

**SWAPCA 491**  
**EMISSION STANDARDS AND CONTROLS FOR**  
**SOURCES EMITTING GASOLINE VAPORS**

491-010	Policy and Purpose
491-015	Applicability
491-020	Definitions
491-030	Registration
491-040	Gasoline Vapor Control Requirements
491-050	<del>((Compliance schedules-))</del> Failures, Certification, Testing and Recordkeeping
491-060	Severability

AMENDATORY SECTION

**SWAPCA 491-010 Policy and Purpose**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

- (1) It is the policy of the Southwest Air Pollution Control Authority (SWAPCA)~~((the department of ecology (ecology)))~~ under the authority ~~((vested))~~ provided in ~~((it by chapters 43.21A and))~~ Chapter 70.94.141, 70.94.152 and 70.94.331 RCW to provide for the systematic control of air pollution from air contaminant sources within the jurisdiction of SWAPCA.~~((and for the proper development of the state's natural resources-))~~
- (2) It is the purpose of this ~~((chapter-))~~ regulation to establish standards for the control of air contaminants emitted from gasoline marketing and dispensing sources within the jurisdiction of SWAPCA including Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties.

AMENDATORY SECTION

**SWAPCA 491-015 Applicability**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

This regulation~~((chapter shall-))~~ appl~~((y))~~ies to gasoline marketing operations within SWAPCA jurisdiction, including the storage, transport, and transfer of gasoline, ~~((including the-))~~ transfer from storage tanks into transport tanks, and transfer from storage tanks into motor vehicles. ~~((The requirements of this chapter supersede any less restrictive requirements of chapter 173-490 WAC, Emission standards and controls for sources emitting volatile organic compounds (VOC)-))~~ This regulation applies to facilities with above ground and underground storage tanks.

AMENDATORY SECTION

**WAC 491-020 Definitions**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

The definitions of terms contained in ~~((chapter 173-400 WAC))~~ SWAPCA 400 are by this reference incorporated into this ~~((chapter))~~ regulation. Unless a different meaning is clearly required by context, the following words and phrases, as used in this ~~((chapter))~~ regulation, shall have the following meanings:

- (1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.
- (2) "Bulk gasoline plant" means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks.
- (3) "Certified vapor recovery system" means a vapor recovery system which has been certified by the ~~((department of ecology))~~ California Air Resources Board (CARB). Only Stage II vapor recovery systems with a single coaxial hose can be certified. ~~((The department))~~ SWAPCA may certify vapor recovery systems in addition to those certified by the California Air Resources Board as of the effective date of the regulation.
- (4) "Gasoline" means a petroleum distillate which is a liquid at standard conditions and has a true vapor pressure greater than four pounds per square inch absolute (4.0 psia) at twenty degrees C (20 °C), and is used as a fuel for internal combustion engines. Also any liquid sold as a vehicle fuel with a true vapor pressure greater than four pounds per square inch absolute at twenty degrees C (20 °C) shall be considered "gasoline" for purpose of this regulation.
- (5) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks (above ground or underground).
- (6) "Gasoline loading terminal" means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.
- (7) "Leak free" means a liquid leak of less than four drops per minute.
- (8) "SWAPCA" means the Southwest Air Pollution Control Authority.
- ~~((8))~~9 "Stage I" means gasoline vapor recovery during all gasoline marketing transfer operations except motor vehicle refueling.
- ~~((9))~~10 "Stage II" means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.
- ~~1((0))~~1 "Submerged fill line" means any discharge pipe or nozzle which meets either of the following conditions:
  - Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank, or;
  - Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is eighteen inches from the bottom of the tank.
- ~~1((4))~~2 "Submerged loading" means the filling of a tank with a submerged fill line.
- ~~1((2))~~3 "Suitable cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve, or similar device that prevents the accidental spilling or emitting of gasoline. Pressure relief valves, aspirator vents, or other devices specifically required for safety and fire protection are not included.
- ~~1((3))~~4 "Throughput" means the amount of material passing through a facility.
- ~~1((4))~~5 "Top off" means to attempt to dispense gasoline to a motor vehicle fuel tank after a vapor recovery dispensing nozzle has shut off automatically.
- ~~1((5))~~6 "Transport tank" means a container used for shipping gasoline over roadways.
- ~~1((6))~~7 "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined by methods described in American Petroleum Institute (API) Bulletin 2517, 1980.
- ~~1((7))~~8 "Upgraded" means the modification of a gasoline storage tank, including tank installation or replacement, or piping to add cathodic protection, tank lining or

spill and overflow protection that involved removal of ground or ground cover above a portion of the product piping.

- (1)((8))9) "Vapor balance system" means a system consisting of the transport tank, gasoline vapor transfer lines, storage tank, and all tank vents designed to route displaced gasoline vapors from a tank being filled with liquid gasoline.
- ((19))20) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.
- (2)((0))1) "Vapor control system" means a system designed and operated to reduce or limit the emission of gasoline vapors emission into the ambient air.
- (2)((4))2) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.
- (2)((2))3) "Vapor tight" means a leak of less than one hundred percent of the lower explosive limit on a combustible gas detector measured at a distance of one inch from the source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.
- (24) "WDOE" or "Ecology" means the Washington Department of Ecology.
- (2)((3))5) "Western Washington counties" means the following counties: Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

## AMENDATORY SECTION

### **SWAPCA 491-030 Registration**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

- (1) The owner or operator of a gasoline loading terminal, bulk gasoline plant, or gasoline dispensing facility subject to the provisions of SWAPCA((WAC 173-))491-040 (2) through (5) shall register annually the facility with SWAPCA((ecology or local air authority)). Annual registration shall be made by the owner or operator on a form provided by SWAPCA((ecology or local air authority)) within sixty days of receipt of the form. Such registration form shall require information relevant to determining whether the facility is in compliance with this regulation((the requirements of this chapter-)) and be accompanied by the following fee:
- Gasoline loading terminals - five hundred dollars
  - Bulk gasoline plants - two hundred dollars
  - Gasoline dispensing facilities - one hundred dollars(~~(, or~~
  - ~~— a greater amount duly adopted by a local air pollution authority)).~~
  - Gasoline transport tankers - fifty dollars.

The amount of the fees collected shall only be used to administer the registration program for facilities subject to this regulation((chapter)).

- (2) Administration of the registration program shall include:
- (a) Initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution(~~(-registration))~~).
  - (b) On-site inspections necessary to verify compliance with registration requirements.

- (c) Data storage and retrieval systems necessary for support of the registration program.
  - (d) Emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration.
  - (e) Staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements.
  - (f) Clerical and other office support provided in direct furtherance of the registration program.
  - (g) Administrative support provided in directly carrying out the registration program.
- (3) ~~((Ecology or local air authority))~~ SWAPCA will provide a written verification of registration to owners or operators of facilities subject to the provisions of SWAPCA ~~((WAC 173-))~~ 491-040 (2) through (5). Such verification shall be available for inspection by SWAPCA ~~((ecology or local air authority))~~ personnel during normal business hours.
- (4) The owner or operator of a gasoline loading terminal or a gasoline dispensing facility shall maintain total annual gasoline throughput records for the most recent two calendar years. Such records shall be available for inspection by SWAPCA ~~((ecology or local air authority))~~ personnel during normal business hours.

## AMENDATORY SECTION

### **SWAPCA 491-040 Gasoline Vapor Control Requirements**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

- (1) **Fixed-roof gasoline storage tanks.**
- (a) All fixed-roof gasoline storage tanks having a nominal capacity greater than forty thousand gallons shall comply with one of the following:
    - (i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subpart K).
    - (ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in (a)(i) of this subsection or its equivalent.
    - (iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's equipment specifications in effect when it was installed.
  - (b) All seals used in (a)(ii) and (iii) of this subsection are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears, or other openings.
  - (c) All openings not related to safety are to be sealed with suitable closures.
  - (d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in subsection (3)(b) of this section shall be exempt from the requirements of subsection (1) of this section.
  - (e) All fixed roof gasoline storage tanks subject to this section shall comply no later than December 31, 1993 or at the time that the throughput is exceeded.
- (2) **Gasoline loading terminals.**
- (a) This ~~((chapter))~~ section shall apply to all gasoline loading terminals with an average annual gasoline throughput greater than 7.2 million gallons on a calendar

- basis and shall comply no later than December 31, 1993 or when the throughput is exceeded.~~((according to the schedule of compliance in WAC 173-491-050.))~~
- (b) Loading facilities. Facilities ~~((for the purpose of))~~ loading gasoline into any transport tank shall be equipped with a vapor control system (VCS) as described in (c) of this subsection and comply with the following conditions:
- (i) The loading facility shall employ submerged or bottom loading for all transport tanks.
  - (ii) The VCS shall be connected during the entire loading of all transport tanks.
  - (iii) The loading of all transport tanks shall be performed such that the transfer is at all times vapor tight. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.
  - (iv) All loading lines and vapor lines shall be equipped to close automatically when disconnected. The point of closure shall be on the tank side of any hose or intermediate connecting line.
- (c) Vapor control system (VCS). The VCS shall be designed and built according to accepted industrial practices and meet the following conditions:
- (i) The VCS shall not allow organic vapors emitted to the ambient air to exceed thirty-five milligrams per liter (three hundred twenty-two milligrams per gallon) of gasoline loaded.
  - (ii) The VCS shall be equipped with a device to monitor the system while the VCS is in operation.
  - (iii) The back pressure in the VCS collection lines shall not exceed the transport tank's pressure relief settings.
- (3) **Bulk gasoline plants and transport tanks.**
- (a) This section shall apply to all bulk gasoline plants with an average annual gasoline throughput greater than 7.2 million gallons on a calendar basis and shall comply no later than December 31, 1993 or when the throughput is exceeded and gasoline transport tanks.~~((according to the schedule of compliance in WAC 173-491-050.))~~
- (b) Deliveries to bulk gasoline plant storage tanks.
- (i) The owner or operator of a bulk gasoline plant shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated properly. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built, and operated according to accepted industrial practices will satisfy this requirement.
  - (ii) Storage tank requirements. All storage tanks with a nominal capacity greater than five hundred fifty gallons and used for the storage of gasoline shall comply with the following conditions:
    - (A) Each storage tank shall be equipped with a submerged fill line.
    - (B) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.



- (C) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically when disconnected.
- (D) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety but in no case greater than ninety percent of the tank's safe working pressure.
- (iii) Transport tank requirements. All transport tanks transferring gasoline to storage tanks in a bulk gasoline plant shall comply with the following conditions:
  - (A) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.
  - (B) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically when disconnected.
  - (C) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.
- (c) Gasoline transfer operations.
  - (i) No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a stationary storage tank and a transport tank except when the following conditions exist:
    - (A) The transport tanks are being submerged filled or bottom loaded.
    - (B) The loading of all transport tanks, except those exempted under (c)(ii) of this subsection are being performed using a vapor balance system.
    - (C) The transport tanks are equipped to balance vapors and maintained in a leak tight condition in accordance with subsection (6) of this section.
    - (D) The vapor return lines are connected between the transport tank and the stationary storage tank and the vapor balance system is operated properly.
  - (ii) Transport tanks used for gasoline ~~((and))~~that meet~~((ing))~~ all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines if:
    - (A) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of subsection (4) of this section; and
    - (B) The transport tank has a total nominal capacity less than four thousand gallons and is constructed so that it would require the installation of four or more separate vapor balance fittings.
- (4) **Gasoline dispensing facilities (Stage I).**
  - (a) This section shall apply to the delivery of gasoline to gasoline dispensing facilities with an annual gasoline throughput greater than three hundred sixty thousand gallons in Cowlitz, Lewis, Skamania and Wahkiakum Counties. For Clark County, this section applies to gasoline dispensing facilities with greater than 200,000 gallons annual throughput on a calendar basis. All facilities subject to this section shall comply when the throughput is exceeded. ~~((in accordance with~~

~~the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with a total gasoline nominal storage capacity greater than ten thousand gallons.))~~

- (b) All gasoline storage tanks of the facilities defined in (a) of this subsection shall be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank.
  - (c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of (b) of this subsection if installed prior to January 1, 1979.
  - (d) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.
  - (e) All gasoline dispensing facilities subject to this section shall be equipped with CARB or SWAPCA certified Stage I vapor recovery fittings or equipment.
  - (f) Only two point Stage I fittings shall be used with vacuum assist Stage II systems. Coaxial Stage I fittings may continue to be used for balance type Stage II systems and systems without Stage II gasoline vapor recovery controls.
  - (g) All Stage I gasoline vapor recovery equipment shall be maintained in proper working order at all times. All Stage I gasoline vapor recovery equipment shall be maintained in accordance with the CARB Executive Order(s) certifying the equipment or system. Whenever a Stage I gasoline vapor recovery system or component is determined to be defective or not operating properly, the owner or operator shall immediately take the system out of service until repairs are made. Systems shall not be returned to service until the defective system is operating properly.
  - (h) Any alteration of the equipment, parts, design, or operation of the Stage I gasoline vapor recovery system as certified by CARB is prohibited, and shall not be performed without submittal of a Notice of Construction application and prior approval from SWAPCA.
  - (i) All new gasoline dispensing facilities shall have a tank tightness test performed at the time of installation to ensure proper connection and absence of leaks refer to WDOE publication 91-43 "Tank Owner/Operator's Guide to Tightness Testing". Results of the testing shall be submitted to SWAPCA within 14 calendar days of testing.
  - (j) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.
- (5) **Gasoline dispensing facilities (Stage II).**
- (a) This section shall apply to the refueling of motor vehicles for the general public from stationary tanks at all gasoline dispensing facilities located in ((western Washington counties))Cowlitz, Lewis, and Wahkiakum Counties with an annual gasoline throughput greater than ((eight hundred forty thousand gallons)) one million two hundred thousand gallons (1,200,000).((-with the exception of))For Clark((, King, Pierce, and Snohomish counties where))county, this section shall apply to gasoline dispensing facilities with an annual gasoline throughput greater than six hundred thousand gallons (600,000); these facilities shall install Stage II controls by December 31, 1998 of at the time of a facility upgrade (see

definition). Skamania County is exempt from Stage II requirements as provided in Substitute House Bill 2376, as passed by the Washington State Legislature in 1996. ((in accordance with the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with greater than ten thousand gallons gasoline nominal storage capacity in western Washington counties)).

- (b) All gasoline dispensing facilities subject to this section shall be equipped with a CARB or SWAPCA certified Stage II vapor recovery system.
- (c) The owner or operator of a gasoline dispensing facility subject to this section shall not transfer or allow the transfer of gasoline from stationary tanks into motor vehicle fuel tanks unless a certified Stage II vapor recovery system is used.
- (d) All Stage II vapor recovery equipment shall be installed in accordance with the system's certification requirements and shall be maintained to be leak free, vapor tight, and in good working order.
- (e) Whenever a Stage II vapor recovery system component is determined to be defective, the owner or operator shall take the system out of service until it has been repaired, replaced, or adjusted, as necessary.
- (f) The owner or operator of each gasoline dispensing facility utilizing a Stage II system shall conspicuously post operating instructions for the system in the gasoline dispensing area. The instructions shall clearly describe how to fuel vehicles correctly using the vapor recovery nozzles and include a warning against topping off. Additionally, the instructions shall include a prominent display of ~~((ecology's))~~SWAPCA's toll free telephone number (800-633-0709) for complaints regarding the operation and condition of the vapor recovery nozzles.
- (g) Every retailer and wholesale purchaser-consumer (gasoline dispensing facility) handling over 10,000 gallons per month shall equip each pump from which gasoline or methanol is introduced into motor vehicles with a nozzle that dispenses fuel at a flowrate not to exceed 10 gallons per minute as provided in 40 CFR 80.22 Subpart B.
- (h) All new or upgraded facilities with Stage II gasoline vapor recovery controls shall conduct a performance test upon installation prior to placing in service. For balance type systems, the owner/operator shall conduct and pass a back pressure/blockage test. For vacuum assist systems, the owner/operator shall conduct and pass performance testing in accordance with the applicable CARB Executive Order certifying the system. Results of all testing shall be submitted to SWAPCA within 14 calendar days of test completion.
- (i) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.

~~(((6) Equipment or systems failures.~~

- ~~(a) Specific applicability. This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, bulk gasoline plants, and gasoline dispensing facilities as described in subsections (2) through (5) of this section.~~

~~During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the discontinuation of gasoline transfer~~



~~operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year.~~

~~(b) Provisions for specific processes.~~

~~(i) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank if a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle. Certification is required annually.~~

~~(ii) The owner or operator of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank has successfully completed the annual certification testing requirements in (c) of this subsection, and such certification is confirmed either by:~~

~~(A) Have on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or~~

~~(B) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:~~

~~(I) Shows the date that the gasoline tank truck last passed the test required in (c) of this subsection;~~

~~(II) Shows the identification number of the gasoline tank truck tank; and~~

~~(III) Expires not more than one year from the date of the leak tight test.~~

~~(iii) The owner or operator of a vapor collection system shall:~~

~~(A) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:~~

~~(I) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;~~

~~(II) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and~~

~~(III) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.~~

~~(IV) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (0.34 fluid ounces) per disconnect averaged over three disconnects.~~

~~(B) Repair and retest a vapor collection system that exceeds the limits of (b)(iii)(A) of this subsection within fifteen days.~~

~~(iv) The department or local air authority may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in (c) of this subsection to confirm continuing compliance with this section.~~

~~(c) Testing and monitoring.~~

- ~~(i) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (a) and (b) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by the department.~~
- ~~(ii) Testing to determine compliance with this section shall use procedures approved by the department.~~
- ~~(iii) Monitoring to confirm continuing leak tight conditions shall use procedures approved by the department.~~
- ~~(d) Recordkeeping.~~
  - ~~(i) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.~~
  - ~~(ii) The records of certification tests required by this section shall, as a minimum, contain:
 
    - ~~(A) The transport tank identification number;~~
    - ~~(B) The initial test pressure and the time of the reading;~~
    - ~~(C) The final test pressure and the time of the reading;~~
    - ~~(D) The initial test vacuum and the time of the reading;~~
    - ~~(E) The final test vacuum and the time of the reading;~~
    - ~~(F) At the top of each report page the company name, date, and location of the tests on that page; and~~
    - ~~(G) Name and title of the person conducting the test.~~~~
  - ~~(iii) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.~~
  - ~~(iv) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.~~
- ~~(e) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.)~~

## AMENDATORY SECTION

### **WAC 491-050 ((Compliance schedules.)) Failures, Certification, Testing and Recordkeeping**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

- ~~((1) Fixed roof gasoline storage tanks. All fixed roof gasoline storage tanks subject to WAC 173-491-040(1) shall comply no later than December 31, 1993.~~
- ~~(2) Gasoline loading terminals. All gasoline loading terminals subject to WAC 173-491-040(2) shall comply no later than December 31, 1993.~~
- ~~(3) Bulk gasoline plants. All bulk gasoline plants subject to the requirements of WAC 173-491-040(3) shall comply no later than December 31, 1993.~~
- ~~(4) Gasoline dispensing facilities—Stage I. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(4) shall comply no later than December 31, 1993, or whenever the facility is upgraded.~~
- ~~(5) Gasoline dispensing facilities—Stage II. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(5) shall comply:~~

- ~~(a) — When upgraded except any gasoline dispensing facility upgraded or with new tank(s) installed after the effective date of this regulation but before May 1, 1992, need not comply earlier than May 1, 1992.~~
- ~~(b) — For businesses which own ten or more gasoline dispensing facilities in the state of Washington, facilities subject to Stage II requirements as indicated in WAC 173 491 040 (5)(a) must comply according to the following schedule:
 
  - ~~(i) — Fifty percent of all gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons by May 1, 1993.—~~
  - ~~(ii) — All remaining gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons must comply by May 1, 1994.~~
  - ~~(iii) — Businesses which own ten or more gasoline dispensing facilities in King, Pierce, Snohomish, and Clark counties must, in addition, meet the following requirements at their facilities within King, Pierce, Snohomish, and Clark counties:
 
    - ~~(A) — At least fifty percent of the gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1994;~~
    - ~~(B) — The remaining gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1995.~~~~
  - ~~(iv) — All gasoline dispensing facilities must be in compliance not later than December 31, 1998.~~
  - ~~(v) — In meeting this requirement, businesses that lease some facilities and operate others must ensure that the percentage of facilities owned and operated which are required to comply with this provision at least equals the percentage of leased facilities required to comply with this provision.~~~~
- ~~(c) — For businesses which own fewer than ten gasoline dispensing facilities in the state of Washington:
 
  - ~~(i) — All facilities with an annual throughput of 1.2 million gallons must comply by May 1, 1994;~~
  - ~~(ii) — All remaining facilities must comply by December 31, 1998.))~~~~

This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, and bulk gasoline plants as described in subsections (2) and (3) of SWAPCA 491-040.

(1) Failures.

During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the immediate discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year. Upon completion of loading or unloading of a transport tank connected at the time of the failure, gasoline transfer operations shall be discontinued for the failed part of the system.

(2) Certification.

(a) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank if a current leak test certification for the transport tank is on file with the facility or

a valid inspection sticker is displayed on the vehicle. Certification is required annually as provided in SWAPCA 490-202.

(b) The owner or operator of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank has successfully completed the annual certification testing requirements in (3) of this subsection, and such certification is confirmed either by:

(i) Have on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or

(ii) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:

(A) Shows the date that the gasoline tank truck last passed the test required in (3) of this subsection;

(B) Shows the identification number of the gasoline tank truck tank; and

(C) Expires not more than one year from the date of the leak tight test.

(c) The owner or operator of a vapor collection system shall:

(i) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:

(A) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;

(B) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and

(C) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.

(D) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (0.34 fluid ounces) per disconnect averaged over three disconnects.

(ii) Repair and retest a vapor collection system that exceeds the limits of (2)(c)(i) of this subsection within fifteen days.

(d) SWAPCA may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in (3) of this subsection to confirm continuing compliance with this section.

(3) Testing and monitoring.

(a) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (1) and (2) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by WDOE or SWAPCA.

(b) Testing to determine compliance with this section shall use procedures approved by SWAPCA. See testing requirements in SWAPCA 490.

(c) Monitoring to confirm continuing leak tight conditions shall use procedures approved by SWAPCA.



(4) Recordkeeping.

- (a) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.
  - (b) The records of certification tests required by this section shall, as a minimum, contain:
    - (i) The transport tank identification number;
    - (ii) The transport tank capacity;
    - (iii) The initial test pressure and the time of the reading;
    - (iv) The final test pressure and the time of the reading;
    - (v) The initial test vacuum and the time of the reading;
    - (vi) The final test vacuum and the time of the reading;
    - (vii) At the top of each report page the company name, date, and location of the tests on that page; and
    - (viii) Name and title of the person conducting the test.
  - (c) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.
  - (d) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.
- (5) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.

NEW SECTION

**SWAPCA 491-060 Severability**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW]

The provisions of this regulation are severable and if any provision is held invalid, the application of such provision to the other circumstances and the remainder of this regulation shall not be affected.