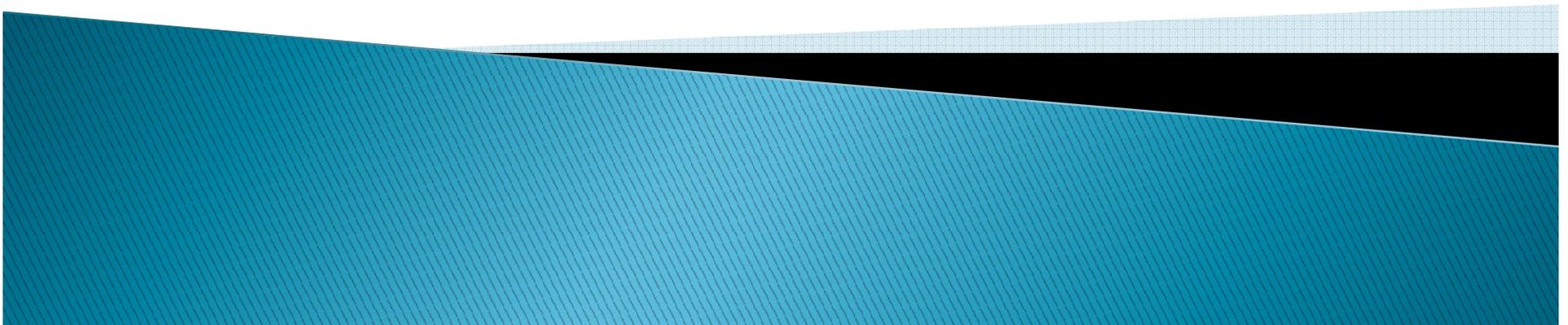
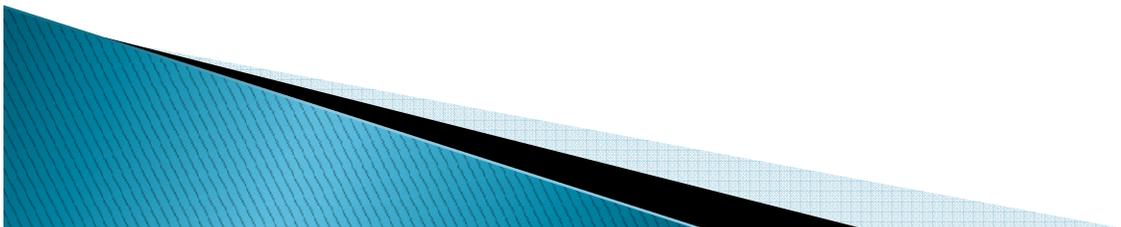


**MassDEP  
Stage I-II Stakeholder  
Meeting  
March 27, 2013**



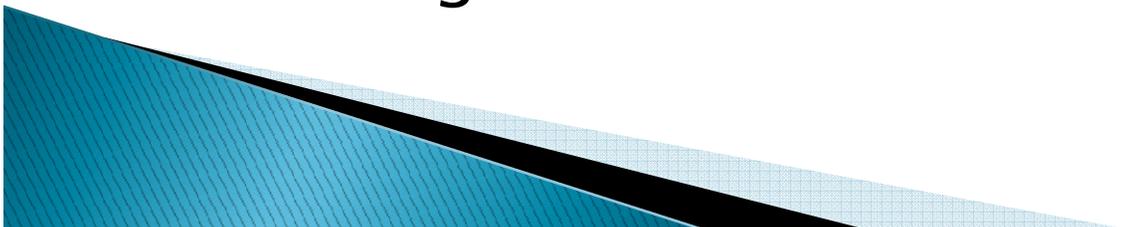
# Purpose of This Meeting

- ▶ To discuss MassDEP's draft revisions to the following regulations:
  - Stage II – 310 CMR 7.24(6)
  - Stage I – 310 CMR 7.24(3)
  - Definitions – 310 CMR 7.00
- ▶ Drafts of proposed revisions were emailed to stakeholders on March 22, 2013. (Posted at: <http://www.mass.gov/dep/air/community/stageii.htm> – under *Stage II Program Changes*)



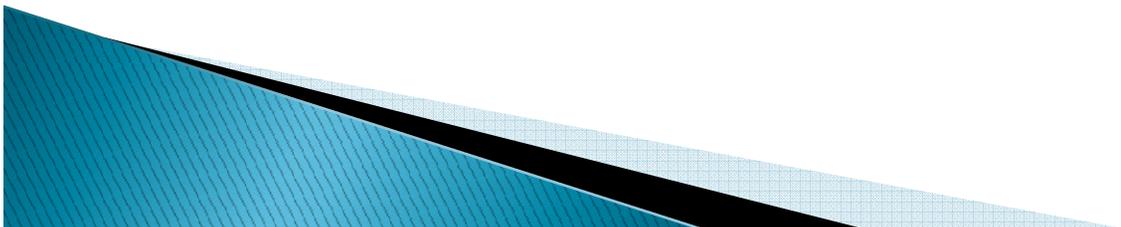
# Background: Process to Date

- ▶ ERG Draft Report examining Stage I and Stage II program options was discussed at 8/15/2012 stakeholder meeting.
- ▶ ERG Final Report posted in December 2012.
- ▶ MassDEP preliminary program recommendations based on ERG report were discussed at January 10, 2013 stakeholder meeting.



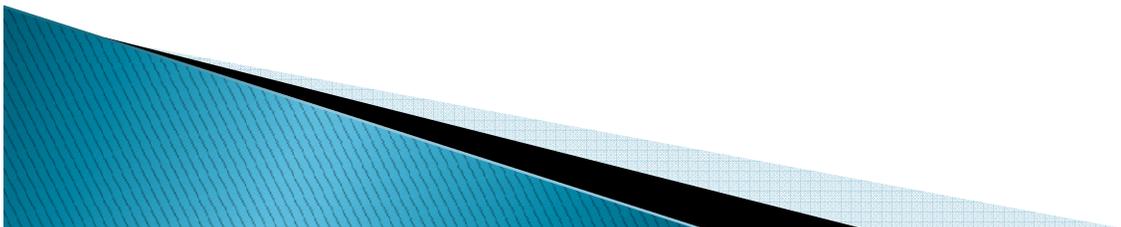
# Stage I Measures Not Included in Draft Revisions

- ▶ Not proposing to require:
  - Pressure management
  - Vapor monitoring
  - Low permeability hoses
  - Low spillage nozzles
- ▶ Will continue to track development of these technologies and potential emission reductions from these measures.



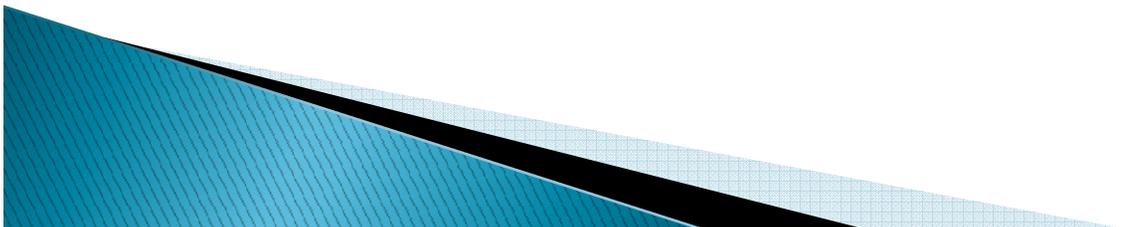
# MassDEP Stage II Recommendations Discussed at Jan. 10th Meeting

- ▶ ERG report documented continued emissions reductions from Stage II through mid-2015, but at an increasingly high cost per ton.
- ▶ MassDEP recommended terminating Stage II in 2013 upon effective date of regulatory revisions.



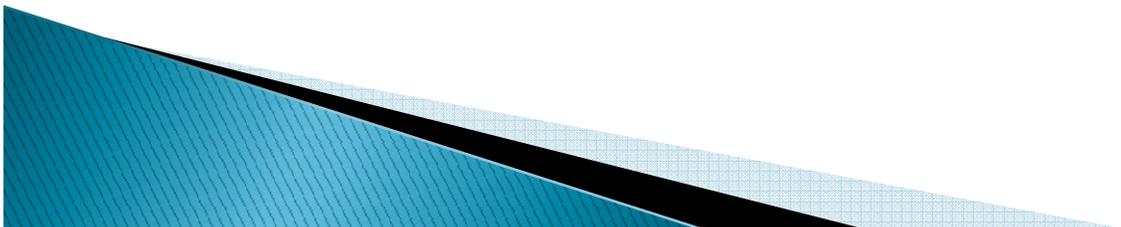
# Stage II: Proposed Revisions to 310 CMR 7.24(6)

- ▶ Stage II installations not required or allowed once revisions are effective.
- ▶ Gasoline dispensing facilities (GDFs) must decommission with 2 years of effective date of reg.
- ▶ If 2 year deadline creates a financial hardship, GDF may request an additional year to decommission.
- ▶ Decommissioning requirements listed in reg.



# Stage II Issues

- ▶ For discussion:
  - Concerns with 2 yr deadline for decommissioning?
  - Is 1 year extension helpful?
  
  - Decommissioning steps:
    - Any concerns with steps listed in proposed revisions?
    - Considering incorporation of Petroleum Institute Recommendations into regulation in addition to listed steps.
  
- ▶ Other Stage II issues for discussion?



# MassDEP Stage I Recommendations Discussed at Jan. 10th Meeting

- ▶ New GDFs or if excavate below shear valve/  
tank pad must install CARB-certified Stage I  
EVR systems.
- ▶ All GDFs install CARB Stage I EVR systems  
by 2017.
- ▶ GDFs <500,000 gal annual throughput  
exempt from above requirements.
- ▶ Consideration of a mechanism to allow mix  
and match of CARB EVR components that  
are as efficient as CARB-certified systems.

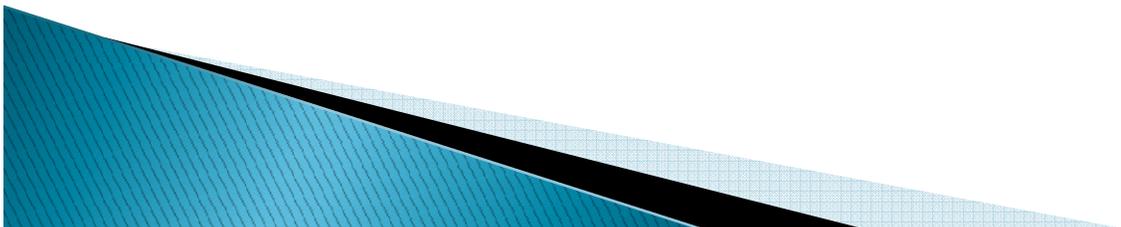
# Stage I: Proposed Revisions to 310 CMR 7.24(3)

## ▶ Applicability 7.24(3)(a)

- (a)1. GDFs that dispense  $< 500,000$  gal. can have Stage I EVR or Non-EVR systems.
- (a)2. GDFs with a fuel storage tank installed before reg. revisions and dispense  $\geq 500,000$  gal. in any year after effective date of reg. must have a Stage I EVR System. (Existing GDFs)
- (a)3. GDFs with a tank installed after reg. revisions and dispense  $\geq 500,000$  gal. in any year after effective date must install a CARB-certified Stage I EVR System. (New GDFs)

# What is a Stage I Non-EVR System?

- ▶ A defined term in revisions to 310 CMR 7.00. Means a Stage I System that has been certified by CARB in pre-EVR Executive Orders to prevent discharge of at least 95% of vapors.
- ▶ This is what is currently required by MassDEP regulations.



# What is a Stage I EVR System?

- ▶ A defined term in revisions to 310 CMR 7.00. Means a Stage I System that is certified to achieve 98% vapor control efficiency.
- ▶ Certification can be either by:
  - CARB pursuant to a Stage I Executive Order; or
  - By an independent, third party engineering firm.

# Third-Party Certified Systems

## 310 CMR 7.24(3)(c)2.

- ▶ Provides an option for mix and match Stage I Systems if shown to achieve 98% vapor control efficiency.
- ▶ Mix and match CARB EVR components can be tested and certified as a system by an independent engineering firm.
- ▶ Certification submitted to MassDEP 60 days before installation.
- ▶ Certification submittal must include requirements related to installation, training, maintenance, operation, etc.

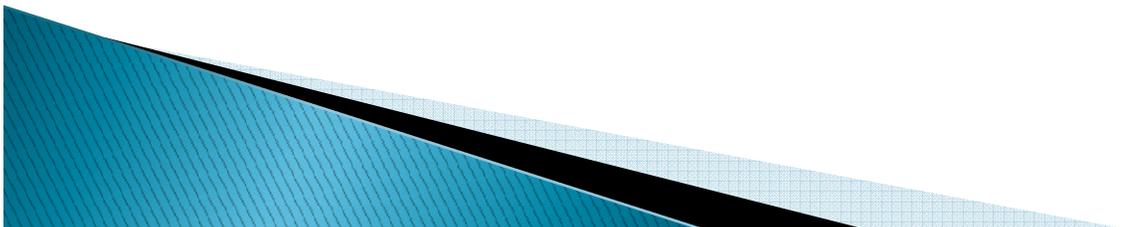
# Third-Party Certified Systems

Seeking comment on:

- ▶ Feasibility/estimated costs of third-party certifications of a Stage I EVR System
- ▶ Timeframe for certification vs. CARB-certification process
- ▶ Conflict of interest provisions re: third-party certifiers – considering UST draft provisions.

# Stage I – Applicability 7.24(3)(a) Timeframe

- ▶ When must facilities install a Stage I EVR System:
  - Existing facilities: within 5 years of last day of calendar year in which dispense  $\geq$  500,000 gallons. 7.24(3)(a)2.
  - New facilities: must have Stage I EVR System installed if dispense  $\geq$  500,000 gallons in any year after reg. effective date. 7.24(3)(a)3.

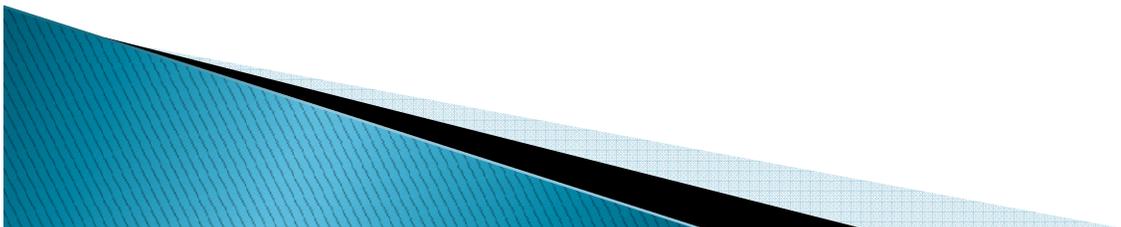


# Stage I Applicability: 310 CMR 7.24(3)(a) continued

- ▶ Seeking comment on:
  - 500,000 annual throughput threshold trigger:
    - draft revisions are based on a GDF triggering throughput threshold in any year after effective date of reg.
    - other approaches: average of most recent 2 or 3 years?
    - Calendar year or rolling 12-month periods?
    - Grace period to install EVR System for new facilities if exceed threshold?

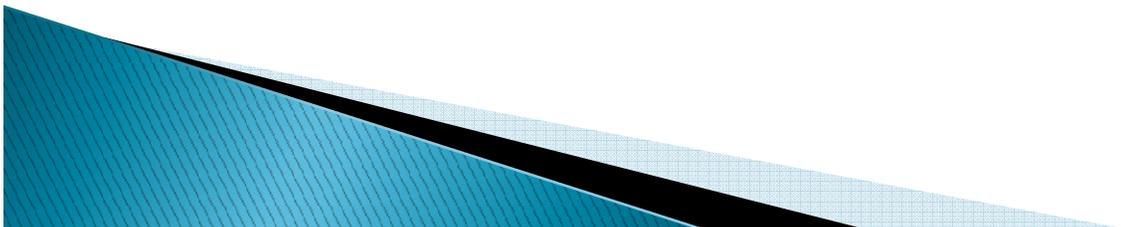
# Stage I Component System (Mix and match)

- ▶ Under consideration but not addressed in draft regulations.
- ▶ Would allow use of CARB Stage I EVR certified components that are not certified as a system by CARB or a third party.
- ▶ Would be subject to additional in-use testing: semi-annual vs. annual for a Stage I EVR System and Non-EVR System.



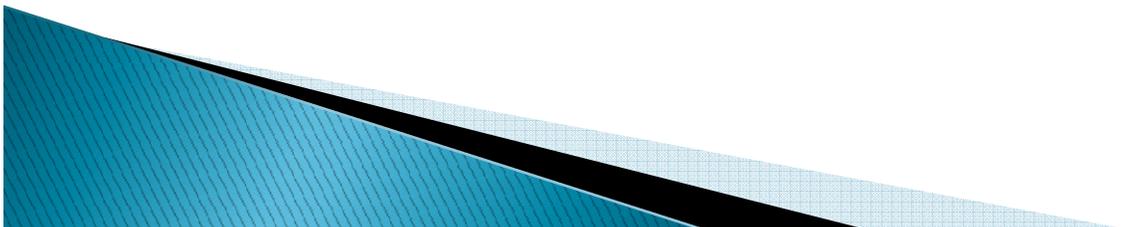
## Stage I Requirements 7.24(3)(c) –Installation, Operation, Maintenance, Record Keeping

- ▶ For all GDFs, submerged fill pipe requirements.
- ▶ All GDFs upon decommissioning Stage II, (or within 45 days after effective date of reg. if already decommissioned) must:
  - Install a CARB Stage I EVR PV vent valve.
  - Install CARB Stage I EVR rotatable product and vapor adaptors;
- ▶ Visual inspections weekly and within 24 hours of a fuel drop. Repair with 30 days or stop fuel deliveries.



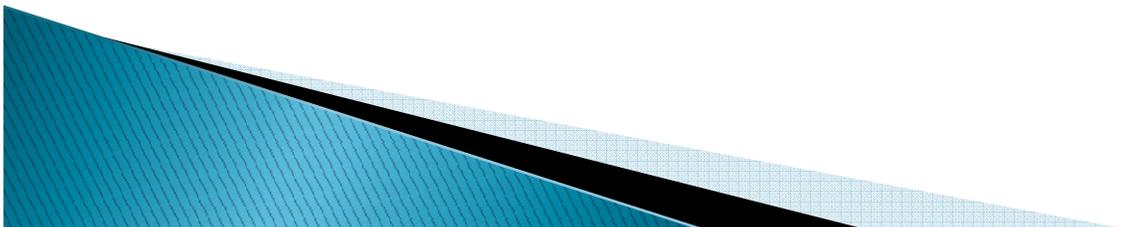
# Stage I Record Keeping Requirements – 310 CMR 7.24(3)(c)3.

- ▶ Seeking Comment on record keeping requirements:
  - Proposed draft revisions include current Stage II requirements: must be kept on site and produced immediately or within 24 hours if requested.
  - UST regulations under discussion do not require records be kept on site and can be made available within 7 days.



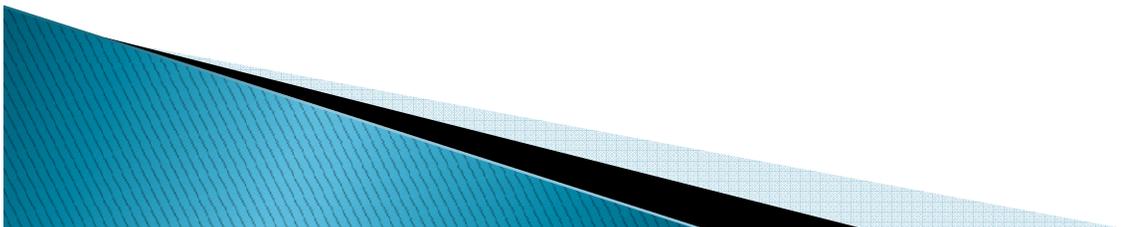
# Stage I Compliance Testing

- ▶ 310 CMR 7.24(3)(d)1.
  - For all Stage I Systems:
    - Pressure decay 2 inch test
    - Vapor tie test
    - PV vent valve test
    - Static torque rotatable adaptor test
  - Additional test for Stage I EVR Systems:
    - Leak rate test



# Stage I Requirements

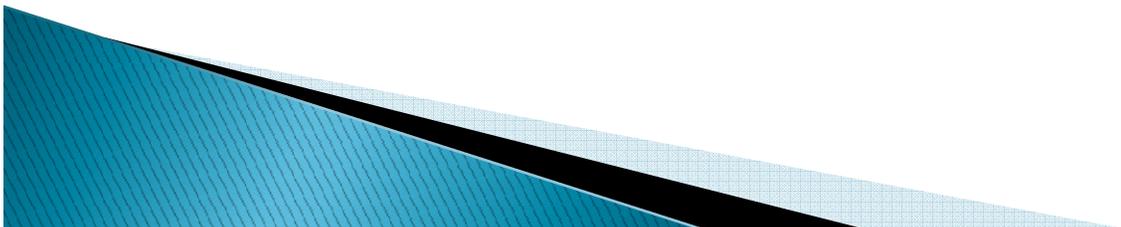
- ▶ Other Stage I requirements that track Stage II program requirements:
  - Compliance Testing and Certification 7.24(3)(d)
  - Notification 7.24(3)(e)
  - Responsible Official Certification 7.24(3)(f)
  - Compliance Testing Company 7.24(3)(g)



# Definitions:

## Revisions to 310 CMR 7.00

- ▶ **New definitions:**
  - Stage I Enhanced Vapor Recovery (EVR) System
  - Stage I Non-Enhanced Vapor Recovery (EVR) System
  - Stage I System
  - Stage I Minor Modification
  - Stage I Routine Maintenance
  - Stage I Substantial Modification
- ▶ **Revised definitions for seven terms**



▶ Questions

▶ Comments

▶ Discussion

