



**South Coast
Air Quality Management District**
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • <http://www.aqmd.gov>

AQMD Rule 461 Advisory No. 16-05

IMPORTANT NOTICE TO GASOLINE DISTRIBUTION AND SUPPLY COMPANIES, AND DELIVERY TRUCK OWNER/OPERATORS

NOTICE OF 60-DAY EXERCISE OF ENFORCEMENT DISCRETION FOR GASOLINE DELIVERIES TO DISPENSING FACILITIES WITHOUT EVR UPGRADES

State regulations require all gasoline dispensing facilities (GDFs) to upgrade the Phase I systems on their underground tanks to meet enhanced vapor recovery (EVR) standards. On April 1, 2005, all existing non-retail systems will be decertified for use. Normally, this decertification would mean that bulk gasoline deliveries should not occur.

Currently, there is a critical shortage of certified equipment and installation contractors to complete all the upgrades by the deadline of April 1. Consequently, the South Coast Air Quality Management District (AQMD) will not issue Notices of Violation to suppliers delivering gasoline as long as the Phase I equipment is not tagged out of service at the GDF receiving the fuel delivery. This limited exercise of discretion on field enforcement for the deadline for bulk deliveries will be reviewed in late May for possible extension.

Please note this exercise of enforcement discretion applies only to the fuel distribution suppliers and not to the gasoline dispensing facility itself. Retail GDFs must comply with all the EVR standards in effect by the April 1, 2005 deadline.

Questions about this Advisory should be sent via e-mail to gkasper@aqmd.gov.

Declaration of Temporary Non-operation of Phase I System after April 1, 2005

This form is provided by the South Coast Air Quality Management District (AQMD) and is required to be completed and submitted to AQMD by all gasoline dispensing facilities within the agency's jurisdiction that will not meet Phase I Enhanced Vapor Recovery (EVR) requirements by April 1, 2005 and are electing to discontinue fuel receipts until the certified EVR upgrade is complete.

Gasoline Dispensing Facility		AQMD Facility ID	Permit To Operate	Application No.
Facility Name		Contact		Phone
Address		City		Zip
Business Type <input type="checkbox"/> Independent <input type="checkbox"/> Dealer <input type="checkbox"/> Chain Operator <input type="checkbox"/> Non-retail			Board of Equalization No.	

Ownership of Underground Equipment		Do you own the underground storage tanks? <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, complete this section)		
Owner's Name		Contact		Phone
Address		City		Zip

Status of EVR Installation		Has EVR been scheduled for installation? <input type="checkbox"/> Yes <input type="checkbox"/> No (if yes, complete this section)		
Scheduled Installation Date	Contractor Name		Contractor Contact	
Contractor Address	City		Zip	Contractor Phone

AQMD Permit	Has a new permit application been submitted to AQMD?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date Submitted:
	Has a new Permit to Construct/Operate been issued?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Permit No.

I acknowledge that the State of California has required that all gasoline dispensing facilities with underground gasoline storage tanks be equipped with Phase I Enhanced Vapor Recovery (EVR) by April 1, 2005. I further declare that the facility at the address indicated above will not have the required EVR upgrades installed by that date. I hereby certify that I, as legal owner/operator will not receive any further gasoline deliveries until such time that the proper EVR equipment is installed. I understand that receipt of gasoline deliveries prior to the installation of EVR will subject me to enforcement action by AQMD, with monetary penalties.

Print Name		Title		
Signature		Phone		Date

Mail completed form to:



South Coast Air Quality Management District
 Attention: George Kasper
 21965 Copley Drive, Diamond Bar, CA, 91765

Or fax to AQMD at:

(909) 396-3335

South Coast Air Quality Management District
List of Information Needed to Request an EVR Order for Abatement

Directions: Call AQMD's District Prosecutor's Office at (909) 396-3400. Request a Stipulated Order for Abatement for a gas station. The investigator will explain the process and ask for the following information in order to process your request for an Order for Abatement.

Have all of the following information ready before calling, or your request may be delayed or denied. If you require assistance in a language other than English, please tell the investigator when you call.

- 1) Legal name of individual who is the owner or CEO of GDF. _____
- 2) Business address, telephone, and fax number of owner or CEO of GDF. _____
- 3) Name of business entity that owns or operates the GDF: _____
 - a) Is this business entity the owner, OR the operator, OR both? _____
 - b) Is this entity registered with the State of California? _____
 - c) If so, are you: sole proprietor/DBA/corporation/LLC/partnership/other? _____
- 4) Do you currently have a Permit to Operate from SCAQMD? (yes/no) ____
 - a) Permit number: _____
- 5) Have you applied for a Permit to Construct from SCAQMD for EVR upgrades? (yes/no) ____
 - a) If so, when? _____ Application number: _____
(You will need to have a copy of the application available before your hearing.)
- 6) Have you received a Permit to Construct from SCAQMD for EVR upgrades? (yes/no) ____
(You will need to have a copy of the permit to construct available before your hearing.)
- 7) Have you hired a contractor for construction of EVR upgrades at your facility? (yes/no) ____
 - a) If so, state the contractor's name, address, telephone number, and contact name:

(You will need to have a copy of the signed contract available before your hearing.)
- 8) What is your expected construction completion date? _____
- 9) Are there any special circumstances at your facility that SCAQMD should know about?

“CEO” = Chief Executive Officer
“GDF” = Gasoline Dispensing Facility