



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
Pam Slater-Price	District 3
Ron Roberts	District 4
Bill Horn	District 5

May 15, 2008

COMPLIANCE ADVISORY

REVISIONS TO DISTRICT RULES 61.4 AND 61.4.1

On March 26, 2008, the Air Pollution Control District (APCD) revised Rule 61.4 (Transfer of Volatile Organic Compounds into Vehicle Fuel Tanks) and Rule 61.4.1 (Transfer of Gasoline from Stationary Underground Storage Tanks into Vehicle Fuel Tanks). This revision adopted exemptions from Phase II vapor recovery requirements for the following gasoline dispensing facilities (GDF):

- Any non-retail gasoline dispensing facility where at least 95 percent of the vehicles refueled at such facility are equipped with ORVR. Motorcycles, racecars or vehicles weighing more than 10,000lbs that are fueled at this facility shall not be included in the 95 percent of vehicles fueled.
- Any part of a facility (retail or non-retail), which exclusively transfers E85 from stationary storage tanks into flexible fuel vehicles. The applicable definition for E85 is a petroleum distillate/alcohol blend having a Reid vapor pressure of 4.0 pounds per square inch or greater, and meeting the requirements of Title 13 CCR, Section 2250 et seq., and as further defined in Title 12 CCR Section 2250(b) and containing a minimum 15% of petroleum distillate and a maximum 85% of ethyl alcohol.

In the event that your GDF qualifies for the exemption for fueling of ORVR equipped vehicles described above, the following requirements apply:

- You must continue to operate with your existing Phase II vapor recovery system and comply with your existing permit to operate until your permit is revised accordingly.
- You must apply for an exemption by submitting an application to the District **no later than October 1, 2008.**
- Upon written District approval, you will be required to:
 1. Remove the existing Phase II vapor recovery system by April 1, 2009.

2. Maintain records of the make, year of manufacture, gross vehicle weight rating (GVWR), and Evaporative Family Code or applicable Vehicle Certification Executive Order for all vehicles in your fleet. These records shall be maintained on site for at least three years and be made available to the District upon request.

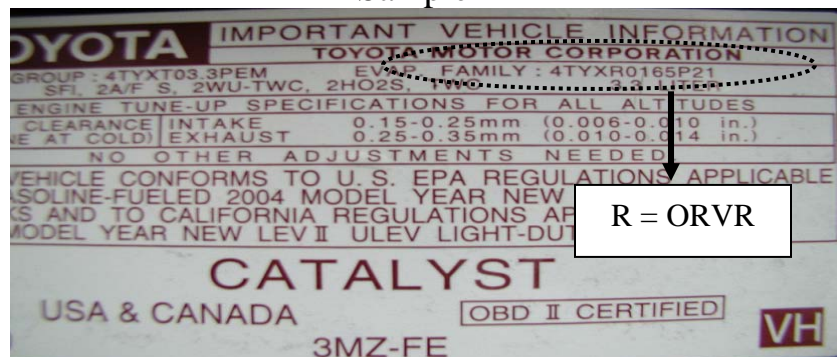
In order to determine whether or not a vehicle is equipped with ORVR, you need to verify Evaporative Family Code on the emission label under the vehicle's hood. Alternatively, you can find out if a vehicle is equipped with ORVR by looking for the Evaporative Family Code in the ARB Vehicle Certification Executive Order for that vehicle's year, make and model. These Executive Orders can be found at: www.arb.ca.gov/msprog/onroad/cert/cert.php#4.

When checking the Evaporative Family Code, you will need to verify the fifth character in this code. If the fifth character is an "E" or "V", the vehicle is not equipped with ORVR as shown in Sample A below. If the fifth character is an "R", then the vehicle has ORVR as shown in Sample B below.

Sample A



Sample B



You may find copies of District rules, advisories and application forms at <http://www.sdapcd.org>. Should you have any questions regarding District permits or application issues, please contact Mahiany Ponte with the APCD Engineering Division at (858) 586-2725. Questions regarding compliance issues should be directed to Randy Smith with the APCD Compliance Division at (858) 586-2677.

RGS:m:jl