

**RULE 61.4. TRANSFER OF VOLATILE ORGANIC COMPOUNDS INTO
VEHICLE FUEL TANKS** (Effect. 5/6/77: Rev. 10/16/90, Rev. 03/26/08)

(a) APPLICABILITY

Except as proved for in Section (b) - Exemptions, this rule is applicable to the transfer of volatile organic compounds (VOC's) into any motor vehicle tank with a capacity greater than 5 gallons (18.9 liters) at the following fuel dispensing facilities:

- (1) Any retail service station, as defined in Rule 61.0 where VOC's are dispensed into motor vehicle tanks from any stationary storage tank with a capacity of 250 gallons (946 liters) or more, and
- (2) Any facility that is not a retail service station where:
 - (i) VOC's are dispensed into motor vehicle tanks from any stationary storage tank with a capacity greater than 550 gallons (2080 liters), and
 - (ii) Where more than 2000 gallons (7570 liters) of VOC's are transferred into motor vehicle tanks in any calendar month on the parcel of land where the facility is located.

(b) EXEMPTIONS

This rule does not apply to the dispensing of:

- (1) VOC's into motor vehicle fuel tanks from any intermediate refueler provided VOC's are not sold directly from the intermediate refueler; or
- (2) Natural gas or propane when not mixed with any other VOC; or
- (3) VOC's into any vehicles performing emergency work necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from imminent exposure to danger or damage.
- (4) VOC's from any stationary storage tank that:
 - (i) Is used primarily in the fueling of aircraft and/or intermediate aircraft refuelers, or boats; or
 - (ii) Is located on a parcel of land where not more than 2,000 gallons (7570 liters) are transferred into motor vehicles during any calendar month, provided that the facility is not a retail service station. The owner or operator of a stationary tank subject to this requirement shall maintain monthly VOC throughput records. These records shall be maintained on site for a period of at least three years and be made available to the District upon request.

(5) VOC's from any stationary storage tank into a vehicle fuel tank at any non-retail service station where 95 percent of vehicles refueled are equipped with Onboard Refueling Vapor Recovery (ORVR) provided that the Phase II vapor recovery system, if previously installed, has been properly removed. Any person claiming this exemption shall maintain records of the make, model year, vehicle identification number and any other information indicating whether the vehicle is equipped with ORVR, for all vehicles refueled at such facility. These records shall be maintained on site for at least three years and be made available to the District upon request.

(6) E85 from any stationary storage tank into a Flexible Fuel Vehicle fuel tank at any retail or non-retail service station.

(c) STANDARDS

Except as provided for in Section (b) of this rule, no person shall transfer or allow the transfer of VOC's into any motor vehicle fuel tank unless all the following requirements are met:

(1) The vapors displaced during the transfer, and displaced from any storage tank associated with the transfer, shall be controlled by a Phase II vapor recovery system certified by the California Air Resources Board (CARB) to be at least 95% effective.

The Phase II vapor recovery system and its components shall have been certified by the CARB prior to installation; unless the installation is granted written approval by both the CARB and the District for the purpose of conducting field evaluations to determine the certification status of the system and/or any of its components.

(2) No person shall insert or allow the insertion of an object between any vehicle tank fill spout and any vapor recovery nozzle in order to prevent sealing at the vehicle-nozzle interface.

(3) The Phase II vapor recovery system and its components shall be installed, operated, and maintained so that their performance in actual use, as determined by the Air Pollution Control Officer, is:

(i) The same as the CARB certification test system associated with the applicable CARB Executive Order, and

(ii) The Phase II vapor recovery system and its components are installed, operated and maintained in accordance with the applicable CARB Executive Orders and any instructions of the manufacturer(s) of the system and its components.

(4) The Phase II vapor recovery system and its components shall not be altered from their certified configuration. Alterations include, but are not limited to:

(i) Piping and fitting changes, or installation of valves in the vapor piping; or

(ii) Substitutions of certified components with non-certified components and removal of certified components; and

(iii) Any other modifications that can affect the emissions.

(5) Except as provided in Subsection (c)(6) below, any component, device, or system identified and recorded by the owner/operator as not being in good condition or not operating properly shall be repaired, replaced, or adjusted within seven calendar days of detection in a manner that will bring the facility into compliance with this rule and the most recent applicable CARB Executive Orders. Upon request and for good cause, the Air Pollution Control Officer may allow an additional seven calendar days for the repairs, replacements, or adjustments specified above to be made.

(6) Any component, device or system having a defect identified in Title 17, California Code of Regulations, shall not be used or made available for use.

(7) Each VOC dispensing nozzle shall be equipped with a hold-open latch device in proper working order, except where prohibited by the local fire authority.

(d) SOURCE TESTING

(1) Within 60 calendar days of the installation date of any new or modified service station an initial compliance source test shall be conducted as required by the applicable Authority to Construct and the most recent applicable CARB Executive Orders.

(2) Periodic compliance source tests shall be conducted at least once every calendar year and in accordance with the schedule specified by the Air Pollution Control Officer. More frequent tests may be required as determined necessary by the Air Pollution Control Officer to assure compliance with this rule.

(e) RECORDKEEPING

An owner/operator of a service station shall maintain at a minimum the following information:

(1) Records of initial and periodic compliance source tests, which include at a minimum:

(i) Date and time of each test;

(ii) Name, affiliation, address, and phone number of the person(s) who performed the test;

(iii) For a retest following a failed initial compliance or periodic compliance source test, description of repairs performed; and

(iv) Copies of all test reports, including test equipment calibration date(s), test results and failed test data, in District-approved format and, for a test that fails, a description of the reasons for the test failure.

(2) Monthly throughput records of VOC liquids

All information specified in Subsections (e)(1) and (e)(2) shall be maintained on site for a period of at least three years and be made available to the District upon request.

(f) TEST METHODS

(1) The control efficiency of the Phase II Vapor Recovery System shall be determined in accordance with CARB Test Method TP-201.2 – Efficiency and Emission Factor for Phase II Systems and CARB Test Method TP-201.2A – Determination of Vehicle Matrix for Phase II Systems as applicable, and shall be determined by including all refueling emissions, stationary storage tank vent emissions, and pressure-related fugitive emissions. Pressure-related fugitive emissions shall be determined in accordance with CARB Test Method TP-201.2F – Pressure-Related Fugitive Emissions or the most recent applicable test method approved by EPA and CARB.

(2) The liquid removal rate of a liquid removal system, when required to be installed pursuant to the most recent applicable CARB Executive Order, shall be determined in accordance with the CARB Test Method TP-201.6C (Option 2) – Compliance Determination of Liquid Removal Rate or the most recent applicable test method approved by EPA and CARB.

(3) As applicable, the air to liquid (A/L) volumetric ratio for each nozzle shall be determined in accordance with the CARB Test Method TP -201.5 or the most recent applicable test method approved by EPA and CARB.

(4) A pressure decay leak test of the entire vapor recovery system shall be performed in accordance with the CARB Test Method 201.3 or 201.3.B as applicable, or in accordance with the most recent applicable test method approved by EPA and CARB.

(5) Any other applicable test methods approved by EPA and CARB.