Kansas Administrative Regulations

Department of Health and Environment

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

28-19-70. Leaks from gasoline delivery vessels and vapor collection systems.

(a) No person shall load or permit the loading of gasoline from any bulk gasoline terminal (BGT) loading rack into any gasoline delivery vessel (GDV) unless the BGT loading rack is equipped with a vapor collection system that is connected to a vapor processing system and unless this person complies with the requirements of this regulation.

(b) The loading of gasoline from a BGT into a GDV shall be carried out in compliance with the following requirements.

(1) The level of 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 BGT vapor collection system during the gasoline loading operation. Compliance shall be determined in accordance with 40 CFR Part 60, appendix A, reference method 21, revised as of July 1, 1986, or an alternate method demonstrated to the satisfaction of the department to be equivalent to that reference method.

(2) There shall not be any visible liquid leaks from the GDV or the BGT vapor collection and processing system during the gasoline loading operation.

(3) The vapor collection and vapor processing system provided at the BGT shall be designed and operated to prevent gauge pressure in the GDV from exceeding 18 inches of water and to prevent vacuum gauge pressure in the GDV from exceeding six inches of water during the gasoline loading operation.

(4) The GDV being loaded shall be in compliance with the requirements of subsection (c) of this regulation.

(c)(1) The owner or operator of each GDV that is operated within the area of applicability, as defined in subsection (f) of this regulation, shall demonstrate that a

pressure change in the GDV of not more than three inches of water in five minutes will occur when the GDV is subjected to these conditions:

(A) pressurized to a gauge pressure of 18 inches of water; and

(B) evacuated to a gauge pressure of six inches of water. This demonstration shall be made using the testing procedures prescribed in 40 CFR Part 60, appendix A, method 27, revised as of July 1, 1986.

(2) The owner or operator of each GDV operated within the area of applicability, as defined in subsection (f) of this regulation, shall certify that the GDV satisfies the requirements of paragraph (c)(1) of this regulation in the following manner.

(A) The owner or operator shall demonstrate compliance with the parameters in paragraph (c)(1) by the successful completion of an annual test of each GDV.

(B) The period for annual testing shall be from January 1 to May 31, inclusive, of each year.

(C) The owner or operator shall submit the result or results of GDV testing to the department, on forms approved by the department, before July 31 of the same year in which the test is completed and in which compliance is to be demonstrated.

(D) Failure to test a GDV operated within the area of applicability, as defined in subsection (f) of this regulation, before June 1 of each year, shall be a violation of this regulation.

(E) Failure to submit the results of testing for a GDV operated within the area of applicability on the department-approved forms before July 31 of the certification year shall be a violation of this regulation.

(3) Each owner or operator of a GDV subject to this regulation shall place a copy or copies of the annual successful test results in the respective GDV, which test results name the company or person performing the testing.

(4) Within 15 days after a GDV fails the required testing, the owner or operator shall either repair and then certify that the GDV passed the required testing, or discontinue use as a GDV in areas 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(d), as promulgated at 40 CFR Part 81, revised as

of July 1, 1986, and amended at 51 Fed. Reg. 25,200, July 11, 1986, until it has been tested successfully.

(5) Each owner or operator of a GDV shall notify the director within 15 days of the date any liquid or vapor leaks occur at the GDV during gasoline loading and transfer operations, and shall identify the corrective measures taken to repair the GDV.

(6) Each owner or operator of a GDV shall notify the department of the first time and place after certification that the GDV transfers gasoline at a gasoline dispensing facility subject to K.A.R. 28-19-72, to provide the department with the opportunity to inspect the GDV after certification in accordance with paragraphs (1) through (4) of this subsection.

(d) Gasoline shall not be loaded into or from any GDV that has not been certified as complying with subsection (c).

(e) The provisions of this regulation shall apply only to gasoline loading operations conducted at BGTs subject to the provisions of K.A.R. 28-19-64, and to gasoline transfer operations at gasoline dispensing facilities subject to the provisions of K.A.R. 28-19-72.

(f) Each owner or operator of a GDV operating in areas that have been identified as not meeting the national ambient air quality standard for ozone in the manner as prescribed by the provisions of section 107(d) of the federal clean air act, 42 U.S.C. §7407(d), as promulgated at 40 CFR Part 81, revised as of July 1, 1986, and amended at 51 Fed. Reg. 25,200, July 11, 1986 shall meet these requirements:

(1) comply with applicable requirements of this regulation within 60 days after the GDV becomes subject to the provisions of this regulation for GDVs in service before the effective date of this regulation; and

(2) comply with applicable requirements of this regulation as of the date of entering service for GDVs entering service after the effective date of this regulation.

(Authorized by K.S.A. 1996 Supp. 65-3005, K.S.A. 65-3010; implementing K.S.A. 1996 Supp. 65-3005, K.S.A. 65-3010; effective May 1, 1982; amended, T-88-55, Dec. 16, 1987; amended May 1, 1988; amended May 15, 1998.)

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