DEALER ALERT

**TO**: Environmental Health and Safety (EHS) Coordinator

**FROM**: Sam Celly, MS JD CSP

**SUBJECT: California ARB Regulations Impacting Aboveground Gasoline Tanks &**

**SCAQMD Rule 461(e)(7)(D)**

**DATE**: January 10, 2014

**CALIFORNIA ARB REGULATIONS IMPACTING ABOVEGROUND GASOLINE TANKS**

California Air Resources Board (CARB), a division of Cal-EPA, is the regulatory body that controls emissions of pollutants into the atmosphere in the state of California. Deadlines for compliance are as follows: <http://www.arb.ca.gov/vapor/cp-206.pdf>.

**Standing Loss Control Upgrades Deadline Was Due April 1, 2013:** The standing control requirement is intended to keep the gasoline cool inside the tanks so as to minimize losses by evaporation (Paint Job). Standing loss control system requires an approved pressure/vent valve be installed to prevent vapors from escaping from the tank. Hopefully these were completed last year!

**Install Phase I EVR by April 1, 2014:** New installations after July 1, 2010 are expected to have the new Phase I EVR. Existing installations (prior to July 1, 2010) must have the upgrades in place by July 1, 2014. Non-retail dispensing facilities with tank capacities greater than 550 gallons require the EVR. Your local APCD may require a permit for installation to ensure that an approved EVR is installed.

**Install Phase II EVR by January 1, 2016**: On or after January 1, 2012, Phase II equipment meeting the new EVR performance standards or specifications must be installed on new installations. Existing installations that have undergone modifications after January 1, 2012 are considered as new systems.

**SCAQMD ANNUAL REPORTING GASOLINE USAGE (BOTH AGST AND UST)**

All dealerships with aboveground storage tanks (AGST) and or underground gasoline tanks (UST) must report monthly throughput data for each month of 2013 to the SCAMQD by fax to (909) 396-3761. Deadline for reporting is March 1, 2014. Form is attached. Rule 461(e)(7)(D) also requires operators to retain the past two years of throughput records to be available on site at all times. <http://www.aqmd.gov/rules/reg/reg04/r461.pdf>

Contact at CARB is Sam Vogt at svogt@arb.ca.gov and SCAQMD is Bobby Mendoza at bmendoza@aqmd.gov.

*Sam has been helping automobile dealers comply with EPA & OSHA regulations since 1987. Sam is the past-Chair of the Law Committee and the Environmental Issues Committee of the AIHA. Sam has a BE & MS in Chemical Engineering followed by a JD from Southwestern University School of Law.* Send your comments to*sam@cellyservices.com**.*