

R307. Environmental Quality, Air Quality.

R307-328. Gasoline Transfer, ~~and~~ Storage, and Dispensing.

R307-328-1. Purpose.

The purpose of Rule R307-328 is to establish requirements for the control of gasoline vapors during the filling of gasoline cargo tanks, ~~and~~ storage tanks, and during the dispensing of gasoline. ~~[The rule is based on federal control technique guidance documents. These requirements are commonly referred to as stage I vapor recovery.]~~

R307-328-2. Applicability.

(1) ~~[Gasoline cargo tanks.]~~ Rule R307-328 applies to the owner or operator of any gasoline cargo tank that loads or unloads gasoline in Utah.

(2) References to 40 CFR in Rule R307-328 shall mean the version of the Code of Federal Regulations that is effective as of the date referenced in Section R307-101-3.

~~(2) [Gasoline dispensing.]~~ Rule R307-328 applies to the owner or operator of ~~[any]~~ each bulk terminal, bulk plant, stationary storage container, or service station located in Utah that dispenses 10,000 gallons or more in any one calendar month, ~~except as follows: [-]~~

~~(3) [a]~~ Subsection R307-328-5(3)(c) applies to each gasoline service station[s] located in Utah regardless of monthly gallons dispensed;

~~[(4) References to 40 CFR in Rule R307-328 shall mean the version of the Code of Federal Regulations that is effective as of the date referenced in Section R307-101-3.]~~

(b) Section R307-328-9 applies to the dispensing of gasoline in Davis, Salt Lake, Tooele, Utah, and Weber counties regardless of monthly gallons dispensed; and

(c) Section R307-328-9 does not apply to the dispensing of gasoline for motor equipment used on private agricultural land for the sole use of agricultural operations.

R307-328-3. Definitions.

The following additional definitions apply to Rule R307-328.

"Bottom filling" means the filling of a tank through an inlet at or near the bottom of the tank designed to have the opening covered by the liquid after the pipe normally used to withdraw liquid can no longer withdraw any liquid.

"California Air Resources Board Certified Enhanced Conventional nozzle" means a gasoline dispensing nozzle which is certified under California Air Resources Board vapor recovery certification procedure CP – 207.

"California Air Resources Board Certified low permeation hose" means a hose used for gasoline dispensing which is certified under California Air Resources Board vapor recovery certification procedure CP – 207.

"Gasoline cargo tank" means gasoline cargo tank as defined in 40 CFR 63.421 that is incorporated by reference.

"Submerged fill pipe" means any fill pipe with a discharge opening that is entirely submerged when the liquid level is ~~[6]~~ six inches above the bottom of the tank and the pipe normally used to withdraw liquid from the tank can no longer withdraw any liquid.

~~["Gasoline cargo tank" means gasoline cargo tank as defined in 40 CFR 63.421 that is incorporated by reference.]~~

R307-328-4. Loading of Tank Trucks, Trailers, Railroad Tank Cars, and Other Transport Vehicles.

(1) No person shall load or permit the loading of gasoline into any gasoline cargo tank unless the emissions from such vehicle are controlled by use of a vapor collection and control system and submerged or bottom filling. Vapor emissions to the atmosphere ~~[shall]~~ may not exceed 0.640 pounds per 1,000 gallons transferred.

(2) The vapor collection and control system required by Subsection (1) shall be properly installed and maintained.

(3) The loading device ~~[shall]~~ may not leak.

(4) The loading device shall utilize the dry-break loading design couplings and shall be maintained and operated to allow no more than an average of 15 cc drainage per disconnect for five consecutive disconnects.

(5) Loading and vapor lines shall be equipped with fittings which make a vapor tight connection and shall automatically close upon disconnection to prevent the release of organic material.

(6) A gasoline storage and transfer installation that receives inbound loads and dispatches outbound loads ~~of~~ ~~[4]~~ bulk plant, ~~[3]~~ need not comply with Section R307-328-4 if it does not have a daily average throughput of more than 3,900 gallons or 15,000 or more liters of gasoline based upon a 30-day rolling average. ~~[Such a]~~ Installations shall on-load and off-load gasoline by use of bottom or submerged filling. The emission limitation is based on operating procedures and equipment specifications using Reasonably Available Control Technology as defined in the Environmental Protection Agency (EPA) documents EPA 450/2-77-026 October 1977, "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals," and EPA-450/2-77-035 December 1977, "Control of Volatile Organic Emissions from Bulk Gasoline Plants." The design effectiveness of such equipment and the operating procedures ~~[must]~~ shall be documented and submitted to and approved by the director.

(7) Hatches of gasoline cargo tanks ~~[shall]~~ may not be opened at any time during loading operations except to avoid emergency situations or during emergency situations. Pressure relief valves on storage tanks and gasoline cargo tanks shall be set to release at the highest possible pressure, in accordance with ~~[S]~~ state or local fire codes and National Fire Prevention Association guidelines. Pressure in the vapor collection system ~~[shall]~~ may not exceed the gasoline cargo tank pressure relief setting.

(8) Each owner or operator of a gasoline storage or dispensing installation shall conduct testing of vapor collection systems used at ~~such~~ installation and shall maintain records of tests for no less than two years. Testing procedures of vapor collection systems shall be approved by the director and shall be consistent with the procedures described in the EPA document, "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems," EPA-450/2-78-051.

(9) Semi-annual testing shall be conducted and records maintained of such test. The frequency of tests may be altered by the director upon submittal of documentation that would justify a change.

(10) The vapor collection and vapor processing equipment shall be designed and operated to prevent gauge pressure in the gasoline cargo tank from exceeding 18 inches of water and prevent vacuum from exceeding ~~6~~six inches of water. During testing and monitoring, there ~~shall be~~ may not be any reading greater than or equal to 100% of the lower explosive limit measured at 1.04 inches around the perimeter of a potential leak source as detected by a combustible gas detector. Potential leak sources include piping, seals, hoses, connections, pressure or vacuum vents, and vapor hoods. In addition, no visible liquid leaks are permitted during testing or monitoring.

R307-328-5. Stationary Source Container Loading.

(1) No person ~~shall~~ may transfer or permit the transfer of gasoline from any gasoline cargo tank into any stationary storage container with a capacity of 250 gallons or greater unless ~~such~~ the container is equipped with a submerged fill pipe that extends to no more than 12 inches from the bottom of the storage tank for fill pipes installed on or before November 9, 2006, and no more than six inches from the bottom of the storage tank for fill pipes installed after November 9, 2006, and at least 90% of the gasoline vapor, by weight, displaced during the filling of the stationary storage container is prevented from being released to the atmosphere. This requirement ~~shall~~ does not apply to the transfer of gasoline:

(a) ~~the transfer of gasoline~~ into any stationary storage container of less than 550 gallons used primarily for the fueling of implements of husbandry if ~~such~~ the container is equipped with a permanent submerged fill pipe;

(b) ~~the transfer of gasoline~~ into any stationary storage container having a capacity of less than 2,000 gallons which was installed before January 1, 1979, if ~~such~~ the container is equipped with a permanent submerged fill pipe; or

(c) ~~the transfer of gasoline~~ to storage tanks equipped with floating roofs or their equivalent which have been approved by the director.

(2) The 90% performance standard of the vapor control system shall be based on operating procedures and equipment specifications. The design effectiveness of ~~such~~ the equipment and the operating procedure ~~must~~ shall be documented and submitted to and approved by the director.

(3) Each owner or operator of a gasoline storage tank or the owner or operator of the gasoline cargo tank subject to Subsection R307-328-5(1) shall install vapor control equipment, which includes:

(a) vapor return lines and connections sufficiently free of restrictions to allow transfer of vapor to the gasoline cargo tank or to the vapor control system, and to achieve the required recovery;

(b) a means of ~~as~~ ensuring that the vapor return lines are connected to the gasoline cargo tank, or vapor control system, and storage tank during tank filling;

(c) restrictions in the storage tank vent line designed and operated to prevent:

(i) the release of gasoline vapors to the atmosphere during normal operation; ~~and~~

(ii) gauge pressure in the gasoline cargo tank from exceeding 18 inches of water and vacuum from exceeding ~~6~~six inches of water; and

~~(d) iii~~ a pressure vacuum relief valve on the vent line of each storage tank that is:

~~(i) A~~ ~~is~~ set with a positive pressure setting to 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water ~~to open at eight oz. per square inch or greater pressure and four oz. per square inch or greater vacuum~~; ~~and~~

~~(ii) B~~ ~~is~~ tested initially and every three years thereafter using the California Air Resources Board Test Procedure 201.1E ~~;~~ and

~~(e) C~~ ~~F~~ test records shall be submitted to the director.

R307-328-6. Gasoline Cargo Tank.

(1) Gasoline cargo tanks ~~must~~ shall be designed and maintained to be vapor tight during loading and unloading operations as well as during transport, except for normal pressure venting required under United States Department of Transportation Regulations.

(2) The design of the vapor recovery system shall be such that when the gasoline cargo tank is connected to an approved storage tank vapor recovery system or loading terminal, 90% vapor recovery efficiencies are realized. The connectors of the gasoline cargo tanks shall be compatible with the fittings on the fill pipes and vapor vents at the storage containers and gasoline loading terminals where the gasoline cargo tank will service or be serviced. Adapters may be used to achieve compatibility.

(3) No person ~~shall~~ may knowingly allow the introduction of gasoline into, dispensing of gasoline from, or transportation of gasoline in a gasoline cargo tank that does not meet the leak tight testing requirements of Section R307-328-7.

(4) A vapor-laden gasoline cargo tank may be refilled only at installations equipped to recover, process, or dispose of vapors. Gasoline cargo tanks that only service locations with storage containers specifically exempted from the requirements of Section R307-328-5 need not be retrofitted to comply with Subsections R307-328-6(1) through (3), provided such gasoline cargo tanks are loaded through a submerged fill pipe or equivalent equipment provided the design and effectiveness of such equipment are documented and submitted to and approved by the director.

R307-328-7. Vapor Tightness Testing.

(1) Gasoline cargo tanks and their vapor collection systems shall be tested annually for leakage in accordance with the test methods and vapor tightness standards in 40 CFR 63.425(e) which are incorporated by reference.

(2) Each owner or operator of a gasoline cargo tank shall have documentation in their possession demonstrating that the gasoline cargo tank has passed the annual test in Subsection R307-328-7(1) within the preceding 12 months.

(3) The vapor tightness documentation described in Subsection R307-328-7(2), as well as record of any maintenance performed, shall be retained by the owner or operator of the gasoline cargo tank for a two-year period and be available for review by the director or the director's representative.

(4) The owner or operator of a railcar gasoline cargo tank may use the testing, recordkeeping, and reporting requirements in 40 CFR 63.425(i), which is incorporated by reference as an alternative to the annual testing requirements in Subsections R307-328-7(1) through (3).

R307-328-8. Alternate Methods of Control.

(1) Any person may apply to the director for approval of an alternate test method, an alternate method of control, an alternate compliance period, an alternate emission limit, or an alternate monitoring schedule. The application ~~must~~ shall include a demonstration that the proposed alternate produces an equal or greater air quality benefit than that required by Rule R307-328, or that the alternate test method is equivalent to that required by Rule R307-328. The director shall obtain concurrence from EPA when approving an alternate test method, an alternate method of control, an alternate compliance period, an alternate emission limit, or an alternate monitoring schedule.

(2) Manufacturer's operational specifications, records, and testing of any control system shall use the applicable EPA Reference Methods of 40 CFR Part 60 or other EPA-approved methods, to determine the efficiency of the control device. In addition, the owner or operator ~~must~~ shall meet the applicable requirements of record keeping for any control device. A record of ~~all~~ any tests, monitoring, and inspections required by Rule R307-328 shall be maintained by the owner or operator for a minimum of two years and shall be made available to the director or the director's representative upon request. Any malfunctioning control device shall be repaired within 15 calendar days after it is found by the owner or operator to be malfunctioning unless otherwise approved by the director.

(3) For purposes of determining compliance with emission limits, volatile organic compounds, and nitrogen oxides ~~will~~ shall be measured by the test methods identified in federal regulations or approved by the director. ~~Where such~~ When a method also inadvertently measures compounds with negligible photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds when determining compliance with an emissions standard.

R307-328-9. Gasoline Dispensing.

(1) Any conventional nozzles and hoses used to transfer gasoline blends up to, and inclusive of, E10 from stationary storage tanks to a motor vehicle fuel tank or personal fuel canister shall be replaced with a:

(a) California Air Resources Board Certified Enhanced Conventional nozzle; and

(b) California Air Resources Board Certified low permeation hose.

(2) Certification for each dispensing unit shall be made available upon request by the director.

(3) Facilities subject to Subsection R307-328-9(1) shall be in compliance with Section R307-328-9 by May 1, 2026.

~~[R307-328-9. Compliance Schedule.~~

~~(1) Effective May 1, 2023, facilities subject to this rule shall be in compliance with this rule.]~~

R307-328-10. Authorized Contractors.

Modifications performed on underground storage tanks regulated by Title 19, Chapter 6, Part 4, the Utah Underground Storage Tank Act, shall be performed by contractors certified under Rule R311-201 to bring these underground storage tanks into compliance with Rule R307-328.

KEY: air pollution, gasoline transport, ozone

Date of Last Change: February 2, 2023

Notice of Continuation: December 1, 2021

Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104(1)(a)