt and incorporate the American Society for Testing and Materials' "D323-15a" (2015) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

D. These regulations hereby adopt and incorporate 40 C.F.R §§ 60.503; 60 Appendix A-8 Method 27; (2018) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

E. These regulations hereby adopt and incorporate California Air Resources Board, testing procedures TP-201.3, TP-201.3C, TP-201.1B, TP-20 1.1C, TP-201.1D, and TP-201.1E (2018), by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

F. These regulations hereby adopt and incorporate EPA's Technical Guidance - "Stage II Vapor Recovery Systems for Control of Vehicle Refueling of Gasoline Dispensing Facilities, Volumes I and II,"(EPA 450/3-91-022 a and b), (1991) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

11.5 Definitions

A. Unless otherwise expressly defined in this section, the terms used in this regulation shall be defined by reference to Part 0 of this Subchapter (General Definitions). As used in this regulation, the following terms shall, where the context permits, be construed as follows:

1. "Best extent possible" means there shall be no reading at 2.5 centimeters from any potential leak source, greater than or equal to one hundred percent (100%) of the lower explosive limit, LEL, measured as propane, as detected by a combustible gas detector using the test procedure described in Appendix B of the EPA document entitled "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems" (EPA-450/2-78-051), incorporated in § 11.4(A) of this Part.

2. "Bottom filling" means the filling of a tank truck or stationary storage tank through an opening that is flush with the tank bottom.

3. "Bulk gasoline plant" means a gasoline storage and distribution facility with an average daily throughput of twenty thousand (20,000) gallons or less but greater than four thousand (4,000) gallons which receives

gasoline from bulk terminals by trailer transport or railroad tank car, stores it in tanks, and subsequently dispenses it via account trucks to local farms, businesses, and service stations.

4. "Bulk gasoline terminal" means a gasoline storage facility which receives gasoline from refineries primarily by pipeline, railroad tank car, ship, or barge, and delivers gasoline to bulk gasoline plants or to commercial or retail accounts primarily by tank truck; and has a daily throughput of more than twenty thousand (20,000) gallons of gasoline.

5. "Corporate or commercial fleets" means vehicles used for business purposes which are owned by corporations, governments, universities or other organizations.

6. "Daily throughput" means the average amount of gasoline that a bulk gasoline terminal or plant dispenses in a day from that facility and is defined as the thirty (30) day rolling average throughput of the facility. This is used to determine applicability, not compliance.

7. "External floating roof" means a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

8. "Gasoline" means any petroleum distillate having a Reid vapor pressure of more than four (4.0) psia as determined by ASTM Method D323-15a, incorporated in § 11.4(C) of this Part. This term includes but is not limited to mixtures of alcohols and gasoline.

9. "Gasoline dispensing facility" means any site where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage vessels.

10. "Leak" means a meter reading from a combustible gas detector greater or equal to one hundred percent (100%) lower explosive limit as propane.

11. "Liquid-mounted seal" means a primary seal mounted in continuous contact with the liquid around the circumference of the tank between the tank wall and the floating roof.

12. "Monthly throughput" means the amount of gasoline that a gasoline dispensing facility dispenses in a month. This amount is used to determine applicability, not compliance.

13. "Onboard refueling vapor recovery" or "ORVR" means a vehicle emission control system that captures fuel vapors from the vehicle gas tank during refueling.

14. "Operator" means any person who leases, operates, controls or supervises a facility at which gasoline is dispensed.

15. "Owner" means any person who has legal or equitable title to the gasoline storage vessel at a facility.

16. "Petroleum liquids" means crude oil, condensate and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is greater than 1.52 psia (10.5 kilo pascals) at sixty-nine degrees Fahrenheit (69ºF).

17. "Splash filling" means the filling of a tank truck or stationary storage tank through a pipe or hose whose discharge opening is above the surface level of the liquid in the tank being filled.

18. "Stage I vapor control system" means a closed system between the vapor spaces of an unloading gasoline tank truck and a receiving gasoline dispensing facility storage tank such that vapors displaced from the storage tank are transferred to the tank truck that is being unloaded.

19. "Stage II vapor collection and control system" means a system which collects gasoline vapors displaced from motor vehicle gasoline tanks during refueling and which routes the vapors to a stationary storage tank.

20. "Submerged fill pipe" means any fill pipe the discharge opening of which is entirely submerged when the liquid level is six (6) inches above the bottom of the tank; or when applied to a tank which is loaded from the side, shall mean any fill pipe the discharge of which is entirely submerged when the liquid level is eighteen (18) inches or twice the diameter of the fill pipe, whichever is greater, above the bottom of the tank.

21. "Submerged filling" means the filling of a tank truck or stationary tank through a submerged fill pipe whose discharge opening is entirely submerged when the pipe normally used to withdraw liquid from the tank can no longer withdraw any liquid.

22. "Substantially modified" means a modification of an existing gasoline dispensing facility which involves the addition, repair, replacement, or reconditioning of stationary storage tanks. Any excavation at an existing gasoline dispensing facility which has the potential to affect the integrity or pitch of any Stage II vapor return, manifold or vent piping is also considered a substantial modification.

23. "Vacuum assist system" means a Stage II vapor collection and control system which employs a pump, blower or other vacuum inducing device to collect and/or process gasoline vapors.

24. "Vapor" means those components of gasoline that have been volatilized to the gaseous phase from the liquid phase.

25. "Vapor balance system" means a combination of pipes or hoses which create a closed system between the vapor spaces of an unloading vessel and a receiving vessel such that vapors displaced from the receiving vessel are transferred to the vessel being unloaded.

26. "Vapor tight" means equipment that allows no loss of vapors. Equipment is considered vapor-tight if the vapor concentration at a potential leak source is not equal to or greater than 100 percent (100%) of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of one (1) inch from the source.

27. "Vapor-mounted seal" means a primary seal mounted so there is a vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

11.6 Storage of Petroleum Liquids - Fixed Roof Tanks

11.6.1 Prohibitions and Requirements

A. No person shall place, store or hold in any stationary vessel, reservoir, or other container of more than forty thousand (40,000) gallons capacity any petroleum liquids unless such tank reservoir or other container is a pressure tank capable of maintaining working pressures sufficient at all times to prevent vapor or gas loss to the outdoor atmosphere unless:

1. The source utilizes an internal floating roof equipped with a closure seal, or seals, to close the space between the roof edge and tank wall such that:

   a. The cover must float uniformly on the liquid;

   b. There is no accumulated liquid on the cover, and;

   c. The seal is intact and uniformly in place around the circumference of the cover between the cover and tank wall, or

2. The source utilizes an alternative control device that is at least ninety-five percent (95%) effective at reducing or recovering VOC emissions, approved by the Director, and

3. The source is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials, and

4. Where applicable, all openings, except stub drains, are equipped with covers, lids, or seals such that:

    a. The cover, lid, or seal is in the closed position at all times except when in actual use, and

    b. Automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports, and

    c. Rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting, and

5. Routine visual inspections of the internal floating roof and the primary and secondary seals are conducted through roof hatches on an annual basis, and

6. A complete visual inspection of the internal floating roof, the primary and secondary seals, gaskets, slotted membranes and sleeve seals is conducted whenever the tank is emptied or once every ten (10) years, whichever is more frequent, or

7. The source utilized a vapor recovery system consisting of a device capable of collecting the vapor from volatile organic liquids and gases so as to prevent their emissions to the outdoor atmosphere. All tank gauging and sampling devices shall be gas tight except when gauging or sampling is taking place.

11.6.2 Records

A. Records are to be maintained at the facility by the owner or operator of a source defined in § 11.6.1 of this Part and shall include:

1. Reports of the results of inspections conducted under §§ 11.6.1(A)(5) and (6) of this Part.

2. Records of daily throughput quantities, types of volatile petroleum liquids, average monthly storage temperature, and true vapor pressure of the stored liquid.

3. Records for both scheduled and unscheduled maintenance.

B. Records cited in § 11.6.2(A) of this Part shall be maintained for a period of three (3) years and shall be accessible for review by the Director, personnel designated by the Director, or the EPA.

11.7 Bulk Gasoline Terminals

§ 11.7 of this Part shall apply to bulk gasoline terminals and appurtenant equipment necessary to load and unload the tank trucks, railroad tank cars or trailer compartment. If a source is ever considered a bulk terminal because it surpasses the daily throughput under the definition in § 11.5(A)(4) of this Part, it is always subject to this regulation even if it goes below the daily throughput.

11.7.1 Prohibitions

A. No person shall load or unload gasoline into any tank trucks, railroad tank cars, or trailers from any bulk gasoline terminal unless the above-mentioned vessels are equipped with a vapor balance system, and

1. The bulk gasoline terminal is equipped with a vapor control system properly installed, maintained and in good working order, in operation and that prevents emissions to the atmosphere from exceeding 0.30 grams per gallon (80 grams/1000 liters) of gasoline loaded over any 6-hour period as determined by § 11.7.3 of this Part. The vapor collection and processing equipment must be designed and operated to prevent gauge pressure in the tank truck from exceeding eighteen (18) inches of water and prevent vacuum from exceeding six (6) inches of water, and

2. A connecting pipe or hose from the loading rack to the delivery vessel is equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic materials to the best extent possible, and

3. A vapor space connection on the tank truck, railroad tank car, or trailer equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic materials to the best extent possible.

4. The bulk gasoline terminal is equipped with a vapor control system, capable of complying with § 11.7.1(A)(1) of this Part, properly installed, in good working order, in operation and consistent with one of the following:

    a. An adsorber or condensation system which processes and recovers at least ninety percent (90%) by weight of all vapors and gases from the equipment being controlled; or,

    b. A vapor collection system which directs all vapor to fuel gas system and reduces emissions by at least ninety percent (90%); or,

    c. A control system determined to be equally effective and approved by the Director.

B. Sources affected under § 11.7 of this Part may not:

1. Allow gasoline to be discarded in sewers or stored in open containers or handled in any manner that would result in evaporation, nor

2. Allow the pressure in the vapor collection system to exceed the tank truck or trailer pressure relief settings.

C. All pumps and compressors handling gasoline shall have mechanical seals or other equipment for the purposes of air pollution control as approved by the Director and EPA. The seals or other equipment, when tested by a combustible gas detector at 2.5 centimeters from any potential leak points, shall give no reading of greater than one hundred percent (100%) of the lower explosive limit, measured as propane.

D. The emergency venting of vessels covered by § 11.7.1(A) of this Part shall be in accordance with the federal DOT specifications for cargo tanks and tank cars authorized to carry hazardous materials. Emergency venting shall not be considered a violation.

11.7.2 Records

A. Records shall be maintained at the facility by the owner or operator of a bulk gasoline terminal and shall include:

1. Records of daily throughput quantities of gasoline.

2. Records for both scheduled and unscheduled maintenance of the vapor control system that is described in § 11.7.1(A)(1) of this Part.

B. Records cited in § 11.7.2(A) of this Part should be maintained for a period of three (3) years and should be accessible for review by the Director, personnel designated by the Director, or the EPA.

11.7.3 Compliance Test Methods

Compliance with the emission limitations set forth in § 11.7 of this Part shall be determined by using the procedures, compliance averaging times (six (6) hours), and test methods which are detailed in 40 C.F.R § 60.503, incorporated in § 11.4(D) of this Part, or any other method approved by the Director and EPA.

11.8 Bulk Gasoline Plants

This regulation shall apply to the unloading, loading and storage facilities of all bulk gasoline plants and all tank trucks delivering or receiving gasoline at bulk gasoline plants. If a source is ever considered a bulk plant because it surpasses the daily throughput under the definition in § 11.5(A)(3) of this Part, it is always subject to this regulation even if it goes below the daily throughput.

11.8.1 Prohibitions

A. No owner or operator of a bulk gasoline plant, tank truck, railroad tank car or trailer may permit the loading or unloading of account trucks, tank trucks, railroad tank cars or trailers at a bulk gasoline plant unless each account truck, tank truck, railroad tank car, or trailer is equipped with a vapor balance system as described in § 11.8.1(B) of this Part and approved by the Director, and

1. Equipment is available at the bulk gasoline plant to provide for the submerged filling of each tank truck, railroad tank car or trailer, or

2. Each tank truck, railroad tank car or trailer is equipped for bottom filling.

B. Vapor balance systems required under § 11.8.1(A) of this Part shall prevent the release of volatile organic material to the atmosphere to the best extent possible and shall consist of the following major components:

1. A vapor space connection on the stationary storage tank equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic material to the best extent possible, and

2. A connecting pipe or hose equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic material to the best extent possible, and

3. A vapor space connection on the tank truck, railroad tank car or trailer equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic material to the best extent possible.

C. No owner or operator of a bulk gasoline plant may permit gasoline to be spilled, discarded in sewers, stored in open containers or handled in any other manner that would result in evaporation.

11.8.2 Records

A. Records shall be maintained at the facility by the owner or operator of a bulk gasoline plant and shall include:

1. Records of daily throughput quantities of gasoline,

2. Records for both scheduled and unscheduled maintenance of vapor balance equipment as described in § 11.8.1(B) of this Part.

B. Records cited in § 11.8.2(A) of this Part should be maintained for a period of three (3) years and should be accessible for review by the Director, personnel designated by the Director, or the EPA.

11.8.3 Compliance Test Methods

Compliance with the emission limitations set forth in § 11.8 of this Part shall be determined by using the procedures and test methods which are detailed in Appendices B and C of EPA publication entitled "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems" (EPA-450/2-78-051), incorporated in § 11.4(A) of this Part.

11.9 Gasoline Dispensing Facility Stage I Vapor Controls and General Requirements

11.9.1 Applicability

A. § 11.9.2 of this Part shall apply to all gasoline dispensing facilities with the following exceptions:

1. Stationary gasoline storage vessels of less than five hundred fifty (550) gallons capacity used exclusively for the fueling of implements of husbandry, provided the containers are equipped with submerged fill pipes, or

2. Stationary storage vessels located at a gasoline dispensing facility with a capacity of less than two thousand (2000) gallons which is in place before July 1, 1979, or

3. Any stationary storage vessels located at a gasoline dispensing facility with a capacity of two hundred fifty (250) gallons or less which is installed after the effective date of this regulation, or

4. Any gasoline dispensing facility that is solely serviced by account trucks owned or under the control of bulk gasoline plants that are exempt from § 11.8 of this Part.

11.9.2 Prohibitions

A. Except as provided in § 11.9.1 of this Part, no person may transfer or cause or allow the transfer of gasoline from any delivery vessel into any stationary storage vessel unless the stationary storage vessel is equipped with a submerged fill pipe and the vapors displaced from the storage vessel during filling are processed by a Stage I vapor control system in accordance with § 11.9.2(B) of this Part.

B. The Stage I vapor control system required by § 11.9.2(A) of this Part shall be subject to the following conditions:

1. All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.

2. The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor-tight, as defined in § 11.5(A)(24) of this Part.

3. The Stage I vapor control system shall be designed such that the pressure in the tank truck does not exceed eighteen (18) inches water pressure or 5.9 inches water vacuum during product transfer.

4. The vapor recovery and product adaptors and the method of connection with the delivery elbow shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.

5. If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in § 11.5(A)(20) of this Part.

6. Liquid fill connections shall be equipped with vapor-tight caps.

C. The vapor-laden delivery vessel shall be subject to the following conditions:

1. The delivery vessel must be designed and maintained to be vapor tight at all times, and

2. The vapor-laden delivery vessel may be re-filled only at:

a. Bulk gasoline terminals complying with § 11.7 of this Part, or

b. Bulk gasoline plants complying with § 11.8 of this Part.

D. Each owner of a gasoline storage vessel and gasoline delivery vessel covered by § 11.9.2(A) of this Part shall:

1. Purchase and install all necessary control systems and make all necessary process modifications to comply with §§ 11.9.2(B) and 11.9.2(C) of this Part,

2. Provide instructions to the operator of the gasoline dispensing facility utilizing a Stage I vapor control system as required in § 11.9.2(B) of this Part describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunctions of the control system, and

3. Repair, replace or modify any worn out or malfunctioning component or element of design.

E. Each operator of a gasoline dispensing facility covered by § 11.9.2(B) of this Part shall:

1. Maintain and operate the Stage I vapor control system in accordance with the specifications and the operating and maintenance procedures specified by the owner, and

2. Promptly notify the owner of the Stage I vapor control system of any scheduled maintenance or malfunction requiring replacement or repair of major components in the system.

F. The Stage I vapor control system required in § 11.9.2(A) of this Part shall be subject to the following conditions:

1. All gasoline dispensing facilities shall be equipped with a California Air Resources Board (CARB) certified Enhanced Vapor Recovery (EVR) Stage I pressure-vacuum (PV) vent valve;

2. All gasoline dispensing facilities, except those facilities with co-axial tank systems, shall be equipped with CARB-certified EVR Stage I rotatable product and vapor adaptors;

3. All gasoline dispensing facilities that begin operation or install a fuel storage tank on or after December 25, 2013, must be equipped with a CARB-certified EVR Stage I vapor control system or a Stage I vapor control system composed of EVR components upon facility start-up following that installation;

4. Any component of a Stage I vapor control system that is replaced after December 25, 2013, shall be replaced with a CARB-certified EVR Stage I component;

5. On and after December 25, 2020, gasoline dispensing systems must be equipped with a CARB-certified EVR Stage I vapor control system or a Stage I vapor control system composed of EVR components;

6. Aboveground storage tanks at gasoline dispensing facilities are exempt from the requirement in § 11.9.2(F)(2) of this Part to install a rotatable product adaptor or another EVR Stage I component if such installation is not technically feasible. Documentation of such technical infeasibility shall be made available to the Director on request; and

7. A stainless-steel UL-approved spill container that is not EVR certified may be used in the place of an EVR spill container provided that the spill container is not designed to attach to the Stage I vapor control system.

G. The owner or operator of a gasoline dispensing facility that is not equipped with a Stage II vapor collection and control system shall:

1. Visually inspect the facility’s Stage I vapor control system weekly;

2. Perform the following Stage I vapor control system tests at least once every twelve (12) months:

a. A Pressure Decay 2-inch Test, using CARB test procedure TP-201.3, incorporated in § 11.4(E) of this Part, demonstrating that the static pressure of the system meets the following specification:

$P_f = 2e^{-500.887/v}$

Where:

P_f = Minimum allowable final pressure, inches of water.

v = Total ullage affected by the test, gallons.

e = Dimensionless constant equal to approximately 2.718.

2 = The initial pressure, inches water

b. A Vapor Tie Test, using CARB test procedure TP-201.3C, incorporated in § 11.4(E) of this Part;

c. A Pressure/Vacuum Vent Valve Test, using CARB test procedure TP-201.1E, incorporated in § 11.4(E) of this Part;

d For facilities with EVR rotatable product adaptors and/or vapor adaptors, a Static Torque Rotatable Adaptor Test, using CARB test procedure TP-201.1B, incorporated in § 11.4(E) of this Part; and

e. For facilities with a Stage I EVR system, either a Leak Rate of Drop Tube/Drain Valve Assembly Test using CARB test procedure TP-201.1C, incorporated in § 11.4(E) of this Part, or a Leak Rate of Drop Tube/Overfill Prevention Devices Test using CARB test procedure TP-201.1D, incorporated in § 11.4(E) of this Part.

3. Notify the Department of the date that testing will be conducted at least seven (7) days in advance of testing and certify to the Department in writing within fifteen (15) days of the test that testing has been completed. Such certification shall be signed by the owner or operator of the facility and shall include a list of Stage I EVR components operating at the facility and the results of the tests required in § 11.9.2(G)(2) of this Part. Test results shall be signed and certified as accurate by the person who conducted the tests.

4. Immediately replace any component of a Stage I vapor control system that is not operating properly with a properly functioning comparable EVR component.

5. Maintain the following records for a period of five (5) years and make those records available for inspection by representatives of the Department or the EPA on request:

a. The dates and results of weekly visual inspections as required in § 11.9.2(G)(1) of this Part,

b. The dates and results of tests performed pursuant to § 11.9.2(G)(2) of this Part,

c. Identification of Stage I vapor control system components that are replaced, the replacement components installed, and dates of such replacements, and

d. Gasoline throughput quantities.

11.9.3 General Requirements for Gasoline Dispensing Facilities

A. The owner or operator of a gasoline dispensing facility shall use the following measures to minimize vapor releases to the atmosphere:

1. Minimize gasoline spills;

2. Clean up spills as expeditiously as practicable;

3. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and

4. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

11.10 Storage of Petroleum Liquids: External Floating Roof Vessels

11.10.1 Prohibitions

A. No person shall place, store or hold gasoline in a storage tank having a capacity of forty thousand (40,000) gallons or greater that is equipped with an external floating roof unless the vessel has been fitted with:

1. A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal), or

2. A closure or other device which controls volatile organic compound emissions by attaining or exceeding the requirements of § 11.10.1(B) of this Part for a secondary seal required under this regulation and approved by the Director and EPA.

B. All seal closure devices must meet the following requirements:

1. There are no visible holes, tears or other openings in the seal(s) or seal fabric,

2. The seal(s) is intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall, and

3. For tanks having vapor mounted primary seals, the accumulated area of gaps exceeding 0.32 cm (1/8 in.) in width between the secondary seal and the tank wall shall not exceed 21.2 cm^2 per meter of tank diameter (1.0 $in.^2$ per ft. of tank diameter), as determined by the method in § 11.10.3(C) of this Part.

C. All openings in the external floating roof, except for automatic bleeder vents, rim space vents and leg sleeves, must:

1. Be equipped with covers, seals or lids in the closed position except when the openings are in actual use, and

2. Provide projections below the liquid surface at all times.

D. Automatic bleeder vents must be closed at all times except when the roof is being floated off or being landed on the roof leg supports.

E. Rim vents shall be set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting.

F. Emergency roof drains shall be provided with slotted membrane fabric covers or equivalent covers which cover at least 90 percent (90%) of the area of the opening.

11.10.2 Inspection and Reporting Requirements

A. The owner or operator of a petroleum liquid storage vessel with an external floating roof subject to this regulation shall:

1. Perform routine inspections semiannually in order to ensure compliance with § 11.10 of this Part and the inspection of the secondary seal gap,

2. Measure the secondary seal gap annually in accordance with §§ 11.10.3(C)(1) and (2) of this Part when the floating roof is equipped with a vapor-mounted primary seal or liquid-mounted primary seal, except that measurements in riveted tanks shall not be made when the roof is floating at a level that places the secondary seal in contact with a horizontal rivet seam,

3. Maintain records at the facility of the results of the inspections required in § 11.10.2(A)(1) of this Part for a period of three (3) years after an inspection,

4. Provide copies of all records in § 11.10.2(A)(3) of this Part to the Director, upon verbal or written request, at any reasonable time.

5. Maintain records at the facility which report monthly throughput quantities, types of petroleum liquids stored, average monthly storage temperature, and true vapor pressures of the stored liquid.

11.10.3 Compliance Test Methods

A. The owner or operator of any volatile organic compound source required to comply with § 11.10 of this Part shall demonstrate compliance by the methods of this section or an alternative method approved by the Director and EPA.

B. A person proposing to conduct a volatile organic compound emissions test shall notify the Director of the intent to test not less than fifteen (15) days before the proposed initiation of the tests so the Director may have the option to observe the test. The notification shall contain the information required by, and be in a format approved by, the Director.

C. Compliance with § 11.10.1(B)(3) of this Part shall be determined by:

1. Physically measuring the length and width of all gaps around the entire circumference of the secondary seal in each place where a 0.32 cm (1/8 in.) uniform diameter probe passes freely (without forcing or binding against the seal) between the seal and tank wall, and

2. Summing the area of the individual gaps.

11.11 Reid Vapor Pressure

A. No person shall store, sell, or supply as fuel at or from bulk gasoline terminals and bulk gasoline plants a gasoline having a Reid Vapor Pressure greater than 9.0 pounds per square inch, except as specified in § 11.11(B) of this Part, during the period May 1 through September 15 of each year.

1. No person shall deliver gasoline having a Reid Vapor Pressure greater than nine (9.0) pounds per square inch to a gasoline dispensing facility during the period May 1 through September 15 of each year.

2. No gasoline dispensing facility shall receive gasoline having a Reid Vapor Pressure greater than nine (9.0) pounds per square inch during the period May 1 through September 15 of each year.

B. No person shall store, sell, or supply as fuel at or from bulk gasoline terminals and bulk gasoline plants a gasoline-ethanol blend containing at least nine percent (9%) ethanol which has a Reid Vapor Pressure greater than ten (10.0) pounds per square inch during the period May 1 through September 15 of each year.

1. No person shall deliver a gasoline-ethanol blend containing at least nine percent (9%) ethanol which has a Reid Vapor Pressure greater than ten

(10.0) pounds per square inch to a gasoline dispensing facility during the period May 1 through September 15 of each year.

2. No gasoline dispensing facility shall receive a gasoline-ethanol blend containing at least nine percent (9%) ethanol which has a Reid Vapor Pressure greater than ten (10.0) pounds per square inch during the period May 1 through September 15 of each year.

C. Sampling and testing of gasoline shall be in accordance with ASTM Method D323-15a "Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)," incorporated in § 11.4(C) of this Part, or any equivalent method approved by the Director and EPA.

11.12 Tank Truck Certification and Vapor Collection Systems

This regulation shall apply to all gasoline tank trucks equipped for gasoline vapor collection.

11.12.1 Prohibitions

A. No person shall allow a gasoline tank truck to be filled or emptied unless the gasoline tank truck:

1. Is tested annually according to the test procedure referenced in § 11.12.2 of this Part;

2. Sustains a pressure change of no more than .11 psi (3 inches of water) in five (5) minutes when pressurized to a gauge pressure of .65 psi (18 inches of water) or evacuated to a gauge pressure of.22 psi (6 inches of water) during the testing required in § 11.12.1(A)(1) of this Part;

3. Is repaired by the owner or operator and retested within fifteen (15) days of testing if it does not meet the criteria of § 11.12.1(A)(2) of this Part;

4. Displays a sticker near the Department of Transportation Certification plate, which:

a. Shows the date the gasoline tank truck last passed the test required in § 11.12.1(A)(1) of this Part;

b. Shows the identification number of the gasoline tank truck; and,

c. Expires not more than one (1) year from the date of the leak tight test.

B. No person shall unload gasoline into a storage tank at a gasoline dispensing facility subject to § 11.9.2 of this Part unless the following conditions are met:

1. All hoses are properly connected to the Stage I vapor recovery system;

2. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect;

3. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight, as defined in § 11.5(A)(24) of this Part;

4. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the Stage I equipment on the gasoline dispensing facility's storage tank; and

5. All hatches on the tank truck are closed and securely fastened.

C. The owner or operator of a vapor collection system shall:

1. Design and operate the vapor collection system and the gasoline loading equipment in a manner that prevents:

a. Gauge pressure from exceeding 0.65 psi (18 inches of water) and a vacuum from exceeding 0.22 psi (6 inches of water) in the gasoline tank truck;

b. A reading equal to or greater than one hundred percent (100%) of the lower explosive limit, LEL, measured as propane, at 2.5 centimeters from any potential leak source when measured by the method referenced in § 11.12.2 of this Part during the loading or unloading operations at gasoline dispensing facilities, bulk plants and bulk terminals;

c. Visible leaks during the loading and unloading operations at gasoline dispensing facilities, bulk plants and bulk terminals; and,

2. Within fifteen (15) days, repair and retest a vapor collection, or control system that exceeds the limits in § 11.12.1(C)(1)(a) of this Part.

D. The Director may, at any time, monitor a gasoline tank truck, vapor collection system, or vapor control system, by the method referenced in § 11.12.2 of this Part, to confirm continuing compliance with §§ 11.12.1(A), (B) and (C) of this Part.

11.12.2 Compliance Test Methods

A. The owner or operator of a gasoline tank truck subject to this regulation shall, at their own expense, demonstrate compliance with § 11.12.1 of this Part by the methods of § 11.12.2(C) of this Part or an alternative method approved by the Director and EPA. All tests shall be made by, or under the direction of, a person qualified by training and/or experience in the field of air pollution testing or tank

truck maintenance and testing and/or experience in the use of a combustible gas detector in the field of air pollution.

B. The owner or operator of a gasoline tank truck subject to this regulation shall notify the Director in writing of the date and location of the certification test at least ten (10) days before the anticipated test date.

C. Test procedure to determine compliance with § 11.12.1 of this Part must be consistent with the test procedure described in 40 C.F.R § 60, Appendix A-8, Method 27, incorporated in § 11.4(D) of this Part.

D. Monitoring to confirm the continuing existence of leak tight conditions shall be consistent with the procedures described in Appendix B of the EPA document entitled "Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems" (EPA 450/2-78-051), incorporated in § 11.4(A) of this Part, or an alternative method approved by the Director and EPA.

11.12.3 Recordkeeping and Reporting

A. An owner or operator subject to § 11.12 of this Part shall maintain records of all certification testing and repairs. The records must identify the gasoline tank truck, vapor collection system, or vapor control system; the date of repair; and, if applicable, the type of repair and the date of retest. The records must be maintained in a legible, readily available condition for at least two (2) years after the date of testing or repair was completed.

B. The records for certification tests required by § 11.12.3(A) of this Part, shall, as a minimum, contain:

1. The gasoline tank truck identification number;

2. The initial test pressure and the time of reading;

3. The final test pressure and the time of reading;

4. The initial test vacuum and the time of reading;

5. The final test vacuum and the time of reading;

6. At the top of each report page shall be the company name, and the date and location of the tests on that page; and,

7. Name, address and title of person conducting the test.

C. Copies of all records and reports under § 11.12.3 of this Part shall immediately be made available to the Director and/or EPA, upon verbal or written request, at any reasonable time.

11.13 Equivalence Approval

Any equivalence approval required by EPA in this regulation will not be effective until approved as a single source revision to the State Implementation Plan.

11.14 Gasoline Dispensing Facilities - Stage II Vapor Controls

11.14.1 The requirements of § 11.14 of this Part shall apply to:

A. All gasoline dispensing facilities constructed or substantially modified after November 15, 1992.

B. All other gasoline dispensing facilities which have or have had a monthly throughput of greater than ten thousand (10,000) gallons in any one (1) month after November 1991.

C. The requirements in § 11.14 of this Part shall be presumed to apply to all gasoline dispensing facilities. It is the obligation of the person who owns, operates, leases, or controls a gasoline dispensing facility to demonstrate to the Department, in writing and with clear and convincing evidence, that the facility should be exempted from this regulation because its throughput has not exceeded ten thousand (10,000) gallons in any month after November 1991. Any such exempted facility shall be required to comply with the recordkeeping and reporting requirements specified in §§ 11.14.3(A) and (I) of this Part.

D. The requirements in § 11.14 of this Part shall not apply to gasoline dispensing facilities which dispense gasoline solely to marine vessels.

E. Facilities constructed or substantially modified after November 15, 1992 may submit to the Department, in writing, a request for an exemption to the requirements of § 11.14 of this Part. Exemption requests must demonstrate that monthly throughput has not exceeded ten thousand (10,000) gallons in any month since November 1991, and will not exceed ten thousand (10,000) gallons in any future month and that installation of a Stage II system at the facility is not technically and/or economically feasible and must include, at a minimum, the following information:

1. The nature of the facility;

2. The number of dispensers, hoses and nozzles at the facility;

3. The number and volume of all gasoline storage tanks at the facility; and

4. Gasoline throughput for the facility for every month for the two (2) years preceding the request or, for new facilities, expected maximum monthly gasoline throughput.

F. Any facility that is granted an exemption by the Department pursuant to § 11.14(E) of this Part shall be required to comply with the recordkeeping and reporting requirements specified in §§ 11.14.3(A) and (J) of this Part.

G. Gasoline dispensing facilities that dispense fuel exclusively to rental cars or corporate or commercial fleets may submit to the Department, in writing, a request for an exemption to the requirements of § 11.14 of this Part. Exemption requests must demonstrate that at least ninety-five percent (95%) of the vehicles fueled at the facility are and will continue to be equipped with an onboard refueling vapor recovery (ORVR) system.

H. Any facility that is granted an exemption by the Department pursuant to § 11.14(G) of this Part shall be required to comply with the recordkeeping and reporting requirements specified in §§ 11.14.3(A) and (J) of this Part and the Stage I requirements in § 11.9.2 of this Part and to certify to the Department, upon request, that at least ninety-five percent (95%) of the vehicles fueled at the facility continue to be equipped with ORVR.

I. Any gasoline dispensing facility that begins operation after June 14, 2012, the effective date of R.I. Gen. Laws § 23-23-30, shall be exempt from the Stage II vapor collection and control system requirements in §§ 11.14.2(A) and (B) of this Part. Such facilities shall be subject to the recordkeeping and reporting requirements specified in § 11.14.3(J) of this Part.

J. Any gasoline dispensing facility that begins operation after December 25, 2013, shall not install a Stage II vapor collection and control system. Such facilities shall be subject to the recordkeeping and reporting requirements specified in § 11.14.3(J) of this Part. As specified in § 11.9.2(F)(3) of this Part, operation of a CARB-certified EVR Stage I vapor control system or a Stage I vapor control system composed of EVR components is required at such facilities upon startup.

K. Upon Department verification and approval, after June 14, 2012, the effective date of R.I. Gen. Laws § 23-23-30, a gasoline dispensing facility may remove its Stage II vapor collection and control system from operation if excavation of one (1) or more underground gasoline storage tanks at the facility is required in order to install or repair a below-ground component of the stage II vapor collection and control system or if the facility replaces fifty percent (50%) or more of its gasoline dispensers. After December 25, 2013, compliance with the decommissioning specifications in § 11.14.5 of this Part, the recordkeeping and reporting requirements in § 11.14.3(J) of this Part and the Stage I requirements in §§ 11.9.2(F) and (G) of this Part shall constitute such department verification and approval.

L. After December 25, 2013, any gasoline dispensing facility may remove its Stage II vapor collection and control system from operation, provided that the Stage II system is decommissioned according to the specifications in § 11.14.5 of this Part. Gasoline dispensing facilities that have decommissioned their Stage II

systems shall be subject to the recordkeeping and reporting requirements in § 11.14.3(J) of this Part and the Stage I requirements in §§ 11.9.2(F) and (G) of this Part. Any gasoline dispensing facility equipped with a Stage II vapor collection and control system must continue to operate the Stage II system according to the specifications in §§ 11.14.2, 11.14.3 and 11.14.4 of this Part until that system is decommissioned according to the specifications in § 11.14.5 of this Part.

11.14.2 Prohibitions and Requirements

A. Any person who owns, leases, operates, or controls a gasoline dispensing facility, except those facilities meeting the specifications of §§ 11.14.1(C), (I), or (J) of this Part, those facilities that meet the exemption criteria specified in §§ 11.14.1(K) or (L) of this Part, and those facilities that are granted an exemption by the Department pursuant to the provisions of § 11.14.1(E) of this Part, shall, according to the schedule provided in § 11.14.4 of this Part:

1. Install, at each gasoline dispensing pump, a Stage II vapor collection and control system that has been certified by the California Air Resources Board (CARB) as having a minimum control efficiency of 95 percent (95%) by weight and make any modifications to the facility necessary to properly operate the system. All hoses in the system shall be coaxial. The system may include aftermarket parts, provided that those parts have been certified by CARB.

2. All Stage II systems installed after February 7, 2001, must be certified according to CARB Vapor Recovery Certification Procedure CP-201, for underground storage tanks, or CP-205, for aboveground storage tanks, as adopted April 12, 1996, or by applicable certification procedures adopted by CARB subsequent to that date.

3. All Stage II vapor and vent piping shall be made of a nonmetallic rigid type material unless the CARB certification for that Stage II system specifies that another type of piping may be used.

4. Install pressure-vacuum (PV) vent valves on all Stage II systems. PV valve relief settings must be 3, plus or minus 0.5, inches of water column pressure and 8, plus or minus 2, inches water column vacuum, unless otherwise specified in the applicable CARB certification.

5. Ensure that, prior to the initial operation of the Stage II vapor collection and control system, at least one (1) facility representative has attended a Stage II training session applicable to the Stage II system in place at that facility which has been approved by the Director and by EPA. At all times, at least one (1) person who has attended a Stage II training session applicable to the Stage II system in operation at the facility must be employed at the facility.

6. Conspicuously post operating instructions for dispensing gasoline using the vapor collection and control system on the front of each gasoline dispensing pump. Such instructions must include a warning not to attempt continued refueling after initial automatic shutoff. Instructions shall also include the telephone number of the Department and a request that inoperative control devices be reported.

7. Maintain the Stage II vapor collection and control system in proper operating condition as specified by the manufacturer and free of defects that would impair the effectiveness of the system, as defined by the state inspection criteria.

8. Visually inspect all aboveground parts of the Stage II vapor collection and control system once a week. Such an inspection must, at a minimum, include checking for: missing components; slits and tears in nozzle boots; face cone defects; flattened, kinked or torn hoses; and faceplate defects which hinder contact with the fill inlet area.

9. Remove from service any dispenser if:

   a. Any part of the Stage II vapor collection and control system associated with that dispenser fails a compliance test conducted by or ordered by the Department or is found to be defective during a Department inspection, or

   b. Any part of the Stage II vapor collection and control system associated with that dispenser is not operating properly, or

   c. Any part of the Stage II vapor collection and control system associated with that dispenser is found to be defective during a visual inspection performed in accordance with § 11.14.2(A)(8) of this Part.

   d. If the defect is in a single hose or nozzle on a multiproduct dispenser, only the nozzle associated with the defect must be removed from service.

   e. Any dispenser removed from service on the basis of test results shall be kept out of service until it has been demonstrated by retesting that the dispenser is in compliance. Any dispenser removed from service in accordance with any other provision of §§ 11.14.2(A)(9)(b) through (d) of this Part shall be kept out of service until all defective or missing parts of the Stage II vapor collection and control system associated with the dispenser have been repaired or replaced.

B. Except as provided in § 11.14.1 of this Part, no person, owner, operator, or employee of a gasoline dispensing facility shall dispense or allow the dispensing

of gasoline from a stationary storage vessel into any motor vehicle fuel tank unless that gasoline dispenser is equipped with a properly operating Stage II vapor collection and control system certified by the California Air Resources Board and that system has been determined to be installed correctly according to the tests specified in § 11.14.3(C) of this Part. Stage II systems that were certified according to a CARB certification procedure adopted after April 12, 1996, must be operated in accordance with the provisions of the applicable certification, including Enhanced Vapor Recovery provisions, if applicable.

C. Except as specified in §§ 11.14.2(D) and (E) of this Part, Stage II vapor collection and control systems at all gasoline dispensing facilities must be decommissioned according to the procedures specified in § 11.14.5 of this Part by December 22, 2017 unless an extension has been granted by the Department prior to this date.

D. The owner or operator of a gasoline dispensing facility that is equipped with a Stage II vapor balance system or with a Stage II vacuum assist system that is compatible with onboard refueling vapor recovery (ORVR) systems and isgranted an extension to the Stage II system removal requirement in § 11.14.2(C) of this Part must continue to operate the Stage II system according to the specifications in §§ 11.14.2, 11.14.3, and 11.14.4 of this Part until that system is decommissioned according to the specifications in § 11.14.5 of this Part.

E. The owner or operator of a gasoline dispensing facility that is equipped with a Stage II vapor collection and control system that is incompatible with ORVR systems and if the underground storage tank vent pipe emissions at that facility are controlled by an air pollution control system and is granted an extension to the Stage II system removal requirement in § 11.14.2(C) of this Part must operate the Stage II system according to the specifications in §§ 11.14.2, 11.14.3, and 11.14.4 of this Part and must operate the air pollution control system according to the conditions specified in the extension approval until the Stage II system is decommissioned according to the specifications in § 11.14.5 of this Part.

11.14.3 Testing, Recordkeeping and Reporting Requirements

A. When requested by the Department, the owner or operator of any gasoline dispensing facility shall report the following information to the Department in writing:

1. Name and address of the facility,

2. Name and address of owner or operator or other responsible individual,

3. Number of nozzles used to dispense gasoline at the facility, and

4. Monthly throughput for each of the previous twelve (12) months.

B. At least thirty (30) days prior to the installation of a Stage II system, the person who owns, operates, leases, or controls the gasoline dispensing facility shall notify the Department in writing of the expected date of initiation of installation of the underground piping and of the type and manufacturer of the Stage II equipment. Such notification shall not be deemed to be an approval by the Department of the equipment being installed, or as compliance with the requirements of this § 11.14 of this Part.

C. The following tests must be conducted on any Stage II vapor collection and control system prior to initial operation of the system:

1. A Leak Test;

2. A Liquid Blockage Test, which must be performed on every nozzle on the Stage II system;

3. A Vapor Space Tie Test;

4. A Ten Gallon per Minute Test;

5. A Pressure Vacuum Vent Cap Test:

6. For vacuum assist Stage II systems, an Air to Liquid Ratio (A/L) Test, which must be performed on every nozzle on the Stage II system. If more than one product is dispensed through a single nozzle, A/L testing must be performed on that nozzle for each product dispensed; and

7. All additional tests specified in the CARB certification applicable to that Stage II system

D. The function of all Stage II vapor collection and control systems shall be retested prior to operation of the system after any major system modification. Testing shall include all tests listed in § 11.14.3(C) of this Part. A major system modification is considered to be the occurrence of any one of the following:

1. A modification which would cause the facility to be a substantially modified gasoline dispensing facility, as defined in § 11.5(A)(22) of this Part of this regulation,

2. The repair or replacement of any part of an underground piping system attached to a stationary storage tank equipped with a Stage II system, excluding repairs which occur without excavation, or

3. The change from one certified Stage II system configuration to another.

E. The function of all Stage II vapor collection and control systems shall be retested periodically according to the following schedule:

1. A Leak test, a Vapor Space Tie Test, a Pressure Vacuum Vent Cap Test and a Ten Gallon per Minute Test shall be performed annually;

2. A Liquid Blockage Test shall be performed once every three (3) years on every nozzle on the Stage II system;

3. An Air to Liquid Ratio Test shall be performed annually on all vacuum assist systems; and

4. All other tests required in the CARB certification applicable to that Stage II system shall be performed according to the frequency specified in that certification.

F. The Department may require a retest of the system any time that an inspection indicates that the vapor collection and control system may not be functioning properly.

G. The owner or operator of a facility shall notify the Department of the date that testing will be conducted at least seven (7) days in advance of testing and shall certify to the Department in writing within fifteen (15) days of the test that testing has been completed. Such certification shall be signed by the owner or operator of the facility and shall include the date of installation of the Stage II vapor collection and control system and the results of the tests required in §§ 11.14.3(C) through (E) of this Part. Test results shall be signed and certified as accurate by the person who conducted the tests.

H. Leak, Liquid Blockage, and Vapor Space Tie Tests performed pursuant to the requirements of §§ 11.14.3(C) through (E) of this Part shall use the methodology specified in EPA's Technical Guidance - "Stage II Vapor Recovery Systems for Control of Vehicle Refueling of Gasoline Dispensing Facilities, Volumes I and II,"EPA 450/3-91-022 a and b), incorporated in § 11.4(F) of this Part. Ten Gallon Per Minute Tests, Air to Liquid Ratio Tests, Pressure Vacuum Vent Cap Tests and any additional tests required by the applicable CARB certification shall be performed using the current CARB methodology for those tests, unless otherwise specified by the Director.

I. The following records shall be maintained for a period of five (5) years (unless otherwise noted) and shall be made available for inspection by representatives of the Department or the EPA on request:

1. Dates and results of weekly visual inspections as required in § 11.14.2(A)(5) of this Part,

2. Date that any gasoline dispenser is removed from operation in compliance with the requirements specified in § 11.14.2(A)(6) of this Part and date that dispenser is returned to service,

3. Identification of parts of the Stage II vapor collection and control system that are repaired or replaced, and dates of such replacements,

4. Identification of any tests performed and the dates and results of such tests, and

5. Proof of attendance and completion of training, as specified in § 11.14.2(A)(2) of this Part for each employee who has received Stage II training. Such documentation shall be maintained as long as the employee continues to be employed by the facility.

J. Records maintained pursuant to §§ 11.14.3(I)(1) through (3) of this Part for the two most current years shall be kept at the facility. All other records specified in § 11.14.3 of this Part shall be kept either at the facility or at a centralized location approved by the Department.

K. Any facility exempted from § 11.14 of this Part according to the provisions of § 11.14.1 of this Part or §§ 11.14.1(E) through (K) of this Part shall maintain records at the facility documenting monthly throughput of gasoline at the facility and shall make those records available for inspection by representatives of the Department or the EPA on request. Documentation shall include dates and quantities of gasoline delivered and monthly records of the quantity of gasoline dispensed. All records shall be maintained for a period of five (5) years.

11.14.4 Compliance Schedule

A. All gasoline dispensing facilities subject to § 11.14 of this Part, as identified in § 11.14.1 of this Part, must comply with the provisions of § 11.14.2 of this Part according to the following schedule:

1. All gasoline dispensing facilities constructed or substantially modified on or after 15 November 15, 1992, shall comply before commencing operation.

2. Any gasoline dispensing facility which is initially exempt from § 11.14 of this Part because the monthly gasoline throughput at that facility did not exceed ten thousand (10,000) gallons in any month, which subsequently has a throughput in excess of 10,000 gallons in any month must comply with the provisions of § 11.14 of this Part within six (6) months of exceeding the ten-thousand (10,000) gallon threshold.

11.14.5 Stage II Decommissioning Requirements

A. The owner or operator of a gasoline dispensing facility shall notify the Department of the date that decommissioning of the Stage II vapor collection and control system at that facility will occur at least seven (7) days in advance of beginning the decommissioning process. The notification must include the following information:

1. Name and address of the facility,

2. Name and address of owner or operator or other responsible individual,

3. Date that decommissioning will begin,

4. Whether the tank top will be accessible during decommissioning,

5. A certification that decommissioning will be conducted according to the procedures specified in § 11.14.5(B) of this Part.

B. Decommissioning of Stage II vapor collection and control systems shall be conducted according to the decommissioning procedures specified in Section 14 of the Petroleum Equipment Institute (PEI) "Recommended Practices for Installation and Testing of Vapor-Recovery Systems at vehicle Fueling Sites" (PEI/RP300-09), incorporated in § 11.4(B) of this Part. Those practices address the following activities:

1. Safety procedures;

2. Relief of pressure in the tank ullage;

3. Draining liquid collection points;

4. For vacuum-assist Stage II systems, electrical and mechanical disconnection of vapor pumping and processing units, disconnection of all electrical components, and reprogramming of the dispenser electronics;

5. Isolating below-grade vapor piping at the base of the dispenser;

6. Disconnecting vapor piping at the tank top;

7. Sealing the dispenser cabinet vapor piping;

8. Replacing hanging hardware;

9. Replacing pressure/vacuum vent valves;

10. Removing Stage II operating instructions from the dispensers;

11. Testing procedures;

12. Final Visual Check; and

13. Documentation

C. If excavation would be required to access the vapor piping connection at the tank top, disconnecting and capping the vapor piping at the tank top is not required at the time that the Stage II system is decommissioned. However, the vapor

recovery piping must be disconnected and capped at the tank top the first time that the vapor piping-tank top connection is exposed for any reason. Vapor piping must be disconnected and capped when the Stage II system is decommissioned if the connection between the vapor piping and the tank top is accessible without excavation.

D. The following tests must be conducted and passed before the gasoline dispensing facility is returned to operation after decommissioning the Stage II system:

1. A Pressure Decay 2-inch Test, using CARB test procedure TP-201.3, incorporated in § 11.4(E) of this Part;

2. A Vapor Tie Test using CARB test procedure TP-201.3C, incorporated in § 11.4(E) of this Part;

3. A Pressure/Vacuum Vent Valve Test, using CARB test procedure TP-201.1E, incorporated in § 11.4(E) of this Part;

4. For facilities with EVR rotatable product adaptors and vapor adaptors, a Static Torque Rotatable Adaptor Test, using CARB test procedure 201.1B incorporated in § 11.4(E) of this Part; and

5. For facilities equipped with a EVR Stage I vapor control system, either a Leak Rate or Drop Tube/Drain Valve Assembly Test, using CARB test procedure 201.1C, incorporated in § 11.4(E) of this Part, or a Leak Rate of Drop Tube/Overfill Prevention Devices Test, using CARB test procedure 201.1D incorporated in § 11.4(E) of this Part.

E. The owner or operator of a gasoline dispensing facility shall certify to the Department in writing within thirty (30) days of decommissioning a Stage II system that decommissioning has been completed. Such certification shall include the date of decommissioning, a statement signed by the owner or operator of the facility that decommissioning was conducted according to the PEI specifications sited in § 11.14.5(B) of this Part, and the date and results of the tests specified in § 11.14.5(D) of this Part. Test results shall be signed and certified as accurate by the person who conducted the tests.