



*This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution regulations.*

**ATTENTION: OWNER/OPERATORS OF STATIONS WITH UNDERGROUND STORAGE TANKS**

**SUBJECT: ENFORCEMENT OF CARB ENHANCED VAPOR RECOVERY (EVR) PHASE II DEADLINE**

**By April 1, 2009 all gas stations with underground tanks are required to have an Enhanced Vapor Recovery certified Phase II system. Any station that failed to perform the upgrade by April 1, 2009 is in violation of District regulations and state law.**

**The Air District will enforce the requirements of Phase II EVR** and all stations not in compliance by the deadline will receive a citation; however, **non-complying gas stations can continue to operate while working towards compliance** provided the following actions are taken:

**The owner/operator must contact the District's Legal Division representative for the county in which his/her GDF is located and enter into a Compliance and Settlement Agreement (Compliance Schedule) to comply with state requirements.**

**Contact information:**

- **Susan Adams, Assistant Counsel** for stations located in Solano, Sonoma, Marin, Contra Costa, and Santa Clara Counties
- **Randi Wallach, Assistant Counsel** for stations located in San Francisco, Napa, Alameda, and San Mateo.

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The Compliance Schedule, is a legally binding contract and will include the following elements:

- Extended deadlines to complete installation of the Phase II EVR System and pass the required source tests; and
- Penalties for being in violation—penalty information can be found at: [http://www.baaqmd.gov/enf/evr\\_phase\\_ii\\_penalty\\_description\\_3-20-09.pdf](http://www.baaqmd.gov/enf/evr_phase_ii_penalty_description_3-20-09.pdf)
- Monthly Progress Report—report form can be found at: [http://www.baaqmd.gov/enf/evr\\_phase\\_ii\\_monthly\\_progress\\_report\\_4-15-09.pdf](http://www.baaqmd.gov/enf/evr_phase_ii_monthly_progress_report_4-15-09.pdf)

Failure to meet the extended deadlines, or to comply with the Compliance Schedule, can result in higher penalties and possible station tag out per State law.

**Note: The District reserves the right to change or modify these enforcement procedures at any time, without prior notification.**

**More Information can be obtained from the following sources:**



For further questions regarding this Advisory, contact Dennis Baker, Air Quality Technician, at (415) 749-4717.



For compliance assistance, call (415) 749-4999, the Compliance Counselor Hotline.



For permit assistance or Authority to Construct application forms, visit <http://www.baaqmd.gov/pmt/index.htm> or call (415) 749-4990, Engineering.



For information about EVR requirements from the California Air Resources Board, visit <http://www.arb.ca.gov/vapor/vapor.htm> or <http://www.evrhome.org>, or contact the ARB Engineering and Certification Branch at (916) 327-0900.

Kelly J. Wee  
Director of Enforcement

KJW:JMM