

## **POTPOURRI**

### **Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division**

#### **Withdrawal of Stage II Vapor Recovery Systems Requirements For Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities (LAC 33:III.2132)**

Pursuant to the authority provided by Section 202(a)(6) of the Clean Air Act (42 USC 7521(a)(6)), the administrator of the United States Environmental Protection Agency (EPA) has determined onboard refueling vapor recovery (ORVR) technology is in widespread use throughout the motor vehicle fleet. The administrator also determined that emission reductions from ORVR are essentially equal to and have surpassed the emission reductions achieved by vapor recovery systems required by section 182(b)(3) and (42 USC 7511a(b)(3)), (i.e. Stage II). A final regulation waiving the section 182(b)(3) requirement for Stage II gasoline vapor recovery systems at certain gasoline dispensing facilities (40 CFR 51.126) was promulgated at 77 Fed. Reg. 28,772 on May 16, 2012. (1804Pot1)

Pursuant to EPA's determination, the Louisiana Department of Environmental Quality (DEQ) is proposing a revision to state regulations and will submit a revision to its state implementation plan (SIP) concerning Stage II vapor recovery (LAC 33:III.2132) in the affected parishes of Ascension, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge. The revisions will: (1) terminate the requirements to install Stage II vapor recovery systems at motor vehicle fuel dispensing facilities (MVFDF); (2) provide standards and requirements to decommission existing Stage II equipment at MVFDF; and (3) require the decommissioning of existing Stage II equipment within 18 months of final approval of a SIP revision by the EPA to eliminate Stage II requirements.

MVFDF may commence decommissioning existing Stage II equipment in accordance with the proposed regulations. However, any action taken prior to final promulgation of revisions to LAC 33:III.2132 and approval of a revision to the SIP by the EPA shall be taken at the risk to the facility. Revisions to LAC 33:III.2132 and SIP requirements are subject to change prior to final adoption, promulgation, and approval by the EPA. Please be advised that any discretion exercised by the DEQ is not necessarily representative of any action the EPA or any third parties may initiate. A violation of effective regulations may subject the violator to enforcement.

MVFDFs currently equipped with Stage II systems must continue to comply with existing Stage II requirements in LAC 33:III.2132 until the Stage II equipment is properly decommissioned. Also, MVFDFs must continue to comply with the Stage I requirements in LAC 33:III.2131.

If you have questions, please call Yasooob Zia at (225) 219-3586. He may be reached via email at [yasoob.zia@la.gov](mailto:yasoob.zia@la.gov).

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