35.3.3.2 Installing pressure/vacuum conservation vents set at ±0.2 kPa (0.03 psi) on all storage tanks that store VOC with vapor pressures greater than 10.0 kPa (1.5 psi) at 20°C (68°F).

35.3.4 Centrifuges, rotary vacuum filters, and other filters. The owner or operator of a synthesized pharmaceutical facility subject to 35.0 of this regulation shall enclose all centrifuges, rotary vacuum filters, and other filters having an exposed liquid surface where the liquid contains VOC and exerts a total VOC vapor pressure of 3.50 kPa (0.5 psi) or more at 20°C (68°F).

35.3.5 In-process tanks. The owner or operator of a synthesized pharmaceutical facility subject to 35.0 of this regulation shall install covers on all in-process tanks that contain VOC at any time. These covers shall remain closed, unless production, sampling, maintenance, or inspection procedures require operator access.

35.3.6 Leaks. The owner or operator of a synthesized pharmaceutical manufacturing facility subject to 35.0 of this regulation shall repair all leaks from which a liquid containing VOC can be observed running or dripping. The repair shall be completed as soon as practicable but no later than 15 calendar days after the leak is found. If the leaking component cannot be repaired until the process is shut down, the leaking component shall then be repaired before the process is restarted.

35.4 Testing. The owner or operator of any facility containing sources subject to 35.0 of this regulation shall comply with the testing requirements in **Appendix E** of this regulation.

35.5 Monitoring for air pollution control equipment.

35.5.1 At a minimum, continuous monitors for the following parameters shall be installed on air pollution control equipment used to control sources subject to 35.0 of this regulation:

35.5.1.1 Destruction device combustion temperature.

35.5.1.2 Temperature rise across a catalytic incinerator bed.

35.5.1.3 VOC concentration on a carbon adsorption unit to determine breakthrough.

35.5.1.4 Outlet gas temperature of a refrigerated condenser.

35.5.1.5 Temperature of a nonrefrigerated condenser coolant supply system.

35.5.2 Each monitor shall be equipped with a recording device.

35.5.3 Each monitor shall be calibrated quarterly.

35.5.4 Each monitor shall operate at all times while the associated control equipment is operating.

35.6 Recordkeeping.

35.6.1 The owner or operator of a pharmaceutical manufacturing facility subject to 35.0 of this regulation shall maintain the following records:

35.6.1.1 Parameters listed in 35.5 of this regulation shall be recorded.

35.6.1.2 For sources subject to 35.0 of this regulation, the solvent true vapor pressure as determined by ASTM D323-89 shall be recorded for every process.

35.6.2 For any leak subject to 35.3.6 of this regulation, which cannot be readily repaired within one hour after detection, the following records shall be kept:

35.6.2.1 The name of the leaking equipment.

35.6.2.2 The date and time the leak is detected.

35.6.2.3 The action taken to repair the leak.

35.6.2.4 The date and time the leak is repaired.

35.7 Reporting. The owner or operator of any facility containing sources subject to 35.0 of this regulation shall comply with the requirements in 5.0 of this regulation.

36.0 Vapor Emission Control at Gasoline Dispensing Facilities

~~09/11/2015~~ xx/xx/xxxx

36.1 Applicability

36.1.1 The provisions of Section 36.0 ~~of this regulation~~ apply to any gasoline dispensing facility (GDF) located in the State of Delaware, except:

36.1.1.1 Any gasoline dispensing facility, which never has a monthly throughput ~~of~~ greater than 10,000 gallons of gasoline, shall be subject only to the requirements of subsection 36.7.2 ~~of this regulation~~. Any gasoline dispensing facility that ever exceeds this throughput shall be subject to all of the requirements of Section 36.0 ~~of this regulation~~, and shall remain subject to these requirements even if its throughput later falls below the exemption throughput.

36.1.1.2 Any gasoline dispensing facility that is used exclusively for refueling marine vehicles, aircraft, farm equipment, or emergency vehicles.

36.1.2 The requirements of subsection 36.8 ~~of this regulation~~ apply to any owner or operator of any company that performs compliance testing at gasoline dispensing facilities within the State of Delaware.

36.1.3 The requirements of Section 36.0 ~~of this regulation~~ are in addition to all other State and Federal requirements, to include the ~~Clean Air Act~~ requirements in 40 CFR 80.22(j), the nozzle flow rate limit of 10 gallons per minute, and the permitting requirements of 7 **DE Admin. Code** 1102. Any gasoline dispensing facility that is currently subject to any rule promulgated pursuant to the Clean Air Act Amendments of ~~1977~~ 1990 by exceeding an applicability threshold is and shall remain subject to those provisions.

36.1.4 Compliance Schedule. Any gasoline dispensing facility subject to the requirements of Section 36.0 ~~of this regulation~~ shall be in compliance as follows:

~~36.1.4.1 Any new facility that first commences construction on or after the effective date of this revision of 36.0 of this regulation, or any facility that decommissions its Stage II vapor recovery system, shall do one of the following:~~

~~36.1.4.1.1 Comply with 36.4.2 and all other applicable requirements of 36.0 of this regulation, or~~

~~36.1.4.1.2 Participate in a trial to demonstrate whether or not a continuous pressure monitoring (CPM) system is able to accurately identify system leaks and times when emissions are being vented from the pressure/vacuum valve, by complying with 36.4.3 and all other applicable requirements of this regulation. Failure to demonstrate compliance with any of the requirements of this regulation due to fault or failure of the CPM system shall not constitute a violation of this regulation. The trial period is for a minimum period of one year. Upon completion of the trial period any participating station has the option to either continue to comply with 36.4.3 or to comply with 36.4.2 of this regulation.~~

~~36.1.4.2 An owner or operator of any modified facility may decommission its Stage II vapor recovery system pursuant to the procedures in 36.9 of this regulation on or after the effective date of this revision of 36.0 of this regulation.~~

~~36.1.4.3 Any facility not identified in 36.1.4.1 of this regulation shall comply with 36.3 and all other applicable requirements of 36.0 of this regulation.~~

36.1.4.1 Decommission of Stage II vapor recovery system

36.1.4.1.1 Any GDF, which has a Stage II vapor recovery system in operation or under installation, shall decommission its Stage II vapor recovery system before December 31, 2021, pursuant to the procedures in subsection 36.9. Before decommissioning its Stage II system, a GDF shall comply with subsection 36.3 and other applicable requirements of Section 36.0.

36.1.4.1.2 On or after xx/xx/xxxx, any new facility that first commences construction shall not install a Stage II vapor recovery system.

36.1.4.2 Installation of Stage I enhanced vapor recovery (EVR) system

36.1.4.2.1 Any existing facility shall install and operate a Stage I EVR system prior to December 31, 2025.

36.1.4.2.2 On or after xx/xx/xxxx, any new facility that commences construction shall install a Stage I EVR system at construction and shall start operation of the Stage I EVR system when the facility commences the gasoline dispensing operation.

36.1.4.2.3 On or after xx/xx/xxxx, gasoline dispensing facilities (GDFs) with continuous pressure monitoring (CPM) systems shall comply with subsection 36.5, and GDFs without CPM systems shall comply with subsection 36.6, and all other applicable requirements of Section 36.0.

36.2 Definitions

36.2.1 Terms being defined in subsection 36.2 ~~of this regulation~~ are used exclusively for Section 36.0 ~~of this regulation~~. Other terms not defined herein shall have meanings defined in the Clean Air Act Amendments of 1990 (CAA), or 7 **DE Admin. Code** 1101, or Section 2.0 of ~~this regulation~~ 7 **DE Admin. Code** 1124.

"**Assist System**" means a system that creates a vacuum to assist the movement of vapors back into the storage tank.

"**Balance System**" means a system where pressure develops in the vehicle tank during fueling operations, and vacuum in the storage tank created when the fuel is removed, forces displaced vapors out the vehicle tank and back into the storage tank.

"**Day**" means a calendar day. However, when used to determine when a required document is due and the day falls on a weekend or holiday, the document may be submitted on the first working Day after the weekend or holiday.

~~"**Modified Facility**" means a facility that: (1) excavates below a shear valve or tank pad in order to repair or replace its Stage II system or an underground storage tank; or (2) undergoes a major system modification consisting of the replacement, repair or upgrade of at least 50% of a facility's Stage II vapor recovery system which includes dispensers, vapor return piping, and product piping.~~

"**Monthly**" means, when describing a compliance requirement, every 30 days or at least once each calendar month.

"**Monthly Throughput**" means the total volume of gasoline dispensed from all the gasoline storage tanks located at a single affected GDF in a calendar month.

~~"**New Facility**" means a facility that begins dispensing fuel for the first time.~~

"**Pressure/Vacuum Valve**" or "**P/V Valve**" means a relief valve installed on the vent stack of a tank system that is designed to open at specific pressure and vacuum settings to protect the system from excessive pressure or vacuum.

"**Tank System**" means a storage tank or a set of manifolded storage tanks containing gasoline at a gasoline dispensing facility.

"**Ullage**" means the empty volume of a gasoline storage tank system that contains liquid gasoline. Ullage is expressed as accumulated gallons of empty volume for all of the gasoline storage tanks in a manifolded system.

36.3 Standards for Facilities with Stage II Vapor Recovery Systems

36.3.1 The owner or operator of any gasoline dispensing facility ~~identified in 36.1.4.3 of this regulation~~ that operates a Stage II vapor recovery system shall meet the following requirements:

36.3.1.1 ~~Design, install,~~ To operate, and maintain one of the Stage II Vapor Recovery Systems identified in subsection 36.10.1 ~~of this regulation~~.

36.3.1.2 For systems with manifolded vapor lines, the liquid shall return into the lowest octane tank. For non-manifolded systems with separate vapor lines, the liquid shall return to the tank that has the same product as is dispensed at the nozzle where the liquid was introduced into the vapor lines.

36.3.1.3 ~~Install and~~ To maintain a vapor shear valve that functions similarly to the product shear valve. Valves of any kind other than the vapor shear valve in the vapor return line under each dispenser shall be prohibited, and if existing shall be removed.

36.3.1.4 ~~Conspicuously~~ To conspicuously post "Operating Instructions" on both sides of each gasoline dispenser. Such instructions shall include:

36.3.1.4.1 A clear description of how to correctly dispense gasoline.

36.3.1.4.2 A warning that repeated attempts to continue dispensing gasoline, after the system has indicated that the vehicle fuel tank is full (by automatically shutting off), may result in spillage or recirculation of gasoline.

36.3.1.4.3 A toll-free telephone number to report problems experienced with the vapor recovery system to the Department.

36.3.2 At least one representative (an owner, facility manager, or designated employee) from each facility, or facilities under common ownership, shall attend a training program on the operation and maintenance requirements of the Stage II equipment that is ~~selected for installation or~~ installed on their facility premises. Acceptable forms of training include equipment manufacturer's seminars, classes or workshops, or any other training approved by the Department.

36.3.2.1 Verification, such as a certificate of attendance from the training program, shall be obtained by the attendee ~~within three months of the installation of the Stage II system~~. The certificate shall display the name of the person who completed the training program.

36.3.2.2 The representative that completed the training program is then responsible for informing all facility employees about conducting routine maintenance pursuant to subsection 36.3.3 ~~of this regulation~~ and about the operation and maintenance of the Stage II system. The representative shall maintain proof of training for all employees who will be conducting daily inspections. If such representative leaves that facility, or the company owning several facilities, another representative shall take and successfully complete the training within three months.

36.3.2.3 Training shall include, but not be limited to, the following subjects:

36.3.2.3.1 Purposes and effects of the Stage II Vapor Control Program.

36.3.2.3.2 Equipment operation and function specific to their facility's equipment.

36.3.2.3.3 Maintenance schedules and requirements for the facility's equipment.

36.3.2.3.4 Equipment warranties.

36.3.2.3.5 Equipment manufacturer contracts (names, addresses, and phone numbers) for parts and service.

36.3.3 Each day personnel trained pursuant to subsection 36.3.2 ~~of this regulation~~ shall perform routine maintenance inspections and record the inspection results.

36.3.3.1 Such inspections shall consist of~~, but not limited to,~~ inspection of the Stage II system for the following defects:

36.3.3.1.1 A faceplate or face cone of a balance or assist system nozzle that does not make a good seal with a vehicle fill tube, or the accumulated damage to the faceplate or face cone is over 25% of its' surface.

36.3.3.1.2 A vapor assist system nozzle fitted with an efficiency compliance device that is damaged over 25% of its' surface.

36.3.3.1.3 A nozzle bellows with a triangular tear measuring ½ inch or more to a side, a hole measuring ½ inch or more in diameter, or a slit or tear measuring one inch or more in length.

36.3.3.1.4 A nozzle bellows or efficiency compliance device that is loosely attached to the nozzle body, not attached by a manufacturer approved method, or a vapor check valve frozen in the open position.

36.3.3.1.5 A nozzle liquid shutoff mechanism that malfunctions in any manner, where the spring or latching knurl is damaged or missing.

36.3.3.1.6 A nozzle with a vapor check valve that is defective, or a hose with a disconnected or damaged breakaway.

36.3.3.1.7 A vapor assist system nozzle spout that is damaged and the vapor collection holes are obstructed.

36.3.3.1.8 A dispenser mounted vacuum pump that is not functioning.

36.3.3.1.9 A vacuum assist system with a central vacuum unit or vapor processing unit that is inoperative.

36.3.3.1.10 A hose retractor that does not fully retract.

36.3.3.1.11 Any other component required by the Department for use in the system that is missing, disconnected, or malfunctioning.

36.3.3.2 The owner or operator shall post "Out of Order" signs and ~~"Bag-out"~~ bag-out the nozzle associated with any part of the defective vapor recovery system until said system has been repaired or replaced.

36.3.4 Testing requirements. Any gasoline dispensing facility subject to subsection 36.3 shall perform the following tests annually (every 12 calendar months) for its Stage II vapor recovery system, or as otherwise approved by the Department and US Environmental Protection Agency (EPA).

36.3.4.1 A Pressure Decay/Leak Test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III (March 1, 1996). This test procedure is hereby incorporated by reference, as specified in subsection 36.11.1.

36.3.4.2 For balance systems, a Dynamic Backpressure and Liquid Blockage Test, conducted in accordance with the procedures in "Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-19, Chapter 9 (2019)". This test procedure is hereby incorporated by reference, as specified in subsection 36.11.2.

36.3.4.3 For assist systems, an Air to Liquid Volume Ratio Test conducted in accordance with the procedures in "Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-19, Chapter 10 (2019)". This test procedure is hereby incorporated by reference, as specified in subsection 36.11.2.

36.3.5 Written notification shall be submitted to the Department at least 10 days prior to the performance of any test required in subsection 36.3, unless otherwise approved by the Department.

36.3.6 All test results shall be reported to the Department within two (2) days after the test. If any test fails, repair, corrective action and retesting shall be completed within 14 days.

36.4 Standards for Facilities ~~without Stage II~~ with Stage I Vapor Recovery Systems

36.4.1 The owner or operator of any gasoline dispensing facility identified in ~~36.1.4.1 of this regulation~~ subsection 36.1.4.2 shall design, install, operate, and maintain one of the Stage I enhanced vapor recovery (EVR) systems identified in California Air Resource Board (CARB) Executive Orders (EOs) as listed in subsection 36.10.2 ~~of this regulation~~. All Stage I EVR systems shall be designed, installed, maintained and repaired by a contractor that is trained and certified by the Stage I EVR system manufacturer of the selected system. In addition, the Stage I EVR systems shall be maintained and tested in accordance with CARB

Executive Orders VR-101-Q, VR-102-R, VR-104-I, VR-105-F, VR-401-E, and VR-402-D, hereby incorporated by reference as specified in subsection 36.11.3.

36.4.1.1 For a Underground Storage Tank (UST) system, the following components of the Stage I EVR system shall be routinely tested: rotatable phase I vapor adaptors, overfill prevention device, spill container drain valve, and P/V valve. Specifically:

36.4.1.1.1 For VR-101-Q Phil-Tite Phase I Vapor Recovery System, following subsection 36.11.3.1.

36.4.1.1.2 For VR-102-R OPW Phase I Vapor Recovery System, following subsection 36.11.3.2.

36.4.1.1.3 For VR-104-I CNI Manufacturing Phase I Vapor Recovery System, following subsection 36.11.3.3.

36.4.1.1.4 For VR-105-F EMCO Wheaton Retail Phase I Vapor Recovery System, following subsection 36.11.3.4.

36.4.1.2 For an Aboveground Storage Tank (AST) system, the following components of the Stage I EVR system shall be routinely tested: rotatable phase I vapor adaptors (if existing), phase I adaptors, emergency vents, drain valve, dedicated gauging port with drop tube and tank gauge components. Specifically:

36.4.1.2.1 For VR-401-E OPW Phase I EVR System for ASTs (Aboveground Storage Tanks), following subsection 36.11.3.5.

36.4.1.2.2 For VR-402-D Morrison Brothers Phase I EVR System for ASTs, following subsection 36.11.3.6.

~~36.4.2 Requirements for facilities not participating in the CPM trial.~~

~~36.4.2.1 The owner or operator of any gasoline dispensing facility identified in 36.1.4.1.1 of this regulation shall conduct a monthly inspection of the Stage I EVR systems to monitor the condition of all Stage I components. The inspection shall include at a minimum the following:~~

~~36.4.2.1.1 Check fill and Stage I swivel adapters to be sure they are tightly sealed.~~

~~36.4.2.1.2 Visually inspect Stage I dry breaks to be sure they are tightly sealed.~~

~~36.4.2.1.3 Check ATG caps to be sure they are tightly sealed and that the associated electrical grommets and vent extractor caps are in good working order.~~

~~36.4.2.1.4 Visually inspect the Riser and P/V valve and cap for damage visible from the ground level.~~

~~36.4.2.2 Any components found to be in need of repair shall be repaired as soon as possible but before the next scheduled inspection.~~

36.4.2 The following tests shall be performed within 10 days after installation of the Stage I EVR system:

36.4.2.1 A pressure decay/leak test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III (March 1, 1996), but excluding testing on the P/V valve. This test procedure is hereby incorporated by reference, as specified in subsection 36.11.1.

36.4.2.2 A vapor tie test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III (March 1, 1996). This test procedure is hereby incorporated by reference, as specified in subsection 36.11.1.

36.4.2.3 A pressure/vacuum (P/V) valve leak rate and cracking pressure test, conducted in accordance with CARB Test Procedure TP-201.1E (October 8, 2003). This test procedure is hereby incorporated by reference, as specified in subsection 36.11.4.

36.4.2.4 Written notification shall be submitted to the Department at least 10 days prior to the performance of any test required in Section 36.4, unless otherwise approved by the Department.

36.4.2.5 All test results shall be reported to the Department within two (2) days after the tests. If any test fails, repair, corrective action and retesting shall be completed within 14 days.

36.4.3 ~~Requirements for facilities participating in the CPM trial.~~ Reserved.

~~36.4.3.1 The owner or operator of any gasoline dispensing facility identified in 36.1.4.1.2 of this regulation shall maintain the tank system at a vapor leak rate less than two times the rate allowed in accordance with California Air Resources Board (CARB) Vapor Recovery Test Procedure TP-201.3, "Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities", dated July 26, 2012, hereby incorporated by reference, and demonstrated in accordance with monitoring requirements in 36.5 of this regulation. Equation 9-2 with N=1.6 from TP-201.3 shall be used for the determination.~~

~~36.4.3.2 The owner or operator of any gasoline dispensing facility identified in 36.1.4.1.2 of this regulation shall identify the percentage of time the tank system pressure is greater than 0.5 inches water column below the positive cracking pressure of the P/V valve, on a weekly basis, demonstrated in~~

~~accordance with monitoring requirements in 36.5 of this regulation. The P/V valve positive cracking pressure shall be determined by the testing requirement in 36.6.2.1.3 of this regulation.~~

36.4.4 Enhanced conventional nozzles: Reserved.

36.4.5 Dispensing hose requirements: Reserved.

36.4.6 Any facility subject to subsection 36.4 ~~of this regulation~~ shall meet the following posting and maintenance ~~inspecting~~ inspection requirements.

36.4.6.1 Posting. Conspicuously post "Operating Instructions" on both sides of each gasoline dispenser. Such instructions shall include:

36.4.6.1.1 A clear description of how to correctly dispense gasoline.

36.4.6.1.2 A warning that repeated attempts to continue dispensing gasoline, after the system has indicated that the vehicle fuel tank is full (by automatically shutting off), may result in spillage.

36.4.6.1.3 A toll-free telephone number to report problems experienced with the gasoline dispensing system to the Department.

36.4.6.1.4 The owner or operator shall post "Out of Order" signs and "bag-out" the nozzle associated with any part of the defective gasoline dispensing system until said system has been repaired or replaced.

36.4.6.2 ~~Each day personnel~~ Inspection. Personnel shall perform daily routine maintenance inspections and record the inspection results following the recordkeeping requirements in subsection 36.7.1. Such inspections shall consist of, but not limited to, inspection of the dispensing systems for the following defects:

36.4.6.2.1 A nozzle liquid shutoff mechanism that malfunctions in any manner, where the spring or latching knurl is damaged or missing.

36.4.6.2.2 A hose with a disconnected or damaged breakaway.

36.4.6.2.3 A hose retractor that does not fully retract.

36.4.6.2.4 Any other component required by the Department for use in the dispensing system that is missing, disconnected, or malfunctioning.

36.5 ~~Monitoring~~ Requirements ~~and Corrective Action~~ for Stage I Facilities with Continuous Pressure Monitoring Systems

36.5.1 The owner or operator of any gasoline dispensing facility identified in ~~36.1.4.1.2 of this regulation~~ subsection 36.1.4.2 shall ~~design, install, operate, and maintain~~ use a continuous pressure monitoring (CPM) system as identified in Exhibit 1 Section II, Exhibit 2 Section II, and Exhibit 3 Section II of CARB Executive Order ~~VR-202-R, dated December 8, 2014~~ VR-202-W (August 30, 2018), hereby incorporated by reference as specified in subsection 36.11.5.1, to include ~~a console,~~ the leak detection software identified in VR-202-W, and use a console, a vapor pressure sensor, and an automatic tank gauge~~, in accordance with the following. A vapor flow meter for each dispenser is not required~~ as compatible per the CPM manufacturer. The owner or operator of any gasoline dispensing facility may petition the Department to allow the use of any other CPM system that ~~has been~~ is certified by CARB as being equivalent to the systems identified in CARB Executive Order ~~VR-202-R~~ VR-202-W, and the Department may allow such a system on a case-by-case basis.

36.5.2 The CPM system shall be designed, installed, maintained and repaired by the system manufacturer, or by a contractor that is trained and certified by the system manufacturer.

36.5.3 Within 10 days after installation of the required Stage I EVR system, an operability test of the CPM system shall be performed and passed in accordance with Exhibit 9 or Exhibit 10, as applicable, of CARB Executive Order VR-202-W (August 30, 2018), hereby incorporated by reference as specified in subsection 36.11.5.2 or subsection 36.11.5.3, as applicable.

36.5.4 The CPM system operability test, as specified in subsection 36.5.3, shall be performed and passed every 36 calendar months after the CPM system is installed.

36.5.5 Performance standards for the CPM system

36.5.5.1 The owner or operator of a gasoline dispensing facility with a CPM system shall maintain the tank vapor system at a volumetric leak rate less than or equal to two times the vapor volumetric leak rate allowed in accordance with California Air Resources Board (CARB) Vapor Recovery Test Procedure TP-201.3, "Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities" (July 26, 2012), hereby incorporated by reference as specified in subsection 36.11.6. Equation 9-2 with N=1-6 in TP-201.3 shall be used for the determination.

~~36.5.1.1~~36.5.5.2 The CPM system shall be operational a minimum of 95% of the time on a monthly basis and shall calculate and record the percentage of CPM operational time.

~~36.5.1.2~~36.5.5.3 The CPM system shall be capable of assessing the vapor volumetric leak rate ~~from~~ of the tank system at any working ullage pressure, both positive and negative.

~~36.5.2~~36.5.5.4 The CPM system shall assess, on a weekly basis (every seven days), the tank system vapor volumetric leak rate ~~and pressure~~.

36.5.6 CPM system warnings and correction requirements for tank leaks

~~36.5.3~~36.5.6.1 When the tank system vapor volumetric leak rate ~~fails~~ exceeds the requirement specified in ~~36.4.3.1 of this regulation, then:~~ subsection 36.5.5.1 the CPM system shall activate warnings.

~~36.5.3.1~~36.5.6.2 ~~The CPM system shall activate a warning alarm, and record the event. The~~ Within 21 days after the initial warning, the owner or operator ~~shall~~ shall:

36.5.6.2.1 Use a certified contractor or contractors to correct the excessive vapor ~~leak rate within one week of the alarm, and reset the CPM system once the correction has been made~~ volumetric leaks.

36.5.6.2.2 Notify the Department with all alarm data, information of the certified company or companies used for testing and corrective action or repair, details of corrective action or repair completed, results of all tests performed before and after the corrective action, and other information that the Department may require.

~~36.5.3.2~~36.5.6.3 ~~Following a corrective action pursuant to 36.5.3.1 of this regulation, the CPM system shall recommence monitoring the tank system. If within one week the tank system again fails to meet the requirements of 36.4.3.1 of this regulation the CPM shall activate a second warning alarm and record the event. Following the second warning alarm, the owner or operator shall use a certified compliance testing company or a certified underground storage tank retrofit/installation company to correct the excessive vapor leak.~~ The CPM system shall be reset, only after necessary corrective action or repair is performed, by the manufacturer or the certified contractor who has performed the correction or repair.

36.5.7 Written notification shall be submitted to the Department at least 10 days prior to the performance of any test required in subsection 36.5, unless otherwise approved by the Department.

36.5.8 All test results shall be reported to the Department within two (2) days after the tests. If a test fails, repair, corrective action and retesting shall be completed within 14 days.

36.6 ~~Testing~~ Requirements for Stage I Facilities without Continuous Pressure Monitoring Systems

~~36.6.1 Any gasoline dispensing facility subject to the requirements of 36.3 of this regulation shall perform and pass the following tests in accordance with the test methods and procedures stated, or as otherwise approved by the Department and EPA. Where any of the following test methods and procedures, in the opinion of the Department, conflict or are redundant with those specified in any CARB Executive Order adopted by reference in 36.10 of this regulation, the following test methods and procedures shall apply.~~

~~36.6.1.1 The following tests shall be performed and passed within 10 days of installation of the Stage II vapor recovery system:~~

~~36.6.1.1.1 A Pressure Decay/Leak Test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III dated 3-1-96. This test procedure is hereby incorporated by reference.~~

~~36.6.1.1.2 A Dynamic Backpressure and Liquid Blockage Test, conducted in accordance with the procedures in "Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-97", Chapter 8. This test procedure is hereby incorporated by reference.~~

~~36.6.1.1.3 For assist systems, an Air-to-Liquid Volume Ratio Test conducted in accordance with the procedures in "Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-97", Chapter 9. This test procedure is hereby incorporated by reference.~~

~~36.6.1.1.4 A Vapor Tie Test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III dated 3-1-96. This test procedure is hereby incorporated by reference.~~

~~36.6.1.2 The following tests shall be performed and passed annually for each Stage II vapor recovery system according to the test procedures stated in 36.6.1.1 of this regulation:~~

~~36.6.1.2.1 A Pressure Decay/Leak Test, as specified in 36.6.1.1.1 of this regulation.~~

~~36.6.1.2.2 For Balance Systems, A Dynamic Backpressure and Liquid Blockage Test as specified in 36.6.1.1.2 of this regulation.~~

~~36.6.1.2.3 For Assist Systems, An Air-to-Liquid Volume Ratio Test as specified in 36.6.1.1.3 of this regulation.~~

~~36.6.1.3 Any additional testing required by the Department or the manufacturer shall be carried out according to the schedule stated in any permit issued pursuant to 7 **DE Admin. Code** 1102.~~

~~36.6.2 Any gasoline dispensing facility subject to the requirements of 36.4 of this regulation shall perform and pass the following tests in accordance with the test methods and procedures stated, or as otherwise approved by the Department and EPA.~~

~~36.6.2.1 The following tests shall be performed and passed within 10 days of installation of the Stage I EVR system:~~

~~36.6.2.1.1 A Pressure Decay/Leak Test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III dated 3-1-96. This test procedure is hereby incorporated by reference.~~

~~36.6.2.1.2 A Vapor Tie Test, conducted in accordance with Test Procedure TP-96-1 of the San Diego Protocol, Revision III dated 3-1-96. This test procedure is hereby incorporated by reference.~~

~~36.6.2.1.3 A P/V Valve Leak Rate and Cracking Pressure Test, conducted in accordance with CARB Test Procedure TP-201.1E dated October 8, 2003. This test procedure is hereby incorporated by reference.~~

~~36.6.2.1.4 For facilities subject to 46.4.3, an operability test of the CPM system in accordance with Exhibit 9 or Exhibit 10, as applicable, of CARB Executive Order VR-202-R, dated December 8, 2014, hereby incorporated by reference.~~

~~36.6.2.2 The CPM system operability test, as specified in 36.6.2.1.4 of this regulation, shall be performed and passed every three years after the CPM system is installed.~~

~~36.6.2.3 Owners and Operators subject to 36.4.2 shall conduct an annual pressure decay test (without any corrective action taken before or during the test on the day of the test) and a P/V valve test, as specified in 36.6.2.1.1 and 36.6.2.1.3 of this regulation, respectively. If the annual test is failed (meaning corrective action was needed on the day of the test), quarterly testing shall be required, and annual testing shall resume upon the passing of four consecutive quarterly tests.~~

36.6.1 The owner or operator of a gasoline dispensing facility identified in subsection 36.1.4.2 shall conduct monthly an inspection for the Stage I EVR system, which includes the following:

36.6.1.1 Manually check all dust caps for tightness. Check fill and Stage I swivel adapters to ensure they are tightly positioned. Check and ensure the jackscrew assembly is tight.

36.6.1.2 Manually check Stage I dry breaks to ensure they are tightly sealed. Check all dry break caps manually for tightness.

36.6.1.3 Manually check the automatic tank gauge (ATG) caps to ensure they are tightly sealed and that the associated electrical grommets and vent extractor caps are in good working condition.

36.6.1.4 Visually inspect the vent riser, P/V valve and cap for damage visible from the ground level.

36.6.1.5 Repair or replace any damaged or malfunctioning parts as soon as possible, but no later than the next monthly inspection.

36.6.1.6 Record all inspection results, and repairs if conducted, in a monthly log book, following the recordkeeping requirements in subsection 36.7.1.

36.6.2 Testing requirements. The owner or operator of a gasoline dispensing facility subject to subsection 36.6 shall conduct annually (every 12 calendar months) a pressure decay test as specified in subsection 36.4.2.1 and a P/V valve test as specified in subsection 36.4.2.3, without any corrective action taken before or during the test on the day of the test; and

36.6.2.1 If the pressure decay test fails, necessary repair and retesting shall be performed, and quarterly (every 3 calendar months) testing shall be required. The original annual testing schedule shall resume upon passing of two (2) consecutive quarterly tests.

36.6.2.2 If the P/V valve test fails, the valve shall be replaced with a new valve, and the new valve shall be tested before installation, as specified in subsection 36.4.2.3. If the P/V valve passes the test, the valve shall be reinstalled. The reinstalled the valve shall be retested with the next quarterly or annual pressure decay test, whichever comes first.

36.6.3 The Department may require the performance of any of the tests identified in ~~36.6.1 or~~ subsection 36.6.2 ~~of this regulation~~ at anytime at the owner's expense when the Department determines that the performance of such tests are necessary to ensure the proper operation of the facility or emission control equipment.

36.6.4 Written notification shall be submitted to the Department ~~not less than~~ at least 10 ~~working~~ days prior to the performance of any compliance test required in subsection 36.6, unless ~~approval~~ otherwise approved by the Department ~~is granted to the contrary~~.

36.6.5 The owner or operator ~~or both~~ and test contractor shall report all test failures to the Department within ~~24 hours of~~ two (2) days after the failure. If a test fails, repairs and testing specified in subsection 36.6.2 shall be completed and reported to the Department within 14 days after the failure.

~~36.6.6 The owner or operator shall submit the following to the Department within 30 days of the test date:~~

~~36.6.6.1 the actual test date; and~~

~~36.6.6.2 the installing or testing company's name, address, and phone number; and~~

~~36.6.6.3 if any corrective action was performed pursuant to 36.8.4.2 of this regulation then submit all information specified in 36.8.4 of this regulation.~~

36.7 Recordkeeping and Reporting

36.7.1 The owner or operator of a gasoline dispensing facility subject to the requirements of Section 36.0 ~~of this regulation~~ shall keep on the facility premises and in a form acceptable to the Department, all of the following information. This information shall be retained for at least ~~three~~ five (5) years, unless otherwise specified by the Department, from the date of record and shall be made immediately available to the Department upon request.

36.7.1.1 Permits and Applications. Copies of ~~the Stage I and Stage II System~~ all GDF permit applications and the current Construction~~/~~ and Operation Permits shall be permanently maintained.

36.7.1.2 Installation and Post-Installation Testing ~~Results~~ Records. The ~~test results~~ records shall be dated, and shall note the ~~installing~~ installation and test companies' names, addresses, and phone numbers. These records shall be kept on file until they are replaced with new ~~test results verifying~~ installation and post-installation testing records that also verify proper functioning of the Stage I and Stage II systems, as applicable.

36.7.1.3 Maintenance Records. Any maintenance conducted on any part of the Stage I or Stage II vapor recovery system shall be logged on a maintenance record. This maintenance record shall include a general part description, the date repaired or replaced, the replacement part manufacturer's information, and a description of the problem and solution. Maintenance records shall also include results of all tests, and corrective actions or repairs, if applicable, as required in subsections 36.3, 36.4, 36.5 and 36.6.

36.7.1.4 Inspection Records. A file shall be maintained of all ~~daily~~ inspection reports including records of daily ~~self-inspections~~ and monthly inspections, and any third party inspection records.

36.7.1.5 ~~The~~ For facilities with a CPM system specified in subsection 36.5, the CPM system shall generate a daily report which includes the following:

36.7.1.5.1 CPM system operational time as a percentage;

36.7.1.5.2 Percentage of time the tank system pressure is above atmospheric pressure;

36.7.1.5.3 ~~Percentage of time the tank system pressure is at or above 0.5 inches water column below the positive cracking pressure of the P/V valve.~~ The vapor volumetric leak rate in cubic feet per hour (CFH) if any is observed.

36.7.1.6 ~~The~~ For facilities with a CPM system specified in subsection 36.5, the CPM system shall generate a monthly report which includes the following:

36.7.1.6.1 CPM system operational time as a percentage;

36.7.1.6.2 Percentage of time the tank system pressure is above atmospheric pressure;

36.7.1.6.3 ~~Percentage of time the tank system pressure is at or above 0.5 inches water column below the positive cracking pressure of the P/V valve; and~~ The vapor volumetric leak rate in cubic feet per hour (CFH) if any is observed.

36.7.1.6.4 Warnings, including the date and time of each warning.

36.7.1.7 Compliance Records. A file shall be maintained of all compliance records. This record shall include:

36.7.1.7.1 Any warning letters and notices of violations issued by the Department to the facility within the past five years, the facility's responses and actions to the Department's warning or notice of violation, the facility's report of compliance to the Department after the facility's. actions, and the Department's approval of compliance.

36.7.1.7.2 Daily and monthly CPM system data records and reports shall be available for printing and electronic download at the facility, and be made available to the Department upon request.

Daily reports shall be available for the previous 12 months. Monthly reports shall be available for the previous 36 months.

36.7.1.7.3 The CPM system shall store the electronic records of the daily and monthly reports, such that the records are maintained despite loss of power to the CPM system.

36.7.1.7.4 Proof of attendance and completion of a training program for each person trained in accordance with subsection 36.3.2 ~~of this regulation~~. This does not apply to the records of an employee who is no longer in service for at least one year.

36.7.2 Any gasoline dispensing facility, including a GDF exempted from the requirements of Section 36.0 ~~of this regulation~~ pursuant to ~~36.1.1.1 of this regulation~~ subsection 36.1.1.1, shall maintain records of monthly throughput, and shall furnish these records to the Department upon request. These records shall be maintained on file for a minimum of ~~three~~ five (5) years from the date of record.

36.7.3 The owner or operator, or both, of any facility containing sources subject to Section 36.0 ~~of this regulation~~ shall also comply with the requirements of Section 5.0 of ~~this regulation~~ 7 **DE Admin. Code** 1124 "Compliance Certification, Recordkeeping, and Reporting Requirement for Non-Coating Sources".

36.8 Compliance Testing Company Requirements

36.8.1 Any owner or operator, or both, of any company that performs compliance testing pursuant to ~~36.6.1 or 36.6.2 of this regulation~~ applicable subsections 36.3, 36.4, 36.5, 36.6 and 36.9 within the State of Delaware shall submit all of the following information to the Department~~, prior~~ to ~~performing~~ become qualified to perform any compliance testing within the State of Delaware:

36.8.1.1 The name and business mailing address of the compliance testing company owner or operator;

36.8.1.2 The address and telephone number of the facility or facilities from which the daily compliance testing activities of the compliance testing company originate;

36.8.1.3 A written description of the employee training systems in place at the compliance testing company to ensure required compliance tests are performed in accordance with applicable protocols and procedures.

36.8.1.4 Certification by an individual who is a responsible and trained representative of the compliance testing company ~~containing~~ shall contain the following language ~~verbatim~~:

36.8.1.4.1 I certify that I personally examined and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and

36.8.1.4.2 Employee training systems are in place at the company to ensure compliance tests are performed in accordance with all applicable protocols and procedures; and

36.8.1.4.3 I am fully authorized to make this attestation on behalf of this Compliance Testing Company.

36.8.1.5 Any training or certification for performing the compliance tests on the systems as described in subsections 36.3, 36.4, 36.5 and 36.6, deemed necessary by the Department, shall be renewed as scheduled by the system manufacturer or the manufacturer's training contractor.

36.8.2 Any company subject to the requirements of ~~36.8 of this regulation~~ subsection 36.8.1 shall notify the Department in writing of any change to any information submitted to the Department within 14 days of the effective date of such change.

36.8.3 No ~~person~~ company or any of its employees or representatives subject to the requirements of subsection 36.8 ~~of this regulation~~ shall perform any compliance test, equipment installation or service procedures, unless said person has first been trained in accordance to applicable compliance test protocols and procedures.

36.8.4 Any person subject to subsection 36.8 ~~of this regulation~~ shall certify to the owner or operator of the gasoline dispensing facility that each compliance test performed to meet the applicable requirements of ~~36.3 and~~ subsections 36.3, 36.4, 36.5 and 36.6 ~~of this regulation~~ was performed in accordance with subsections 36.3, 36.4, 36.5 and 36.6 ~~of this regulation~~. Certification shall include:

36.8.4.1 The date each compliance test was first performed and the test results; and

36.8.4.2 An itemized list of all corrective action performed. This list shall include, but not be limited to, component re-installation, tightening, repair or replacement, as necessary, for the system to pass the applicable test or tests; and

36.8.4.3 The date each compliance test was performed and passed; and

36.8.4.4 Certification by a responsible and trained representative or representatives of the compliance testing company containing the following language verbatim:

36.8.4.4.1 I certify that I personally examined and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and

36.8.4.4.2 I am fully authorized to make this attestation on behalf of this Compliance Testing Company.

36.8.5 If at any time the Department determines that the owner or operator, or both, of any company that performs compliance testing does not meet the requirements of subsections 36.3, 36.4, 36.5, 36.6 and 36.9, a violation of this regulation may have occurred and enforcement action may ensue.

36.9 Stage II Decommissioning ~~Procedures~~ Requirements

36.9.1 The owner or operator of a gasoline dispensing facility shall decommission the Stage II vapor recovery system in accordance with all of the procedures specified in Chapter 14, except Section 14.6.14, of the Petroleum Equipment Institute's (PEI) "Recommended Practices for Installation and Testing of Vapor-Recovery Systems at Vehicle-Fueling Sites", ~~PEI/RP300-09~~ PEI/RP300-19 (2019), which is hereby incorporated by reference as specified in subsection 36.11.2.

36.9.2 On or after the effective date of ~~this regulation~~ Section 36.0, any site that has decommissioned a Stage II Vapor Recovery System shall cap the vapor return line at the tank top if accessible at the time of decommissioning, per ~~PEI/RP300-09~~ PEI/RP300-19 (2019), which is hereby incorporated by reference as specified in subsection 36.11.2. If not accessible at the time of decommissioning, the vapor return line shall be capped when a replacement or repair of the ~~underground~~ gasoline storage tank system or associated piping/components involves breaking concrete on top of the tank where the vapor return line terminates or when a pressure decay test indicates a problem with the vapor return line. ~~As part of the decommissioning process additional UST system testing may be required such as performing hydrostatic testing of sumps and line tightness testing of product lines, and ensuring non-vapor recovery nozzles have a flow rate of less than 10 GPM pursuant to Part B, Section 1.28 of the Delaware Regulations Governing Underground Storage Tanks, governing repair, upgrade, and retrofit requirements.~~

36.9.3 As a part of the decommissioning process, additional storage tank system requirements governing retrofits, repairs, upgrades and testing are incorporated by reference as specified in subsection 36.11.7, pursuant to 7 **DE Admin. Code** 1351 Underground Storage Tanks and 7 **DE Admin. Code** 1352 Aboveground Storage Tanks.

~~36.9.3~~36.9.4 Decommissioning procedures shall be performed only by Stage II vapor recovery system installers certified in the State of Delaware.

36.10 Approved Systems

The following lists of California Air Resources Board (CARB) executive orders (EOs) are hereby adopted by reference. In the lists, the term "Phase I" is equivalent to the term "Stage I," and the term "Phase II" is equivalent to the term "Stage II," as used in Section 36.0.

36.10.1 Stage II Vapor Recovery Systems.

Executive Order Number & Date	Description
G-70-7-AD (03/22/93)	Certification of the Hasstech Model VCP-2 and VCP 2A Phase II Vapor Recovery System.
G-70-14-AA (02/08/83)	Recertification of Red Jacket Aspirator Assist Phase II Vapor Recovery System.
G-70-17-AD (05/06/93)	Modification of Certification of the Emco Wheaton Balance Phase II Vapor Recovery System.
G-70-18-C (08/28/79)	Modification of Certification of the Shell Model 75B1 and 75B1-R3 Service Station Phase II Vapor Recovery System.
G-70-23-AC (04/29/96)	Recertification of the Exxon Balance Phase II Vapor Recovery System.
G-70-25-AA (02/08/83)	Recertification of the Atlantic Richfield Balance Phase II Vapor Recovery System.
G-70-33-AB (03/09/84)	Certification of the Modified Hirt VCS-200 Vacuum Assist Phase II Vapor Recovery System.

G-70-36-AD (09/18/92)	Modification of Certification of the OPW Balance Phase II Vapor Recovery System.
G-70-37-B (01/22/80)	Modification of the Certification of the Chevron Balance Phase II Vapor Recovery System with OPW nozzles for Service.
G-70-38-AB (12/19/90)	Recertification of the Texaco Balance Phase II Vapor Recovery System.
G-70-48-AA (02/08/83)	Recertification of the Mobil Oil Balance Phase II Vapor Recovery System.
G-70-49-AA (02/08/83)	Recertification of the Union Balance Phase II Vapor Recovery System.
G-70-52-AM (10/04/91)	Certification of Components for Red Jacket, Hirt and Balance Phase II Vapor Recovery System.
G-70-53-AA (02/08/83)	Recertification of the Chevron Balance Phase II Vapor Recovery System.
G-70-70-AC (06/23/92)	Certification of the Healy Phase II Vapor Recovery System of Service Stations.
G-70-77 (09/15/82)	Certification of the OPW Repair/Replacement Parts and Modification of the Certification of the OPW Balance Phase II Vapor Recovery System.
G-70-78 (05/20/83)	Certification of the E-Z Flo Nozzle Company Rebuilt Vapor Recovery Nozzles and Vapor Recovery Components.
G-70-101-B (11/15/85)	Certification of the E-Z Flo Model 3006 and 3007 Vapor Recovery Nozzles and Use of E-Z Flo Components with OPW Models 11 VC and 11 VE Vapor Recovery Nozzles.
G-70-107 (05/15/86)	Certification of Rainbow Petroleum Products Model RA3003, RA3005, RA3006 and RA3007 Vapor Recovery Nozzles and Vapor Recovery Components.
G-70-110 (01/20/87)	Certification of Stage I and II Vapor Recovery Systems for Methanol Fueling Facilities.
G-70-118-AB (03/31/95)	Certification of Amoco V-1 Vapor Recovery System.
G-70-125-AA (03/16/93)	Modification of the Certification of the Husky Model V Phase II Balance Vapor Recovery Nozzle.
G-70-127 (08/16/90)	Certification of the OPW Model 111-V Phase Vapor Recovery Nozzle.
G-70-134 (12/21/90)	Certification of the EZ Flo Rebuilt A-4000 Series and 11V-Series Vapor Recovery System.
G-70-139 (03/17/92)	Addition to the Certification of the Hirt Model VCS-200 Phase II Vapor Recovery System.
G-70-150-AE (07/12/00)	Modification of the Certification of the Gilbarco Vapor Vac Phase II Vapor Recovery System.
G-70-153-AD (04/03/00)	Modification to the Certification of the Dresser/Wayne WayneVac Phase II Vapor Recovery System.
G-70-154-AA (06/10/97)	Modification to the Certification of the Tokheim MaxVac Phase II Vapor Recovery System.
G-70-159-AB (07/17/95)	Modification of the Certification of the Saber Nozzle for Use with the Gilbarco VaporVac Phase II Vapor Recovery System.
G-70-163-AA (09/04/96)	Certification of the OPW VaporEZ Phase II Vapor Recovery System.

G-70-164-AA (12/10/96)	Modification to the Certification of the Hasstech VCP-3A Vacuum Assist Phase II Vapor Recovery System.
G-70-165 (04/20/95)	Healy Vacuum Assist Phase II Vapor Recovery System.
G-70-169-AA (08/11/97)	Modification to the Certification of the Franklin Electric INTELLIVAC Phase II Vapor Recovery System.
G-70-170 (02/22/96)	Certification of the EZ-flo Rebuilt 5005 and 5015 for use with the Balance Phase II Vapor Recovery System.
G-70-177-AA (06/22/00)	Certification of the VCS400-7 Vacuum Assist Phase II Vapor Recovery System.
G-70-179 (07/02/97)	Certification of the Catlow ICVN-V1 Vacuum Assist Phase II Vapor Recovery System.
G-70-180 (04/17/97)	Order Revoking Certification of the Healy Phase II Vapor Recovery Systems for Gasoline Dispensing Systems.
G-70-183 (03/04/98)	Certification of the Healy/Franklin Vacuum Assist Phase II Vapor Recovery System.
G-70-186 (10/26/98)	Certification of the Healy Model 400 ORVR Vapor Recovery System.
G-70-188 (05/18/99)	Certification of the Catlow ICVN Vapor Recovery Nozzle System for use with the Gilbarco VaporVac Vapor Recovery System.
G-70-191 (08/08/99)	Healy/Franklin VP-1000 Vapor Pump Phase II Vapor Recovery System (Healy ORVR Phase II Vapor Recovery System).
G-70-196 (12/30/00)	Certification of the Saber Technologies, LLC SaberVac VR Phase II Vapor Recovery System.

36.10.2 Stage I Enhanced Vapor Recovery (EVR) Systems

Executive Order Number	Description	Date
VR-101-~~N~~R	Phil-Tite Phase I Vapor Recovery System	~~June 8, 2013~~ June 3, 2019
VR-102-~~O~~S	OPW Phase I Vapor Recovery System	~~October 3, 2014~~ June 3, 2019
~~VR-103-G~~	~~EBW Phase I Vapor Recovery System~~	~~June 3, 2013~~ Expired
VR-104-~~G~~J	CNI Manufacturing Phase I Vapor Recovery System	~~June 8, 2013~~ June 3, 2019
VR-105-~~D~~G	EMCO Wheaton Retail Phase I Vapor Recovery	~~August 27, 2014~~ June 3, 2019
VR-401-~~D~~E	OPW Phase I EVR System for ASTs	~~May 12, 2014~~ June 29, 2015
VR-402-~~B~~D	Morrison Brothers Phase I EVR System for ASTs	~~April 15, 2013~~ March 29, 2016

36.11 Referenced Standards

36.11.1 Test Procedure TP-96-1 of the San Diego Protocol, Revision III (March 1, 1996), San Diego County Air Pollution Control District.

36.11.2 Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-19 (2019), Petroleum Equipment Institute (PEI).

36.11.3 Stage I EVR system maintenance and test requirements, California Air Resources Board. Specifically:

36.11.3.1 For Phil-Tite Phase I Vapor Recovery System: Exhibit 2 Installation, Maintenance and Compliance Specifications, Table 2-1 and Table 2-2, Executive Order VR-101-Q (June 1, 2018).

36.11.3.2 For OPW Phase I Vapor Recovery System: Exhibit 2 Installation, Maintenance and Compliance Standards and Specifications, Table 2-1 and Table 2-2, Executive Order VR-102-R (June 1, 2018).

36.11.3.3 For CNI Manufacturing Phase I Vapor Recovery System: Exhibit 2 Installation, Maintenance and Compliance Specifications, Table 2-1 and Table 2-2, Executive Order VR-104-I (June 1, 2018).

36.11.3.4 For EMCO Wheaton Retail Phase I Vapor Recovery: Exhibit 2 Installation, Maintenance and Compliance Specifications, Table 2-1 and Table 2-2, Executive Order VR-105-F (June 1, 2018).

36.11.3.5 For OPW Phase I EVR System for ASTs (Aboveground Storage Tanks): Exhibit 2 Installation, Maintenance, and Compliance Standards and Specifications, Table 2-1 and Table 2-2, Executive Order VR-401-E (June 29, 2015).

36.11.3.6 For Morrison Brothers Phase I EVR System for ASTs: Exhibit 2 Installation, Maintenance, and Compliance Standards and Specifications, Table 2-1 and Table 2-2, Executive Order VR-402-D (March 29, 2016).

36.11.4 Vapor Recovery Test Procedure TP-201.1E Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valve (October 8, 2003), California Air Resources Board.

36.11.5 Assist Phase II Enhanced Vapor Recovery (EVR) System including In-Station Diagnostics (ISD), Executive Order VR-202-W (August 30, 2018), California Air Resources Board. Specifically, the referenced standards include:

36.11.5.1 Exhibit 1 Section II, Exhibit 2 Section II, and Exhibit 3 Section II, for In-Station Diagnostics Systems.

36.11.5.2 Exhibit 9 Veeder-Root ISD (In-Station Diagnostics System) Operability Test Procedure.

36.11.5.3 Exhibit 10 Incon VRM (Vapor Recovery Monitoring System) Operability Test Procedure.

36.11.6 Vapor Recovery Test Procedure TP-201.3, Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities (July 26, 2012), California Air Resources Board.

36.11.7 7 **DE Admin. Code** 1351 Underground Storage Tanks and 7 **DE Admin. Code** 1352 Aboveground Storage Tanks, Tank Management Section, Division of Waste & Hazardous Substances, Delaware Department of Natural Resources and Environmental Control.

36.11.8 The referenced standards listed above have served in part as the basis for the standards in Section 36.0. The source from which a referenced standard is available is also listed. In addition, the referenced standards are available for review, with prior notification, at the offices of the Department's Division of Air Quality. The notification shall be made at least ten days prior to the review date.

36.11.9 All referenced standards in subsection 36.11 are specified by their codes or effective dates for their applicable editions or versions. Where there is an irreconcilable conflict between a referenced standard in subsection 36.11 and standards published by an industry or professional organization, the most stringent standard shall apply and control.

36.11.10 In subsection 36.11, the term "Phase I" is equivalent to the term "Stage I," and the term "Phase II" is equivalent to the term "Stage II".

37.0 Graphic Arts Systems

03/11/11

37.1 Applicability

37.1.1 The provisions of 37.0 of this regulation apply to any packaging rotogravure, publication rotogravure, or flexographic printing press at any facility whose maximum theoretical emissions of volatile organic compounds (VOCs) (including solvents used to clean each of these printing presses) without control devices from all printing presses are greater than or equal to 7.7 tons per year on and after March 11, 2011 of this revision of 37.0 of this regulation.

37.1.2 Transition period for existing permitted sources. Every owner or operator of press that is subject to 37.5.1.2.2 of this regulation and that is covered by a permit issued pursuant to 7 **DE Admin. Code** 1102 or 1130 containing all applicable conditions of 37.0 of this regulation, as that regulation existed on November