



Compliance Advisory

March 30, 2012

Gasoline Dispensing Facility Compliance Reminder

This Advisory is provided to inform you about Air District activities that may affect your operation. It will help you achieve and maintain compliance with applicable air quality rules and regulations.

ATTENTION: OWNER/OPERATORS OF GAS STATIONS WITH UNDERGROUND STORAGE TANKS THAT HAVE A LIQUID CONDENSATE TRAP (LCT) OR “VAPOR POT”

SUBJECT: ENFORCEMENT OF STATE DEADLINE FOR UPGRADING GAS STATIONS WITH LCT TO MEET ENHANCED VAPOR RECOVERY PHASE II AND IN-STATION DIAGNOSTICS REQUIRMENTS

By **April 1, 2012**, all owners of gas stations with underground tanks that have a **Liquid Condensate Trap (LCT)**¹, also referred to as a “Vapor Pot,” “Knock-out Pot,” or “Thief Pot” must install a state certified Enhanced Vapor Recovery (EVR) Phase II system². Stations that pump greater than **600,000 gallons per year** must also install In-Station Diagnostic (ISD) equipment by April 1, 2012. Any station that fails to perform the applicable upgrade(s) by the April 1, 2012 deadline will be in violation of Air District regulation and state law.

The Air District will enforce the requirements for the upgrade(s), and all station owners not in compliance by the April 1, 2012 deadline will receive a citation. However, non-complying gas stations can continue to operate while working towards compliance provided the owner enters into an **LCT Compliance Agreement (Agreement)** with the Air District. The Agreement will require the station owner to achieve compliance no later than **December 31, 2012**.

The Agreement is a legally binding contract between the gas station owner and the Air District, and will include the following elements:

- Extended deadline to complete installation of an EVR Phase II system and ISD system (if applicable) by **December 31, 2012**; and
- **Payment of penalties** for operating without the required EVR Phase II system, and if applicable, ISD system as of **April 1, 2012**.

¹ LCT refers to a device designed to collect liquid that condenses in the vapor return line in a manner that allows it to be evacuated and ensures that the vapor return line will not be blocked by the accumulation of liquid. (<http://www.arb.ca.gov/vapor/d200.pdf>)

² The following EVR Phase II systems are certified for stations with LCTs by State Executive Order (E.O.):

Vacuum Assist System	Healy EVR Phase II	E.O. VR-201 (version L or above)
	www.arb.ca.gov/vapor/eos/eo-vr201/vr201n_e01.pdf	
Balance System	Healy EVR Phase II with ISD	E.O. VR-202 (version L or above)
	www.arb.ca.gov/vapor/eos/eo-vr202/vr202n_e01.pdf	
Balance System	VST EVR Phase II	E.O. VR-203 (version K or above)
	www.arb.ca.gov/vapor/eos/eo-vr203/vr203l_ex01.pdf	
	VST EVR Phase II with ISD	E.O. VR-204 (version K or above)
www.arb.ca.gov/vapor/eos/eo-vr204/vr204l_ex01.pdf		

NOTE: If you do not enter into an Agreement with the Air District, your failure to meet the **April 1, 2012** deadline can result in station closure per State law. If you enter into an Agreement with the Air District and fail to meet the extended **December 31, 2012** deadline, your failure to comply can also result in station closure per State law.

Below is the **penalty schedule** associated with the April 1, 2012 EVR Phase II upgrade violation and ISD upgrade violation (if applicable), with increasing penalties based on the date a signed Agreement and penalty payment is submitted:

Submit the completed Agreement and penalty payment by certified mail postmarked or hand-delivered by:	
April 30, 2012	\$750 penalty
May 1, 2012 through June 30, 2012	\$1,000 penalty
July 1, 2012 through August 31, 2012	\$1,500 penalty
September 1, 2012 through October 31, 2012	\$2,000 penalty
November 1, 2012 through December 31, 2012	\$2,500 penalty

You can download an Agreement at the Air District LCT Compliance Program webpage at: www.baaqmd.gov/LCT and click on the 'LCT Compliance Agreement' link.

Fill-out the Agreement completely and mail it and the penalty payment to:

Brian C. Bunger, District Counsel
Office of the District Counsel
Bay Area Air Quality Management District
939 Ellis Street, 7th Floor
San Francisco, California 94109

NOTE: You must submit the penalty payment and signed Agreement in order to obtain an extension until December 31, 2012. Incomplete Agreements will be returned.

More information can be obtained from the following sources:

-  For questions regarding this Advisory, contact Dennis Baker, Air Quality Technician at: (415) 749-4717.
-  For Air District permit application forms visit: www.baaqmd.gov/Divisions/Engineering/Application-Forms.aspx, or for LCT permit assistance call Mark Tang, Air Quality Technician at: (415) 749-4905.
-  For LCT Compliance Agreement assistance, contact the Air District Legal Division at: (415) 749-4920.
-  For information about LCT requirements from CARB visit: www.arb.ca.gov/vapor/vapor.htm, or contact the CARB Engineering and Certification Branch at: (916) 327-0900.

Brian Bateman
Director of Enforcement