

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE VAPOR
RECOVERY EQUIPMENT DEFECTS LIST

Public Hearing Date: August 24, 2004
Public Availability Date: February 25, 2005
Deadline for Public Comment: March 14, 2005

At an Air Resources Board (ARB) August 24, 2004 public hearing, Bill Loscutt, Chief of the Monitoring and Laboratory Division, acting on behalf of ARB Executive Officer, Catherine Witherspoon, considered proposed amendments to the Vapor Recovery Equipment Defects (VRED) List, incorporated by reference into title 17, California Code of Regulations, section 94006(b).

At the hearing, ARB staff proposed a number of additional changes to those initially proposed in the Notice of Public Hearing and the Initial Statement of Reasons: Staff Report. These include the identification of additional substantial defects for aboveground storage tanks (G-70-139 and G-70-181) and those specified in the Executive Order for the OPW Vaporsaver (G-70-204), issued subsequent to the hearing. The proposed modifications also include changes to verification procedures in the Executive Orders for Healy EVR Phase II systems (G-70-165, -183, -186, -187, and -191). Staff proposed these changes in response to comments received since the Staff Report was published.

The purpose of this notice is to invite comments on the newly proposed modified text (known as "15-day changes"). The comment period will run from February 25, 2005 through March 14, 2005. Comments must be limited to the modifications set forth in the attachment to this notice. A final decision on the amendments to the defects list will be made after the comment period for the 15-day changes is closed. The final decision will be based upon all material in the record. This determination will be made by the ARB Executive Officer, Ms. Catherine Witherspoon.

A copy of the VRED List with the newly modified sections (the proposed 15-day changes) in double underline for additions or double strikethrough for deletions is available on line at <http://www.arb.ca.gov/vapor/title17/vred15chg.pdf>. If you would like a hard copy please telephone R. Neil Nipper at 916.445.9391. The regulatory documents for this rulemaking, including the ISOR/staff report, are available online at the following ARB internet site:

<http://www.arb.ca.gov/regact/vrdef02/vrdef02.htm>

Inquiries concerning the substance of the proposed regulations should be directed to Ranjit

Bhullar, Manager, Vapor Recovery In-Use Program Section, Stationary Source Testing Branch, Monitoring and Laboratory Division, by telephone at 916.322.0223 or R. Neil Nipper, Air Resources Engineer, Vapor Recovery In-Use Program Section, Stationary Source Testing Branch, Monitoring and Laboratory Division, by telephone at 916.445.9391.

Written comments on the modifications approved by Mr. Loscutoff may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 "I" Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to: vrdef02@listserv.arb.ca.gov

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please contact the Bilingual Coordinator at (916) 324-5049. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.