



House Bill No. 6534

Public Act No. 13-120

AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22a-174e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [On or before July 1, 1992, the Commissioner of Energy and Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, and in consultation with the State Fire Marshal's Office, to require the installation of a stage II gasoline vapor recovery system for all gasoline pumps at any gasoline dispensing facility newly constructed on or after said date which will dispense more than ten thousand gallons of gasoline per month, and at any such existing facility for all gasoline tanks which are replaced on or after said date. Such regulations shall provide for specifications deemed by the commissioner to be necessary to implement such a vapor recovery system at each such facility, and may require, in order to comply with the federal Clean Air Act, that any other gasoline dispensing facility which dispenses more than ten thousand gallons of gasoline per month shall implement such a vapor recovery system. On or after July 1, 1993, the Commissioner of Energy and Environmental Protection may amend such regulations to require a stage II gasoline vapor recovery system at any newly constructed fuel dispensing facility

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which dispenses one thousand gallons or more of gasoline per month or at any existing gasoline dispensing facility for any gasoline tank which is replaced on or after July 1, 1993, where such tank has a capacity of one thousand gallons or more. The Commissioner of Energy and Environmental Protection may require, by regulation, that any vapor recovery equipment tested and approved by the California Air Resources Board, either before or after the effective date of such regulation, be required to be installed at any such fuel dispensing facility. Such regulations may require that any installed vapor recovery equipment be annually tested in accordance with functional test methods approved by the state of California Air Resources Board provided such regulations specifically set forth such methods and further provided nothing in this section shall preclude the commissioner from requiring additional testing upon the failure of any source to demonstrate compliance. Notwithstanding any regulation adopted pursuant to this chapter, a person may install a stage II gasoline vapor recovery system which has been tested and approved by the state of California Air Resources Board after November 1, 1992, provided such system utilizes only coaxial hoses.] As used in this section:

(1) "Decommission" means to render inoperable an operational stage II vapor recovery system by (A) permanently disconnecting all above-ground stage II vapor recovery equipment, and (B) sealing all above-ground and below-ground vapor or liquid paths that may release to the ambient air. Decommission does not require removal of below-ground stage II vapor recovery equipment;

(2) "Gasoline dispensing facility" means any site where gasoline is transferred to a motor vehicle from any stationary storage tank with a capacity of two hundred fifty gallons or more;

(3) "Pressure decay test" means an integrity test of the ullage portion of a gasoline storage system, during which such storage system is

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pressurized, pressure changes are monitored for a specified period of time and the final pressure is compared to an allowable value;

(4) "Stage I vapor recovery system" means a vapor recovery system that prevents the discharge to the ambient air of gasoline vapors while gasoline is transferred between a delivery vehicle and a gasoline dispensing facility; and

(5) "Stage II vapor recovery system" or "stage II vapor recovery equipment" means a vapor recovery system that prevents the discharge to the ambient air of gasoline vapors displaced during the dispensing of gasoline into a motor vehicle fuel tank.

(b) On or before July 1, 2015, the owner of any gasoline dispensing facility shall decommission any installed stage II vapor recovery equipment in accordance with subsection (c) of this section, notwithstanding any requirements in the regulations of Connecticut state agencies adopted by the Department of Energy and Environmental Protection pertaining to stage II vapor recovery systems. On or after the effective date of this section, no owner of any gasoline dispensing facility shall install a stage II vapor recovery system.

(c) Decommissioning of a stage II vapor recovery system shall: (1) Begin after such owner has notified the commissioner of the intent to decommission; (2) be performed in accordance with Section 14 of the 2009 "Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Refueling Sites" of the Petroleum Equipment Institute; and (3) be completed within one hundred days from initiation, unless the Commissioner of Energy and Environmental Protection grants an extension of time for good cause after a request for such extension by the owner of a gasoline dispensing facility. Such notification shall be made at least thirty days prior to decommissioning on a form prescribed by the commissioner.

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(d) The owner of any gasoline dispensing facility with a stage I vapor recovery system annually shall perform a pressure decay test of such system. Such owner shall notify the Commissioner of Energy and Environmental Protection at least seven business days prior to a scheduled test on a form prescribed by the commissioner.

Approved June 18, 2013