



This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution regulations.

ATTENTION: OWNER/OPERATORS OF GAS STATIONS WITH UNDERGROUND STORAGE TANKS

SUBJECT: ENFORCEMENT OF CARB ENHANCED VAPOR RECOVERY IN-STATION DIAGNOSTICS (ISD) DEADLINE

By **September 1, 2010**, all gas stations with underground tanks with gasoline throughputs of more than **600,000 gallons** per year must install an **In-Station Diagnostics (ISD)**¹ system. Any station that fails to perform the upgrade by **September 1, 2010** is in violation of Air District regulations and state law.

The Air District will enforce the requirements for ISD, and all stations not in compliance by the deadline will receive a citation. However, non-complying gas stations can continue to operate while working towards compliance provided the owner/operator enters into a **Compliance Agreement / Schedule** with the District. The Compliance Agreement will require the owner/operator to achieve compliance no later than **March 1, 2011** by either of the following two methods:

1. Install an ARB certified ISD system.²
2. Receive a permit amendment from the Air District that limits the permitted twelve-month gasoline throughput to less than or equal to 600,000 gallons.³

A Compliance Agreement is a legally binding contract between the gas station and the District, and will include the following elements:

- Extended deadline to complete installation of an ISD system or obtain a permit amendment limiting twelve-month gasoline throughput to \leq 600,000 gallons by **March 1, 2011**; and
- **Payment of penalties** for operating without the required ISD equipment as of September 1, 2010.

NOTE: If you do not enter into an ISD Compliance Agreement with the District, your failure to meet the **September 1, 2010** deadline can result in station closure per State law. If you enter into an ISD Compliance Agreement with the District and fail to meet the extended

¹ For further information about ISD systems, refer to the District's May 24, 2010 ISD Advisory at the District ISD webpage: www.baaqmd.gov/ISD

² For stations with **VST with Clean Air Separator** or **VST with Hirt burner** systems, which do not currently have a certified ISD system available, please contact the ISD Enforcement Contact at (415) 749-4717 for special instructions.

³ Note: To amend your permitted gasoline throughput to 600,000 gallons per year or less, submit a letter to Scott Owen at sowen@baaqmd.gov, or (415) 749-4693. Throughput limits are enforceable permit conditions; if you exceed a permit limit you are subject to fines/penalties for violation of your permit to operate.

March 1, 2011 deadline, your failure to comply can also result in station closure per State law.

Below is the **penalty schedule** associated with the September 1, 2010 ISD deadline violation, with increasing penalties based on submission of a signed Agreement and penalty payment:

- Execute and submit the Agreement and penalty payment postmarked **by October 1, 2010 = \$500** penalty
- Execute and submit the Agreement and penalty payment postmarked on or after October 2, 2010 but **by November 15, 2010 = \$1,000** penalty
- Execute and submit the Agreement and penalty payment postmarked on or after November 16, 2010 but **by December 31, 2010 = \$1,500** penalty
- Execute and submit the Agreement and penalty payment postmarked **after December 31, 2010 = \$2,000** penalty

You can download an ISD Compliance Agreement at the District ISD Compliance Program webpage at: www.baaqmd.gov/ISD and click on the 'ISD Compliance Agreement' link. **Fill out the Agreement completely and mail it and the penalty payment to:**

Bay Area Air Quality Management District
Attn: Legal Division, ISD Compliance Program
939 Ellis Street, 7th Floor
San Francisco, California 94109

Note: You must submit the penalty payment and signed Compliance Agreement in order to obtain an extension until **March 1, 2011**.

If you have questions about the District's ISD Compliance Program, contact one of the following District representatives:

- **ISD Enforcement Contact, Compliance and Enforcement Division:** Dennis Baker, (415) 749-4717
- **ISD Permit Coordinator, Engineering Division:** Mark Tang, (415) 749-4905
- **ISD Program Contact, Legal Division:** (415) 749-4920

More Information can be obtained from the following sources:

- ☎ For further questions regarding this Advisory, contact Dennis Baker, Air Quality Technician, at: (415) 749-4717.
- ☎ For BAAQMD permit assistance or Authority to Construct application forms, visit <http://www.baaqmd.gov/pmt/index.htm>, or call (415) 749-4990.
- ☎ For information about ISD requirements from the California Air Resources Board, visit <http://www.arb.ca.gov/vapor/vapor.htm> or <http://www.evrhome.org>, or contact the ARB Engineering and Certification Branch at (916) 327-0900.

Kelly J. Wee
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