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**Sent:** Wednesday, August 06, 2014 1:03 PM  
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**Cc:** Snead, James (DNREC); Amirikian, Ronald A. (DNREC); Gomes, Colin (DNREC); Postell, Tom (DNREC); Rollo, Peter (DNREC); Sunkler, John F. (DNREC); Kirkland, Barbara (DNREC); Rittberg, Alex (DNREC); Coverdale, James (DNREC); Small, David (DNREC); 'Gary Patterson'; 'Julie Mirowenger'  
**Subject:** RE: Question 3 - Needs further comment.

Dave,

Agreed. However, you can not assume that 100% of stations are leaking and basing your emission estimate savings on the total throughput of the State is incorrect. I believe the quick survey we did showed a range of 2% to 70% leaked at the initial Pressure Decay Test and that the majority of the components found leaking were items like drain valves on spill buckets, loose Stage I adaptors and ATG caps. Those are all items that could easily be identified and fixed by doing monthly inspections. My point is that I feel you are over-estimating the emissions. Additionally, although we did talk about monthly inspections during the committee meetings I feel that it may not have been fully explored. There are alternatives to the pressure monitoring systems which in my opinion are unproven and untested technology on stations without Stage II Vapor Recovery.

Jen

### ***Jennifer Celeste***

Manager Product and Regulatory Support

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**From:** Fees, David F. (DNREC) [<mailto:David.Fees@state.de.us>]  
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**Subject:** RE: Question 3 - Needs further comment.

Jen,

A 24/7 station that remains vapor tight and has product drawdown throughout the night to compensate for the vapor growth caused by the daytime ingestion of fresh air should not experience positive pressure or venting. For a leaking system, depending on the size of the leak, a tank will remain at atmospheric pressure even as product is being drawn out of the tank. In this case, the station would need to maintain a constant drawdown that is at least as great as the leak rate plus the vapor growth, otherwise positive pressure and emissions would result. Our survey data, which is consistent with experiences in other states, indicates that most stations are found leaking at the time of the annual pressure decay test. This is why we require verification that even 24/7 stations are vapor tight.

Dave

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*Blue Skies Delaware; Clean Air for Life*

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**Cc:** Snead, James (DNREC); Amirikian, Ronald A. (DNREC); Gomes, Colin (DNREC); Postell, Tom (DNREC); Rollo, Peter (DNREC); Sunkler, John F. (DNREC); Kirkland, Barbara (DNREC); Rittberg, Alex (DNREC); Coverdale, James (DNREC); Small, David (DNREC); 'Gary Patterson'; 'Julie Mirowenger'  
**Subject:** RE: Question 3 - Needs further comment.

Dave,

I think that might be high when you take into consideration the volume of throughput that would be going through high volume stations that are open 24/7. I believe that we discussed the breathing loss at these stations would be almost non-existent because they are operating 24 hours a day and would not generate positive pressure. The breathing losses would be occurring from stations that are closed at night which allow vapor to grow positive pressure which may cause the valve to crack. Based on the data presented in our April 2014 meeting I believe we determined that 76% of the throughput was at

stations selling over 100,000 gallons a month. I believe that data was based on the survey results from the committee members.

Jen

### ***Jennifer Celeste***

Manager Product and Regulatory Support

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**From:** Fees, David F. (DNREC) [<mailto:David.Fees@state.de.us>]

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**Cc:** Snead, James (DNREC); Amirikian, Ronald A. (DNREC); Gomes, Colin (DNREC); Postell, Tom (DNREC); Rollo, Peter (DNREC); Sunkler, John F. (DNREC); Kirkland, Barbara (DNREC); Rittberg, Alex (DNREC); Coverdale, James (DNREC); Small, David (DNREC); 'Gary Patterson'; 'Julie Mirowenger'

**Subject:** RE: Question 3 - Needs further comment.

Ellen,

The benefit of a CPM system is to ensure a station's tanks are not leaking. Based on the AP-42 emission factor for tank losses of 1#VOC/1000 gallons dispensed and 450,000,000 gallons of gasoline dispensed annually in Delaware, the savings would be 225 tons/year.

Dave

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### ***Blue Skies Delaware; Clean Air for Life***

**From:** Ellen Valentino [<mailto:evalentino@ellenvalentino.com>]

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**Cc:** Snead, James (DNREC); Amirikian, Ronald A. (DNREC); Gomes, Colin (DNREC); Postell, Tom (DNREC); Rollo, Peter (DNREC); Sunkler, John F. (DNREC); Kirkland, Barbara (DNREC); Rittberg, Alex (DNREC); Coverdale, James (DNREC); Small, David (DNREC); 'Gary Patterson'; 'Julie Mirowenger'  
**Subject:** Question 3 - Needs further comment.

**On question three:**

1. What is the benefit of CPM Systems – I specifically was asking for the benefit in voc reduction per year - if you have that calculation. If you are unable to quantify – please advise. Thank you.

This is an important component of information. Thank you.

**From:** Fees, David F. (DNREC) [<mailto:David.Fees@state.de.us>]

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Coverdale, James (DNREC); Small, David (DNREC); 'Gary Patterson'; 'Julie Mirowenger'

**Subject:** RE: Clarifying Per Your Request

Ellen,

Frank Gao will be forwarding comments today that we received after the last committee meeting. These include comments from you, Jen Celeste, Josh Worth, and Seth Ross. As Frank said, we have considered all comments made by members of the review committee, and as I noted in a recent e-mail, DAQ made some significant adjustments to the draft as a result of comments made at the last meeting and subsequently e-mailed to DAQ.

Here are responses to your questions.

1. Can you please provide the calculations that pertain to when Stage II can be removed? DAQ included data in the meeting presentations on the break-even point where the incompatibility excess emissions (IEE) exceed the Stage 2 benefit. In the absence of other controls in place at GDFs, the date that we can allow Stage II to be removed and not backslide would be the end of 2018. With the proposed requirements to remain vapor tight and to limit venting through the P/V valve, DAQ is allowing Stage II to be removed on the effective date of the regulation.
2. How did you arrive at this conclusion/calculation? DAQ calculated the IEE based on a CARB study of IEE and on Delaware-specific data such as annual gasoline throughput, ORVR penetration in Delaware's vehicle fleet, and percentage of vacuum-assist Stage II systems. The incremental

Stage 2 benefit was calculated using the EPA MOVES model. The break-even point is when the IEE becomes greater than the benefit of Stage II.

3. The expected benefit of requiring CPM? Data/Study. CPM will be a cost savings to GDFs. The cost of the CPM system is \$5000 or less. Since the annual pressure decay test is no longer required when a CPM is used, the payback is 5 years or less with the cost of a test averaging \$1,000. This does not include the benefit of not having to shut down dispensing during the test or the savings in retained product.

Regards,

Dave

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*Blue Skies Delaware; Clean Air for Life*

**From:** Ellen Valentino [<mailto:evalentino@ellenvalentino.com>]

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**Subject:** Clarifying Per Your Request

Clarification request:

I do not remember seeing any hard data from DNREC or a Cost v. Benefit analysis as to the impact of the regulation. It is possible I missed it. Specifically,

1. Can you please provide the calculations that pertain to when Stage II can be removed?
2. How did you arrive at this conclusion/calculation?
3. The expected benefit of requiring CPM? Data/Study.

**Additionally, please circulate the comments from the stakeholders ASAP. It is important to review the specifics of any changes made/ AND NOT MADE/ to the proposal based on comments from the private sector.**

Thank you. Ellen

**From:** Gao, Frank F. (DNREC) [<mailto:Frank.Gao@state.de.us>]  
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**Subject:** RE: Thanks and Mtg 5 Follow-up

Hi Ellen,

I have just sent out our proposal to the committee. It's been on my schedule for a few days, and I should have done this earlier (we have been busy on another SIP revision to meet EPA's deadline). Thanks for the reminder.

Regarding the "document/study/data analysis" you mentioned, I wonder if you could provide us some details or specifics. I believe that all our major study and analysis results have been provided to the committee in our 5 committee meetings or e-mail exchanges. We do have conversations and discussions with MDE, exchanging with them what we discussed in our committee. If MDE tended to reference those pieces of information all-together, I understand.

Thank you again for your interest in and support to our work.

Frank

**From:** Ellen Valentino [<mailto:evalentino@ellenvalentino.com>]  
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**Subject:** RE: Thanks and Mtg 5 Follow-up  
**Importance:** High

Frank:

Can you please circulate (to all) all the stakeholder comments and redraft as soon as possible and prior to publication?

Additionally, in a recent conversation and email exchange MDE officials continue to reference conversations and the direction of DNREC. Most importantly, they indicate that DNREC has a “document/study/data analysis” that DE’s proposed regulations are based upon. This may have been referenced in prior DE stakeholder meetings but never produced.

Given the last version of the regulations and the cost implications to the private sector - it is critical that this be shared so that it can be reviewed for comment and consideration by all. The cost v. benefit rationale is likely the most important factor when moving forward with any new private sector mandate – particularly in these difficult times.

Looking forward to your response. Ellen

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**Sent:** Thursday, June 26, 2014 9:56 AM

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**Subject:** Thanks and Mtg 5 Follow-up

Committee members,

Thank you all for participating in the meeting yesterday, and providing the committee meaningful comments and suggestions on the draft language for new DGFs.

As we explained in the meeting, we are planning to draft a proposal for new GDFs in the next two weeks and have it published in DE Register on August 1 for public comments. A hearing will be held in late August (the date of the hearing will be set up in the near future).

For publishing the proposal on August 1, we need to submit it to the register’s office by 07/15. Please provide us your comments and suggestions on the draft **by 07/10** (two weeks from today) to allow us enough time to review and make relevant adjustments to the draft.

Thanks again,

Frank

*Blue Skies Delaware; Clean Air for Life*