

Major points of the draft language for Section 26 and Section 36

Section 26

DAQ has developed a draft language to revise the current version of Section 26. The major points of the draft language include:

- (1) Setting up a connection between Section 26 and Section 36, by replacing the current requirement of regular Stage I system in Section 26 with the new requirement of Enhanced Vapor Recovery (EVR) Stage I system drafted in Section 36.

Section 36

DAQ has developed the draft language to revise the current version of Section 36 (i.e., the trial rule). The draft language includes the following major points.

- (1) New Gasoline Dispensing Facilities (GDFs) shall be prohibited from installing Stage II systems (new to the current trial rule);
- (2) To establish a 3-tier 6-year compliance schedule for phase-out of existing Stage II systems as follows (new to the current trial rule):
 - In two years, GDFs with a monthly throughput >100,000 gallons;
 - In four years, GDFs with a monthly throughput between 50,000 and 100,000 gallons;
 - In 6 years, GDFs with a monthly throughput between 10,000 and 50,000 gallons.

Note that in Delaware GDFs with a monthly throughput <10,000 gallons are not required to install Stage II systems.

- (3) After decommissioning Stage II systems, GDFs should install one of CARB's Stage I enhanced vapor recovery (EVR) systems (same as in the trial rule).
- (4) After installing Stage I EVR systems, GDFs may install a continuous pressure monitoring (CPM) system to monitor vapor pressure in USTs (same as in the trial rule), or
- (5) After installing Stage I EVR systems, GDFs should
 - Perform monthly inspection on its Stage I EVR system (same as in the trial rule);
 - Perform annual pressure decay (PD) tests for their USTs under "cold" condition (i.e., no repair during the day before the test is done) (same as in the trial rule).

And, if the annual PD test failed, leaking problem(s) must be fixed and two consecutive quarterly tests must follow to ensure the leaking is fixed (in the current trial rule, four consecutive quarterly tests are required).

(6) GDFs, before decommissioning Stage II systems, should meet the current annual PD test (same as in the trial rule), but the test should be performed under “cold” condition (i.e., no repair during the day before the test is done) (new to the current trial rule).

(7) Subsection layout modification

Order and contents of some subsections in Section 36 are rearranged as follows to minimize cross-references among subsections:

- 36.3: For GDFs still operating with Stage II systems and regular Stage I systems;
- 36.4: For GDFs operating with Stage I EVR systems;
- 36.5: For GDFs with continuous pressure monitoring (CPM) systems;
- 36.6: For GDFs without CPM;
- Other subsections unchanged.