

MassDEP
**Proposed Amendments to Stage I
and Stage II Regulations at
310 CMR 7.00 and 310 CMR 7.24**
Public Hearing Presentation

March 2014

Overview of Proposed Regulatory Changes

- **Phase out & Decommission Stage II**
 - Amend 310 CMR 7.24(6)
 - Prohibit installation of Stage II vapor recovery systems at Gasoline Dispensing Facilities (GDFs)
 - Require GDFs to decommission Stage II systems
- **Enhance Stage I**
 - Amend 310 CMR 7.24(3)
 - Require GDFs to enhance Stage I systems
 - Enhanced Stage I will reduce air pollution, including air toxics
- **Streamline and Update Other Sections Related to Stage I & II**
 - 310 CMR 7.00 Definitions
 - 310 CMR 7.03 (13) Plan Approval Exemption
 - 310 CMR 7.24 (4) Motor Vehicle Fuel Tank Trucks
 - 310 CMR 7.24 (5) Reid Vapor Pressure
 - 310 CMR 7.24 (9) Dispensing E-85 Motor Vehicle Fuel/Ethanol Blends

Background

- ORVR in “Widespread Use”
 - May 2012 EPA rule
 - ORVR (on-board refueling vapor recovery) eliminates need for Stage II
 - EPA encourages states to assess whether and how to phase out Stage II systems
- MassDEP Considered Potential Phase-Out
 - Spring 2012, hired contractor: evaluate emission benefits and costs of retaining Stage II and enhancing Stage I
 - Summer 2012, met with stakeholders
 - Evaluation showed: cost-effective emission reductions from phasing out Stage II and enhancing Stage I

Background, cont.

- MassDEP Enforcement Discretion Directives
 - July 2012, no new Stage II installations
 - June 2013, GDFs may decommission Stage II
- MassDEP Began Process to Amend Regulations
 - Winter 2013, drafted preliminary revisions to Stage I & II
 - Winter and Spring 2013, held stakeholder meetings
 - Made further revisions based on comments

Stage II Amendments 310 CMR 7.24(6)

- No Installation of New Stage II Systems
- Decommissioning
 - Must decommission w/in 2 years of final regulation.
 - MassDEP may grant up to a 2 year extension to GDFs w/annual throughput of less than 500,000 gallons based on financial hardship or extenuating circumstances.
 - Must adhere to procedure in PEI/RP300-09, Section 14, Decommissioning Stage II Vapor Recovery Piping.

Stage II Amendments, cont.

310 CMR 7.24(6)

- Upon decommissioning install:
 - CARB EVR pressure vacuum vent valve , and
 - CARB EVR rotatable adaptor
- Testing after decommissioning
 - Must pass Stage I tests before re-starting operations
- Notify MassDEP in writing before re-starting operations

Stage I Amendments 310 CMR 7.24(3)

- Stage I Requirements Apply to
 - All motor vehicle fuel dispensing facilities w/ tank capacity 250 gallons or more, and
 - Stage I compliance testing companies
- Existing GDFs
 - Within 180 days of the final regulations, GDFs must install a CARB EVR vent valve and CARB EVR rotatable adaptor
 - When replacing parts, must install Only CARB EVR components
 - Within 7 years of final regulations, a GDF must have a Stage I CARB EVR system or a Stage I Component EVR system ('mix and match' system)
- New GDFs must install a Stage I CARB EVR system or a mix and match system.

Stage I Amendments, cont.

310 CMR 7.24(3)

- NESHAPs
 - GDFs w/monthly throughput of $\geq 100,000$ gallons must follow same best management practices required by EPA's GDF area source air toxics rule.
- Maintenance, Testing, Certification, Notification
 - Requirements similar to current Stage II
- Stage I Compliance Testing Companies
 - Requirements similar to current Stage II

Other Amendments to 310 CMR 7.00 and 310 CMR 7.24

- Definitions in 310 CMR 7.00 that apply to Stage I and Stage II
- Minor amendments to 310 CMR 7.24(4) Motor Vehicle Fuel Tank Trucks and 310 CMR 7.03 (13) Plan Approval Exemption
 - Updated to ensure consistency with other sections
- Striking out 310 CMR 7.24(5) Reid Vapor Pressure
 - Superseded by the federal reformulated gasoline program
- Striking out 310 CMR 7.24(9) Dispensing E-85 Motor Vehicle Fuel/Ethanol Blends
 - E85 GDFs would be covered by the proposed Stage I vapor recovery requirements



Send written comments to:

- bwp.regulations@state.ma.us; or
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Comments are due by 5pm on March 31, 2014