

7 October 2020

Dear Sir or Madam,

Pursuant to Rhode Island Department of Environmental Management's ("RIDEM") Office of Air Resources ("OAR") Code of Regulations entitled, Petroleum Liquids Marketing and Storage (250-RICR-120-05-11.9.F.5.) (hereinafter "Part 11"), actions must be taken by gasoline dispensing facilities by December 25, 2020. Subsection 11.9.2.F.4 of Part 11 reads as follows:

"On and after December 25, 2020, gasoline dispensing systems must be equipped with a CARB-certified EVR Stage I vapor control system or a Stage I vapor control system composed of EVR components."

The following California Air Resources Board Executive Order CARB-Certified EVR Stage I vapor control systems or Stage I vapor control system composed of EVR components are allowable in RI:

Number	Description
VR-101	Phil-Tite Phase I Vapor Recovery System
VR-102	OPW Phase I Vapor Recovery System
VR-103	EBW Phase I Vapor Recovery System
VR-104	CNI Manufacturing Phase I Vapor Recovery System
VR-105	EMCO Wheaton Retail Phase I Vapor Recovery System

In 2013, the RI State Implementation Plan (SIP) was amended to allow for decommissioning of Stage II vapor recovery systems as the majority of gasoline vehicles are now equipped with onboard vapor recovery systems. With that SIP revision, the Stage I vapor recovery system requirements were strengthened to better control emissions. The amended Part 11 was approved by USEPA and incorporated into the RI State Implementation Plan. As such, any changes to Part 11 must be approved by EPA for incorporation into the RI SIP. Section 110(l) of the Clean Air Act (CAA) states that EPA cannot approve a State Implementation Plan (SIP) revision if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (RFP), or any other applicable requirement of the CAA. Therefore, the deadline was not extended.

OAR is aware that due to COVID-19, construction and installation may be delayed. If this is the case for your facility, please submit written notification to Office of Air Resources, 235 Promenade Street, Providence, RI 02908 with scheduled date of installation if it occurs after the December 25, 2020 compliance deadline. See attached "Proposed Installation of Stage I CARB-Certified EVR System". This form must be submitted to OAR by December 25th, 2020.

In addition, all Installations or Modifications planned shall be in compliance with all rules and regulations per Office of Land Revitalization and Sustainable Materials Management (“LRSMM”), Underground Storage Tank Management Program (“UST”), For information prior to planning and scheduling, please call RIDEM LRSMM UST at (401) 222-2797.

If the facility has installed a CARB-certified EVR Stage I vapor control system or Stage I vapor control system composed of EVR components in compliance with the deadline, please fill out the attached “Stage I CARB-Certified EVR Certification” form and mail to Office of Air Resources, 235 Promenade St, Providence, RI 02908 by January 1, 2021. Part 11 requirements may be found at <https://rules.sos.ri.gov/regulations/part/250-120-05-11>.

This letter does not limit or otherwise preclude RIDEM from taking further administrative actions for noncompliance which may include the assessment of monetary penalties.

If you have any questions, please feel free to contact the undersigned at (401) 222-2808 ext. 2427 or by email at Brianna.Seltzer@dem.ri.gov.

Sincerely Yours,

A handwritten signature in cursive script that reads "Brianna Seltzer".

Brianna Seltzer, Senior Air Quality Specialist
Office of Air Resources