

LEAGUE OF WOMEN VOTERS OF DELAWARE

2400 W. 17th Street, Clash Wing, Room 1 Lower Level
Wilmington, DE 19806-1311, Phone/Fax: (302)571-8948
Email: lwvde@comcast.net

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Dave Fees
Division of Air Quality
Blue Hen Corporate Center
South Bay Road, Dover, DE 19901

Subject: Stage II Revision

The League of Women Voters of Delaware (LWVDE) is submitting the following comment regarding the issue “**Regulation Revisions to Vapor Emission Control Requirements at Gas Stations in Delaware**”:

Because Delaware is still subject to a level of air-borne pollutants (whether locally generated or not) that leave it with unacceptable air quality on too many days, the League strongly supports measures that will provide a cost-effective reduction in volatile organic compounds, particularly when they comprise significant levels of benzene and other toxic and/or carcinogenic chemicals. We therefore looked with interest at the proposed revisions, which seemed to offer a way to decrease emissions at gas stations to a level lower than could be achieved by the Phase 2 technology now in place.

However, having examined the testimony given by gasoline station operators, wholesalers, industry experts, equipment suppliers and individuals focusing on health and the environment, the LWVDE believes that there are legitimate questions as to whether the proposed system utilizing a Continuous Pressure Monitor (CPM) would provide a reliable and cost-effective benefit. Rather than mandating that stations implement this system immediately, it seems better to run some tests under relevant conditions at those stations that have expressed a willingness to volunteer. Tests could be done with and without the Phase 2 vapor recovery system in place and should include testing during the winter, since some reports suggest that the systems do not operate properly during colder weather. Some research on alternative systems might also be appropriate.

The second issue is whether or not the Phase 2 systems should be decommissioned immediately, following the examples of other states, and assuming that the Environmental Protection Agency will concur with this decision in the absence of a monitoring system such as CPM. The emissions analyses in the revised Cost-Benefit Analysis (9-28-14) seem to suggest that, because so many cars are now equipped with

ORVR (Onboard Refueling Vapor Recovery) canisters, there is currently little benefit to maintaining the Phase 2 controls.

Continuing Phase 2 into next year in the state as a whole might have the effect of increasing vapor emissions due to the incompatibility of the two systems. However, we believe that some comments made by Kevin Stewart, representing the American Lung Association of Delaware, are germane here. He suggested that in economically disadvantaged areas the percentage of vehicles equipped with ORVR technology may lag considerably behind that in more affluent areas. Thus, if some gas stations in these areas are found to serve mainly local residents, it might be appropriate for them to remain in Phase 2 for a year or more after other stations have decommissioned this system.

In summary, we would favor a requirement for installing a system to reduce vapor emissions at gas stations when such a system has been tested and proved to be both reliable and cost effective. We would also favor the decommissioning of Phase 2 controls whenever the increase in cars with ORVR technology means there is no further benefit from continuing with it. For many stations, that point might already have arrived, or will arrive within the next few months. In terms of minimizing emissions of vapors, it does not seem to make much sense to keep Phase 2 in place until a CPM or other new technology has been approved. We hope that DNREC and those involved in the gas-station industry can work together to find an acceptable solution that can be implemented in the near future.

Thank you for this opportunity to comment.

A handwritten signature in cursive script that reads "Charlotte King".

Charlotte King, President
League of Women Voters of Delaware

Coralie Pryde, Co-Chair, Natural Resources Committee