

# Stage I Vapor Recovery Changes

Regulatory Streamlining and State  
Implementation Plan Development



ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY



**Importance**



**History**

**Overview**



**Changes**



# REGULATION HISTORY

- Adopted during 2004
- Applies only in nonattainment areas for ozone
- Was actively enforced in Crittenden County upon adoption until 2010; and again between 2012 and 2016
- No current nonattainment areas within Arkansas



# Crittenden County

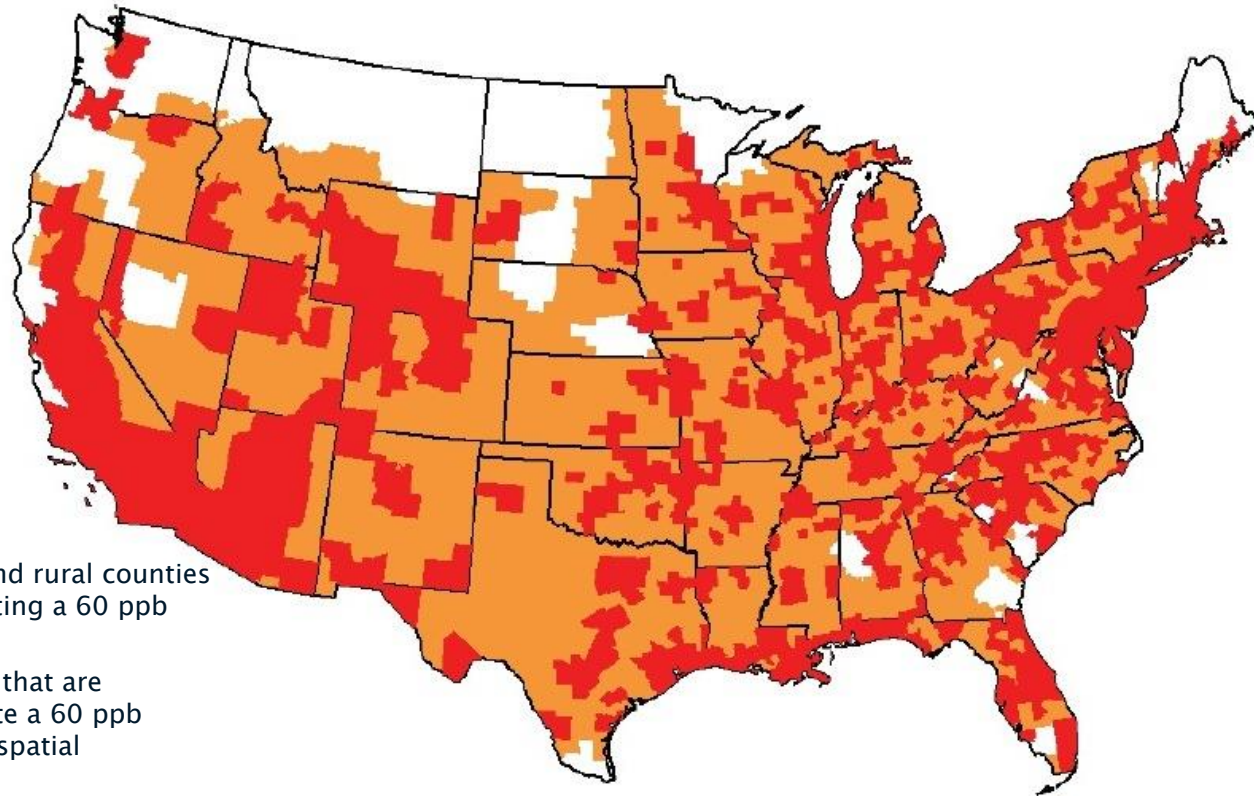
- 1997 Ozone NAAQS(80 ppb)  
Nonattainment Status 6/15/2004 –  
4/23/2010
- 2008 Ozone NAAQS (75 ppb)  
Nonattainment Status 7/20/2012 –  
6/03/2016

# Crittenden County

- Gradual rollout, with information disseminated through the Arkansas Oil Marketers Association (AOMA), and surveys performed to assess the compliance status of facilities in Crittenden County
- Compliance inspections started in 2006, focusing on actually having a Stage I Vapor Recovery system, and progressed to maintenance and testing of the systems

# Past Concerns of the Regulated Community

Source: American Petroleum Institute (2014)



Based on 2011–2013 data accessed from <http://www.epa.gov/airtrends/> and <http://www.epa.gov/airdata/>.



# **REGULATION IMPORTANCE**



# Importance of Regulation

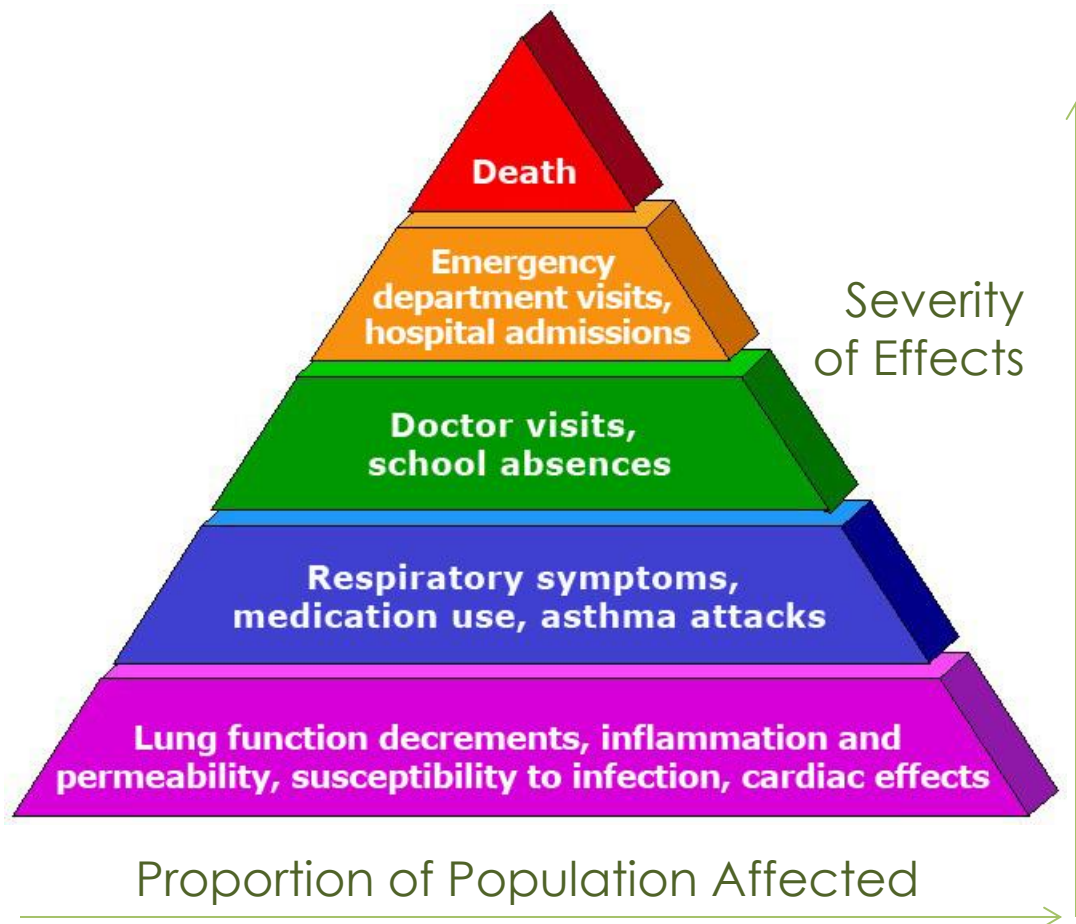
Helps reduce VOCs, a precursor to the formation of Ozone, in nonattainment areas



# Ozone Health Impacts: “Pyramid of Effects”

At-Risk Groups Include:

- People with lung disease, such as asthma or chronic obstructive pulmonary disease (COPD)
- Children
- Older adults
- People who are more likely to be exposed; such as, people who are active outdoors, including children and outdoor workers



Source: EPA

# Importance of Revision

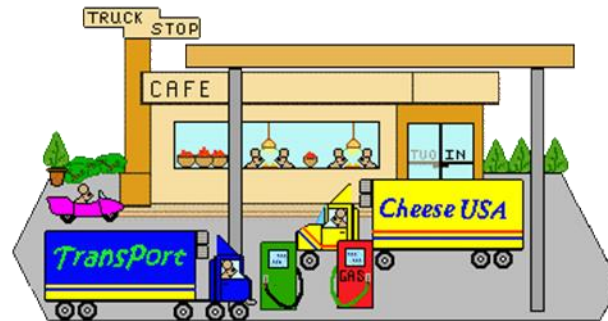
- To help clarify the regulation for both the State, and the regulated community
- To ensure the maximum benefits in reducing VOCs in the event of future nonattainment designations

# Previous Compliance Pitfalls

- Throughput definition required records of fuel dispensed, while some facilities only kept records of fuel delivered to the gasoline storage tank
- No guidance on the facility's responsibilities when claiming an exemption

# Previous Compliance Pitfalls

- No requirement for a poppeted vapor recovery adaptor valve to be covered by a vapor-tight cap
- Unclear test method for the stationary gasoline storage tanks



# Previous Compliance Pitfalls

- Unclear phase-in process for “Independent small business marketers (ISBM)”
- No defined testing protocols



These pitfalls took time and resources away from the main purpose of the regulation;

- to move the affected nonattainment area in the direction of being reclassified attainment for the Ozone NAAQS
- improving both the environmental health concerns, and the ability of the area to grow economically



# REGULATION CHANGES



# Purpose of Changes

- Clean-up typographical errors and redundant language
- Clarify testing, recordkeeping, and reporting requirements
- Address inconsistencies with NESHAP CCCCCC (6C)



# Major Changes

# Submerged Fill Pipe

## Regulation 19.13

- Exemption for tanks with a capacity not more than 550 gallons that had submerged fill pipes

## Regulation 35.11

- Tanks with a capacity of not more than 250 gallons are exempt, the same as NESHAP CCCCCC, with no exemption for submerged filling for any sized tank

# Definition of Throughput

## Regulation 19.13

- The amount of gasoline dispensed at a facility

## Regulation 35.11

- The total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each gasoline dispensing facility (GDF) during a month

# Other Definition Changes

- Removed definition for “gasoline service station”
- Revised definition for “independent small business marketer”
- Inserted definition for “control of a corporation”
- Inserted definition for “refiner”
- Revised definition for “vapor tight”

# Exemption Changes

- Language changes to address conflicts with NESHAP CCCCCC
- Language changes to match up with definition changes
- Guidance added on the facilities responsibilities when claiming an exemption

# Maintenance & Testing Changes

- Language changes to ensure that vapor recovery adaptors and vent lines are being properly maintained
- Language added to clarify the EPA Reference Test Method used for gasoline delivery vessels



# Maintenance & Testing Changes

- Language changes to ensure that vapor recovery system is properly retested after a failed test
- Language added to clarify the EPA Reference Test Method used for the stationary gasoline tanks
- Testing time frames added for clarification



# Phase-In for ISBMs

## Regulation 19.13

- Allowed phase-in of a third of an ISBM's facilities per year over a three year period

## Regulation 35.11

- Added language to clarify that this applies to an ISBM with at least three facilities

# Summary

With these changes to the Stage I Vapor Recovery regulation, the Department anticipates a smoother implementation of the rule in the event of a nonattainment designation in the future, and in turn, a smoother transition back to attainment

# Questions?

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