3/24/98

R-19 REV. 1/77

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT

REGULATION

OF

NAME OF AGENCY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

concerning

SUBJECT MATTER OF REGULATION

CONTROL OF ORGANIC COMPOUND EMISSIONS, LOADING OF GASOLINE AND OTHER VOLATILE ORGANIC COMPOUNDS

Section 1 Subsection (b) of section 22a-174-20 of the Regulations of Connecticut State Agencies is amended to read as follows:

(b) Loading of gasoline and other ["]volatile organic compounds.["]

(1) ADDITIONAL DEFINITIONS. FOR THE PURPOSES OF THIS SUBSECTION THE FOLLOWING DEFINITION SHALL APPLY:

"LOADING FACILITY" MEANS ANY AGGREGATION OR COMBINATION OF EQUIPMENT LOCATED ON A PREMISES AND USED TO LOAD OR UNLOAD ANY VOLATILE ORGANIC COMPOUND WITH A VAPOR PRESSURE OF 1.5 POUNDS PER SQUARE INCH OR GREATER UNDER ACTUAL STORAGE CONDITIONS.

[(b)(1)](2) No ["]person["] shall load or permit the loading of any ["]volatile organic compound["] with a vapor pressure of 1.5 pounds per square inch or greater under actual storage conditions into any ["]delivery vehicle["] from any loading facility with a throughput of 10,000 gallons or more in any one day unless such loading facility is equipped with a vapor collection and disposal system or its equivalent, properly installed, in good working order, and in operation, and

(A) [The] THE vapors discharged from the ["]delivery vehicle["] during loading are processed by a ["]vapor recovery system["]; and

(B) [The] THE amount of ["]volatile organic compounds["] released to the ["]ambient air["] is less than 80 milligrams per liter of liquid loaded over a six (6) hour period. To determine compliance with this requirement the reference methods and test procedures found in [title] TITLE 40 [code] CODE of [federal regulations part] FEDERAL REGULATIONS PART 60.503[(c)](A) and [part] PART 60.503[(e)](C), respectively shall be used.

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[(b)(2)] (3) No [“]person[”] shall load or permit the loading of any [“]volatile organic compounds[”] with a vapor pressure of 1.5 pounds per square inch or greater under actual storage conditions into any [“]delivery vehicle[”] having a capacity in excess of 200 gallons (760 liters) from any loading facility with a throughput of 10,000 gallons or more in any one day unless such loading facility is equipped with a loading arm with a vapor collection adaptor, pneumatic, hydraulic, or other mechanical means to force a vapor-tight seal between the adaptor and the hatch. A means shall be provided to prevent liquid [“]organic compounds[”] drainage from the loading device when it is removed from the hatch of any ["tank," truck, or trailer] DELIVERY VEHICLE, or to accomplish complete drainage before such removal. When loading is effected through means other than hatches, all loading and vapor lines shall be equipped with fittings which make vapor-tight connections and which close automatically when disconnected.

[(b)(3)] (4) Subdivisions [(b)(1) and (b)](2) AND (3) OF THIS SUBSECTION shall apply only to the loading of [“]volatile organic compounds[”] with a vapor pressure of 1.5 pounds per square inch or greater under actual storage conditions at a facility from which at least 10,000 gallons of such [“]organic compounds[”] are loaded in any one day. The applicability of subdivisions [(1) and] (2) AND (3) of this subsection shall be based upon a thirty day rolling average and once a [premise has exceeded] LOADING FACILITY EXCEEDS this limit, the requirements of subdivisions [(1) and] (2) AND (3) of this subsection shall always apply. ["Loading facility", for the purpose of this subsection, shall mean any aggregation or combination of organic liquid loading equipment which is possessed by one "person".]

[(b)(4)] (5) After April 1, 1982, no [“]person[”] shall transfer or allow the transfer of gasoline to or from any [“]delivery vehicle[”] to or from any loading facility with a throughput of less than 10,000 gallons a day and more than 4,000 gallons a day unless the transfer takes place through a [“]submerged fill pipe[”] and a [“]vapor balance system[”] is used. The throughput of a loading facility shall be based upon a thirty day rolling average and once a loading facility [has exceeded] EXCEEDS this limit, the requirements of this subdivision shall always apply.

[(b)(5)] (6) By December 31, 1982, any [“]person[”] who owns or operates any [“]dispensing facility[”] with a stationary storage [“]tank[”] for gasoline having a capacity of more than two thousand (2,000) gallons and [A] A [“]throughput[”] of ten thousand (10,000) gallons or more per thirty (30) day period shall install at each stationary storage [“]tank[”] an [“]approved control system[”]. The applicability of this

subdivision shall be based upon a thirty day rolling average and once a [premise has exceeded] LOADING FACILITY EXCEEDS this limit, the requirements of this subdivision shall always apply.

[(b)(6)] (7) After December 31, 1982, no ["]person["] shall install any stationary storage ["]tank["] for gasoline with a capacity of more than two hundred fifty (250) gallons and a throughput of ten thousand (10,000) gallons or more per thirty (30) day period unless the ["]tank["] has an ["]approved control system["]. The throughput of a loading facility shall be based upon a thirty day rolling average and once a loading facility [has exceeded] EXCEEDS this limit, the requirements of this subdivision shall always apply.

[(b)(7)] (8) Effective May 31, 1983, no ["]person["] shall transfer or allow the transfer of gasoline from a ["]delivery vehicle["] to a stationary storage ["]tank["] subject to the provisions of subdivisions [(b)(5) or (b)] (6) OR (7) OF THIS SUBSECTION unless:

(A) the transfer is made through a properly maintained and operated ["]approved control system["] which is in good working order, connected and operating; and

(B) there are no leaks in [the tank trucks' or trailers'] pressure/vacuum relief valves and hatch covers OF THE DELIVERY VEHICLE, nor in the truck tanks, storage tank or associated vapor and liquid lines during loading or unloading.

[(b)(8)] (9) No ["]person["] shall dispense gasoline to a stationary storage ["]tank["] having an ["]approved control system["] in such a manner as to impair the collection efficiency of the control system.

[(b)(9)] (10) The owner or ["]operator["] of a ["]delivery vehicle["] shall ensure that:

(A) [The] THE delivery vehicle is designed and maintained to be vapor-tight at all times; [and,]

(B) [The] THE hatches are closed at all times during loading and unloading operations; [and,]

(C) [The] THE pressure relief valves are set to release at no less than 0.7 pounds per square inch; and

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(D) [The] THE vapor laden ["]delivery vehicle["] is refilled only at facilities which meet the requirements of subdivisions [(b)(1) or (b)(4)] (2) OR (5) OF THIS SUBSECTION.

[(b)(10)] (11) The ["]Commissioner["] may provide an exemption to the provisions of subdivisions [(b)(4) or (b)(5)] (5) OR (6) OF THIS SUBSECTION for economic or technological impracticability. Any exemption granted under this subdivision shall require the approval of the ["administrator"] ADMINISTRATOR.

[(b)(11)] (12) [On and after July 1, 1985, no person who owns or operates a tank truck] ANY OWNER OR OPERATOR OF A DELIVERY VEHICLE that receives gasoline from a loading facility described in subdivisions [(b)(1) or (b)(4) of this section] (2) OR (5) OF THIS SUBSECTION or delivers gasoline to a ["]dispensing facility["] subject to the provisions of subdivisions [(b)(5) or (b)(6) of this section] (6) OR (7) OF THIS SUBSECTION or any loading facility subject to subdivision [(b)(4) of this section] (5) OF THIS SUBSECTION shall NOT cause or permit [the tank truck] A DELIVERY VEHICLE to load or unload gasoline unless:

(A) [during the preceding period of January 1 to June 30, the tank was tested] SUCH OWNER OR OPERATOR TESTS THE TANK ON SUCH DELIVERY VEHICLE ONCE EVERY TWELVE (12) MONTHS in accordance with Method 27 as [found at] SET FORTH IN Appendix A of Title 40 Code of Federal Regulations Part 60 or another manner accepted by the ["administrator"] ADMINISTRATOR and approved by the Commissioner in accordance with section 22a-174-5; [or]

(B) [the tank has been tested in accordance with the requirements of Massachusetts, New Jersey or New York within the preceding twelve months; and] REPEALED;

(C) during the test specified in SUBPARAGRAPH (A) OF THIS SUBDIVISION [(A) OR (B) above], the tank sustains a pressure change of no more than three (3) inches of water in five (5) minutes when pressurized to a gauge pressure of eighteen (18) inches of water or when evacuated to a gauge pressure of six (6) inches of water; and

(D) the [tank truck] DELIVERY VEHICLE displays a marking near the U.S. Department of Transportation markings required by Title 49 of the Code of Federal Regulations Section 177.824 which shows

the initials "DEP" and the date of the last test or comparable markings as required by EITHER THE CONNECTICUT DEPARTMENT OF TRANSPORTATION OR THE CONNECTICUT DEPARTMENT OF MOTOR VEHICLES. [the State in which the tank was tested.]

[(b)(12)] (13) The owner or operator of any [tank truck] DELIVERY VEHICLE which fails to meet the requirements of [subdivision (b)(11) above or subdivision (b)(14) below] SUBDIVISIONS (12) OR (14) OF THIS SUBSECTION shall repair and retest [the tank truck] SUCH VEHICLE within fifteen (15) days.

[(b)(13)] (14) Any person who performs a test required by subdivision [(b)(11)] (12) of this [section] SUBSECTION shall:

(A) notify the Department's Air Compliance Unit of the time and location of the test at least forty-eight (48) hours in advance; and

(B) submit a copy of the test report to the ["]Commissioner["] within ten (10) days after performing a test.

[(b)(14)] (15) The owner or operator of any [tank truck] DELIVERY VEHICLE subject to the provisions of subdivision [(b)(11)] (12) of this [section] SUBSECTION shall ensure that:

(A) during loading and unloading operations the tank is not subject to a pressure in excess of eighteen (18) inches of water, nor a vacuum in excess of six (6) inches of water;

(B) during loading and unloading operations there are no visible liquid leaks and there is never a reading equal to or greater than the Lower Explosive Limit (LEL, measured as propane) at one (1) inch from any source of potential leaks as detected by a combustible gas detector using the test procedure described in Appendix B to "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems" (EPA-450/2-78-051); and

(C) records of all tests performed under subdivision [(b)(11)] (12) of this [section] SUBSECTION are maintained for a minimum of [two (2)] FIVE (5) years.

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(16) THE OWNER OR OPERATOR OF ANY LOADING FACILITY, DISPENSING FACILITY OR DELIVERY VEHICLE SUBJECT TO THE PROVISIONS OF THIS SUBSECTION SHALL:

(A) WITHIN SIX (6) MONTHS OF THE EFFECTIVE DATE OF THIS SUBDIVISION, DEVELOP A WRITTEN OPERATION AND MAINTENANCE (O&M) PLAN FOR ANY EQUIPMENT USED TO LOAD OR UNLOAD GASOLINE;

(B) WITHIN TWELVE (12) MONTHS OF THE EFFECTIVE DATE OF THIS SUBDIVISION, DEVELOP A FORMAL TRAINING PROGRAM IMPLEMENTING THE O&M PLAN FOR ANY PERSON WHO RECEIVES GASOLINE FROM A LOADING FACILITY DESCRIBED IN SUBDIVISIONS (2) OR (5) OF THIS SUBSECTION OR DELIVERS GASOLINE TO A DISPENSING FACILITY SUBJECT TO THE PROVISIONS OF SUBDIVISIONS (6) OR (7) OF THIS SUBSECTION OR ANY LOADING FACILITY SUBJECT TO SUBDIVISION (5) OF THIS SUBSECTION;

(C) MAKE AND KEEP MONTHLY RECORDS DEMONSTRATING IMPLEMENTATION OF THE O&M PLAN, INCLUDING RECORDS OF PERSONS COMPLETING THE TRAINING PROGRAM REQUIRED BY SUBPARAGRAPH (B) OF THIS SUBDIVISION, AT THE SUBJECT FACILITY; AND

(D) MAINTAIN SUCH RECORDS AT THE SUBJECT FACILITY FOR A PERIOD OF FIVE (5) YEARS, AND PROVIDE SUCH RECORDS TO THE COMMISSIONER UPON REQUEST.

Statement of Purpose: The purpose of this amendment is to meet commitments within the Connecticut State Implementation Plan for air quality to require annual testing of tanks on gasoline delivery vehicles and to require loading facility, dispensing facility and delivery vehicle personnel to follow written instructions for operations and maintenance.

CERTIFICATION

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Be it known that the foregoing:

☒ Regulations ☐ Emergency Regulations

Are:

☐ Adopted ☒ Amended as hereinabove stated ☐ Repealed

By the aforesaid agency pursuant to:

☒ Section 22a-174 of the General Statutes.

☐ Section_____of the General Statutes, as amended by Public Act No._____of the___Public Acts.

☐ Public Act No._____of the Public Acts.

After publication in the Connecticut Law Journal on September 30 19 97, of the notice of the proposal to:

☐ Adopt ☒ Amend ☐ Repeal such regulations

(If applicable): ☒ And the holding of a public hearing on 5th day of November 19 97

WHEREFORE, the foregoing regulations are hereby:

☐ Adopted ☒ Amended as hereinabove stated ☐ Repealed

Effective:

☒ When filed with the Secretary of State.

(OR)

☐ The _____ day of _____ 19___

In Witness Whereof:	DATE 12-10-97	SIGNED *(Head of Board, Agency or Commission)*	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED	OFFICIAL TITLE, DULY AUTHORIZED Asst. Atty. General

12/23/97

☒ Approved

☐ Disapproved

☐ Disapproved in part, *(Indicate Section Numbers disapproved only)*

☐ Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE 3-24-98	SIGNED *(Clerk of the Legislative Regulation Review Committee)*

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED *(Secretary of the State.)*	BY

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

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APR 1 1998

RECORDS & LEGISLATIVE SERVICES
SECRETARY OF THE STATE