

HOUSE RESEARCH

Bill Summary

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Authors: Hackbarth

Subject: Vapor recovery equipment required for gasoline deliveries in the metropolitan area

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Overview

This bill:

- ▶ requires the installation and use of equipment to recover hydrocarbons emitted during the transfer of gasoline from a delivery vehicle to an underground storage tank in the metropolitan area;
- ▶ provides for reimbursement of up to 90 percent of reasonable costs incurred to retrofit retail gasoline distribution locations in the metropolitan area, and transport vehicles to comply with these requirements; and
- ▶ establishes penalties for failure to install, maintain or use this equipment.

Section

1 Reimbursement from Petrofund. Requires the petroleum tank release compensation board to reimburse 90 percent of an applicant's costs for retrofitting retail locations and transport vehicles to comply with sections 7 and 8, provided:

- ▶ the retrofits were completed between January 1, 2001 and January 1, 2006; and
- ▶ the board determines the costs were incurred and reasonable.

"Retail locations" is defined as a facility in the seven county metropolitan area where gasoline is offered for sale to the general public for use in automobiles and trucks.

"Transport vehicles" is defined as a liquid fuel cargo tank of 3,500 gallons or more used to deliver gasoline into underground tanks during 2002 at a retail location.

- 2** **Field citations.** Authorizes the issuance of a field citation for failure to install or use vapor recovery equipment during the transfer of gasoline from a transport vehicle into an underground storage tank at a retail location, as required in sections 7 and 8.
- 3** **Amount of penalty.** Establishes a penalty for field citation issued under section 2 of \$250 per delivery to be levied against:
- ▶ the retail location if vapor recovery equipment is not installed or maintained properly;
 - ▶ the carrier if the transport delivery vehicle is not equipped with vapor recovery equipment; or
 - ▶ the driver for failure to use supplied vapor recovery equipment.
- 4** **Definition of retail location.** Defines retail location as a facility in the seven county metropolitan area where gasoline is offered for sale to the general public for use in automobiles and trucks for the purposes of sections 116.47 to 116.50, relating to the regulation and operation of storage tanks.
- 5** **Definition of transport delivery vehicle.** Defines transport delivery vehicle as a liquid fuel cargo tank of 3,500 gallons or more used to deliver gasoline into underground storage tanks for the purposes of sections 116.47 to 116.50.
- 6** **Definition of vapor recovery system.** Defines vapor recovery system as a system which transfers vapors from underground storage tanks during the filling operation to the storage compartment of the transport vehicle delivering gasoline.
- 7** **Vapor recovery system.** Requires every underground storage tank at a retail location to be fitted with vapor recovery equipment by January 1, 2006. Specifies that this equipment must be capable of collecting 95 percent of hydrocarbons emitted during gasoline transfers from a delivery vehicle to a storage tank. Prohibits the delivery of gasoline after January 1, 2006 to a retail location that is not equipped with a vapor recovery system.
- 8** **Vapor recovery on transports.** Requires all transport delivery vehicles that deliver gasoline into underground storage tanks in the seven county metropolitan area to be fitted with vapor recovery equipment. Specifies that this equipment must be capable of collecting 95 percent of hydrocarbons emitted during gasoline transfers by January 1, 2006.
- 9** **Preemption.** Preempts local rules or ordinances establishing vapor recovery requirements. Prohibits a state agency from adopting different or additional regulations establishing vapor recovery requirements for underground storage tanks.