



State Water Resources Control Board



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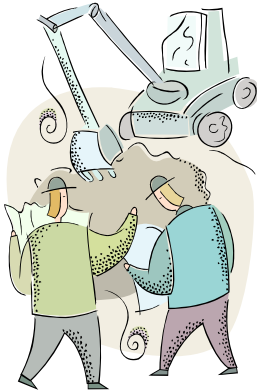
Guidance for Underground Storage Tank (UST) Facilities Storing Gasoline Relating to the California Air Resources Board's Enhanced Vapor Recovery (EVR) April 1, 2009 Deadline

1) What is the upcoming EVR deadline? By April 1, 2009 ARB regulations (California Code of Regulations (CCR), Title 17, § 94011 and Health and Safety Code (H&SC) § 41956.1(a)) require gasoline dispensing facility owners and operators to upgrade their vapor recovery systems to help reduce air pollution. The upgrade must be an EVR Phase II certified system that will include new nozzles and a new vapor processor. (<http://www.arb.ca.gov/vapor/vapor.htm> and <http://www.evrhome.org/>)



2) Who enforces the EVR deadline? Local Air Districts are responsible for enforcing compliance deadlines for EVR and non-compliant facilities could be issued Notices of Violation or tagged out-of-order.

3) What impact will this have on operating USTs? The owner/operator of a UST facility that a Local Air District has tagged for non-compliance must either continue to comply with the terms of their UST permit or temporarily close the UST by following the temporary closure regulations (CCR, Title 23, § 2671(a-e)). A UST permit issued under H&SC, Chapter 6.7 is required to own or operate a UST, and Chapter 6.7 applies even if gasoline is not dispensed from the UST.



4) What is involved in temporary closure? Per CCR, Title 23, § 2671 an owner or operator shall comply with the following requirements to maintain temporary closure of their UST:

- Remove the gasoline or other stored hazardous product;
- Inert the tank if it previously stored gasoline or another flammable liquid;
- Seal all fill and access locations and piping that is not used for venting by using locking caps or concrete plugs;
- Disconnect power to all associated pumps that are not used to power equipment not being closed;
- Maintain monitoring and corrosion protection;
- Maintain all recordkeeping and reporting requirements;
- Inspect the UST every three months to ensure temporary closure measurements are in place;
- At the end of the temporary closure, the UST may be put back into use only if it:
 - Meets the new UST design, construction and monitoring requirements, and



- Complies with any monitoring requirements that were put on hold during temporary closure, including, but not limited to, Enhanced Leak Detection testing for USTs within 1000' of a public drinking water well.

5) What if the UST facility has stopped pumping gasoline and is not in temporary closure? If an owner/operator chooses not to temporarily close their UST, he/she must ensure that the UST continues to comply with all applicable requirements that were in place before pumping of gasoline was ceased. This includes all the permit, inspection, and monitoring requirements of that chapter and all applicable regulations (H&SC, Div. 20. Ch. 6.7, Section 25298(b)). Failing to comply with applicable UST requirement can result in fines up to \$500-\$5000 for each day. (H&SC, Div. 20. Ch. 6.7, Section 25299).

