

**RULE 70  
STORAGE & TRANSFER OF GASOLINE  
TESTING REQUIREMENTS EFFECTIVE 07/01/04**

Rule 70, Storage & Transfer of Gasoline, requires that operators of gasoline dispensing facilities (GDF) conduct testing to demonstrate the efficiency of their Phase II Vapor Recovery System. The required tests and test frequencies are outlined below.

Rule 70.H specifies that the GDF conduct the required testing, “Within 45 days of (1) commencing operations at a new facility or (2) completing any major modification<sup>1</sup>, and” in accordance with the following schedule:

<b>Ph II System Type</b> ➡	Balance	Balance	Vacuum Assist	Vacuum Assist
<b>Annual Gasoline Throughput</b> ➡	Less than 100,000 gal/yr	Equal to or greater than 100,000 gal/yr	Less than 100,000 gal/yr	Equal to or greater than 100,000 gal/yr
<b>Test Type</b> ↓				
Static	Every 2 years	Every 1 year	Every 1 year	Every 1 year
Dynamic or *Wet A/L	Every 4 years	Every 1 year	*Every 4 years	*Every 1 year
A/L	-	-	Every 1 year	Every 1 year
Liquid Removal	Every 4 years	Every 1 year	-	-

The facility operator must notify the District’s Compliance Division at least five working days prior to the tests and shall submit the results within two weeks to the Compliance Division. District personnel must have the opportunity to observe all testing.

**ADDITIONAL QUESTIONS?**

Please see the attached FAQ’s and answers or, if you have additional questions or would like to obtain a copy of Rule 70 and a list of testing firms, please contact Eric Wetherbee at 805/645-1496.

Prior to installing and operating a new GDF or prior to performing a major modification to a GDF, a Permit to Operate shall be obtained from the District. Please contact Kerby E. Zozula at 805/645-1421 if you have any questions about submitting a permit application.

<sup>1</sup>**Major Modification** is defined by the California Air Resources Board as: The modification of an existing GDF that makes it subject to the same requirements to which a new installation is subject. Modification of the Phase I system (PHI) that involves the addition, replacement, or removal of an underground storage tank, or modification that causes the tank top to be unburied, is considered a major modification of the Phase I system.

Modification of the Phase II system that involves the addition, replacement or removal of 50 percent or more of the buried vapor piping, or the replacement of dispensers, is considered a major modification of the Phase II system (PHII). The replacement of a dispenser is not a major modification when the replacement is occasioned by end user damage to a dispenser. Phase II system upgrades to make the systems ORVR compatible do not constitute a major modification. Phase II system upgrades to comply with the under-dispenser containment requirement (CCR, Title 23, section 2636(h)(1)) initiated before January 1, 2004 do not constitute a major modification. Modifications to dispensers may require use of unihose configurations as described in CP-201 section 4.11.

## FAQ's and Answers Regarding Modifications to Vapor Recovery Systems

1. **Question:** What if my facility installs a new underground storage tank (UST) or replaces an existing UST?

**Answer:** The facility will be required to submit a permit application to the District. In addition, the facility will be required to install PHI EVR vapor recovery equipment and conduct vapor recovery testing.

2. **Question:** What if my facility unburies the existing UST tank top?

**Answer:** The facility will be required to submit a permit application to the District. In addition, the facility will be required to install PHI EVR vapor recovery equipment and conduct vapor recovery testing.

3. **Question:** What if my facility replaces the existing two-pipe coaxial PHI vapor recovery system with a PHI EVR vapor recovery system?

**Answer:** The facility will be required to submit a permit application to the District and will be required to conduct vapor recovery testing.

4. **Question:** What if my facility only repairs the existing non-PHI EVR Fill and Vapor adaptors only with the PHI EVR swivel-type adaptors without unburying the tank tops?

**Answer:** The facility is not required to submit a permit application to the District or conduct vapor recovery testing until the next normally scheduled test date.

5. **Question:** What if my facility replaces less than 50% of the buried vapor recovery piping leading from the tanks to the dispensers?

**Answer:** The facility is not required to submit a permit application to the District or conduct vapor recovery testing until the next normally scheduled test date.

6. **Question:** What if my facility replaces more than 50% of the buried vapor recovery piping leading from the tanks to the dispensers?

**Answer:** The facility will be required to submit a permit application to the District. In addition, the facility will be required to install an ORVR compatible PHII system with Unihose dispensers and conduct vapor recovery testing.

7. **Question:** What if my facility repairs a low-spot in the buried vapor recovery piping?

**Answer:** The facility will be required to submit a permit application to the District and conduct vapor recovery testing IF the modification involves more than 50% of the vapor recovery piping.

8. **Question:** What if my facility replaces more than 50% of the vapor recovery piping inside a non-Unihose dispenser and the dispensers were installed prior to April 1, 2003?

**Answer:** The facility will be required to submit a permit application to the District. In addition, the facility will be required to install an ORVR compatible PHII system with Unihose dispensers. The facility will be required to conduct vapor recovery testing.

9. **Question:** What if my facility removes the vacuum-assist vapor recovery system and installs a balance vapor recovery system?

**Answer:** The facility will be required to submit a permit application to the District. In addition, the facility will be required to install an ORVR compatible PHII system with Unihose dispensers. The facility will be required to conduct vapor recovery testing.

10. **Question:** What if my facility has a "drive-off" and replaces either the dispenser or the hanging hardware (nozzle, hose, break-away)?

**Answer:** The facility is not required to submit a permit application to the District and is not required to conduct vapor recovery testing until the next normally scheduled test date.