

**Final Regulation Order
Amendments to the Vapor Recovery Equipment Defects List**

Note: Set forth below are the regulation and the incorporated amendments to the list titled “Defects Substantially Impairing the Effectiveness of Vapor Recovery Systems Used in Motor Vehicle Fueling Operations.” The text of the amendments is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions, compared to the preexisting regulatory language.

Amend Article 1, Subchapter 8, Chapter 1, Division 3, Title 17, California Code of Regulations to read as follows:

§94006. Defects Substantially Impairing the Effectiveness of Vapor Recovery Systems Used in Motor Vehicle Fueling Operations.

(a) For the purposes of Section 41960.2 of the Health and Safety Code, any defect that meets the following criteria shall be considered substantial and listed by the Air Resources Board: the defect did not exist when the system was certified; the excess emissions associated with the defect have the potential to degrade fueling point or system efficiency by at least five percent; and, a field verification procedure exists to identify the defect.

(b) For the purposes of section 41960.2 of the Health and Safety Code, equipment defects in systems for the control of gasoline vapors resulting from motor vehicle fueling operations which substantially impair the effectiveness of the systems in reducing air contaminants are set forth in the “Vapor Recovery Equipment Defects List” adopted September 23, 2002, June 22, 2005, which is incorporated by reference herein.

Note: Authority cited: Sections 39600, 39601, and 41960.2, Health and Safety Code. Reference: Sections 41954 and 41960.2, Health and Safety Code.