Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Volatile Organic Compound Emissions.

28-19-72. Gasoline dispensing facilities.

(a) No owner or operator of a gasoline dispensing facility (GDF) or a gasoline delivery vessel (GDV) shall cause or permit the transfer of gasoline from any GDV into any stationary storage container with a capacity greater than 2000 gallons unless such container is equipped with a submerged fill pipe and a vapor balance system properly installed and in good working order.

(b) No owner or operator of a GDF or a GDV shall cause or permit the transfer of gasoline from any GDV into any stationary storage container with a capacity greater than 250 gallons, but equal to or less than 2000 gallons, unless such container is equipped with a submerged fill pipe.

(c) The transfer of gasoline from any GDV into any stationary storage container at an affected GDF shall be conducted in compliance with the following requirements:

(1) combustible organic vapors shall be less than 100 percent of the lower explosive limit, measured as propane, at one inch around the perimeter of any leak source on the GDV or the connected vapor balance system during the gasoline transfer operation. Compliance shall be determined in accordance with 40 CFR Part 60, appendix A, reference method 21, as in effect July 1, 1986, or by a method demonstrated to the satisfaction of the department to be equivalent to reference method 21;

(2) there shall not be any visible liquid leaks from the GDV or connections to the stationary storage container during the gasoline transfer operation:

(3) the GDV shall remain closed and contain all vapors collected during the gasoline transfer operation until such time as it is refilled in accordance with K.A.R. 28-19-70 if:

(A) refilled in areas which were identified as not meeting the national ambient air quality standard for ozone as described in subsection (h) of this regulation; or

(B) refilled at bulk gasoline terminals or bulk gasoline plants located in areas meeting the national ambient air quality standard for ozone as described also in subsection (h); and

(4) an owner or operator of an affected GDF or an affected GDV shall, during all transfer operations to an affected stationary storage container, inspect the vapor balance system and GDV connections for liquid gasoline or vapor leaks. Leak detection may be by sight, sound or odor. Each detection of a leak shall be recorded and described in records maintained by the GDF owner or operator at the GDF. Transfer operations shall cease until repair of the leak is accomplished.

(d) The vapor balance system shall be constructed so as to ensure that the gas tight vapor return line is connected to the GDV before gasoline can be transferred into the stationary storage container.

(e) GDV's, including the vessel's vapor collection system, that deliver gasoline to an affected GDF shall comply with K.A.R. 28-19-70(c).

(f) The owner or operator of an affected GDF shall:

(1) maintain written records for a period of at least two consecutive years at the GDF. The records shall be available upon request or for inspection by a department representative and shall specify:

(A) the name and address of the owner or operator of the GDV for each delivery of gasoline transferred into the stationary storage container or containers;

(B) the date of delivery and quantity of gasoline transferred;

(C) identification of and the date when each GDV servicing the GDF was last tested, and determined to comply with the pressure test in K.A.R. 28-19-70(c);

(D) the date when the GDF was last tested and determined to comply with subsection (c)(1) and the name of the person performing the test;

(E) the date and extent of any repairs to the submerged fill pipe connection and vapor balance system at the GDF;

(F) the date of inspection, the description of findings and the corrective actions taken for the inspections conducted in subsection (c)(4); and

(2) notify the department, on forms supplied by the department, and before each March 2nd, that all GDV's servicing the GDF during the past calendar year complied with the requirements of K.A.R. 28-19-70(c).

(g) Each owner or operator of:

(1) an affected GDF shall comply with all requirements within 180 days after the GDF becomes subject to the provisions of this regulation;

(2) GDV's in service prior to the effective date of this regulation shall comply with applicable requirements of this regulation within 60 days after the GDV becomes subject to the provisions of this regulation; and

(3) GDV's entering service after the effective date of this regulation shall comply with applicable requirements of this regulation as of the date of entering service.

(h) This regulation shall be applicable only to affected GDF's which are located in and GDV's which operate in areas which were identified as not meeting the national ambient air quality standard for ozone in the manner prescribed by the provisions of Section 107(d) of the federal clean air act, 42 U.S.C. 7407 as promulgated at 40 CFR Part 81 as in effect July 1, 1986 and amended at 51 Fed. Reg. 25,200 July 11, 1986. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1987; amended, T-88-55, Dec. 16, 1987; amended May 1, 1988.)

***** Authenticated Kansas Administrative Regulation *****