

**Technical Support Document
For the Proposed Amendments to 7 DE Admin. Code 1124**

**Updating References Incorporated in Section 36.0
Vapor Emission Control at Gasoline Dispensing Facilities**

Addendum

**Analysis on Changing References to CARB Executive Order
VR-202-W to VR-202-Z in Section 36.0**

**Division of Air Quality
Department of Natural Resources and Environmental Control
Delaware**

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Analysis on Changing References to CARB Executive Order VR-202-W to VR-202-Z in Section 36.0

In November 2019, California Air Resources Board (CARB) modified its Executive Order VR-202-W (08/2010 version) and updated the number of the order to VR-202-Z. Since this modification is not included in the proposed amendments to Section 36.0 as published in the November 1, 2020 Delaware Register of Regulations, the Department is proposing to amend Section 36.0 to reflect this modification.

Currently in Section 36.0, VR-202-W is referenced for its in-station diagnostics (ISD), continuous pressure monitoring (CPM) systems, and the related operability tests (in subsections 36.5.1, 36.5.3, and 36.11.5). The Department has analyzed the nature and changes between Executive Orders VR-202-W and VR-202-Z, and their potential effect on Section 36.0, as follows:

- The CARB Executive Order VR-202 series lays out regulatory requirements governing installation and operation of assist Stage II vapor recovery systems including in-station diagnostics systems.
- The changes in VR-202-Z are related to the newly added Permeator AT-150 manufactured by ARID Technologies, Inc., as indicated in CARB's VR-202-Z modification highlights¹. The ARID permeator is a vapor management/recovery system for the assist Stage II systems used in California.
- Use of Permeator AT-150 in Delaware is unlikely since Section 36.0 prohibits use of Stage II systems in new gasoline stations and requires all existing Stage II systems to be removed by 12/31/2021.
- In addition, comparison between VR-202-W and VR-202-Z, with respect to Exhibit 1 Section II, Exhibit 2 Section II, Exhibit 3 Section II, Exhibit 9 and Exhibit 10 (as referenced in subsection 36.11.5), indicates that there is no difference between these two versions of Executive Orders VR-202, except that VR-202-Z specifies in a footnote of INCON ISD equipment list that "INCON ISD is not approved for use with the ARID Permeator AT-150".

The proposed change of VR-202-W to VR-202-Z in Section 36.0 is only a change to update the version number of VR-202. Therefore, the Department concludes that the proposed change of CARB Executive Order VR-202-W to VR-202-Z in Section 36.0 is non-substantive.

¹ CARB Modification Highlights for Executive Order VR-202-Z, at https://ww3.arb.ca.gov/vapor/eos/eo-vr202/vr202z_modhi.pdf.