

H.B. 385

PETROLEUM VAPOR RECOVERY AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 3, 2016 3:11 PM

Representative **Steve Eliason** proposes the following amendments:

1. *Page 2, Lines 37 through 58*

House Committee Amendments

3-1-2016:

37 (2) The operator of a gasoline cargo tank shall comply with requirements of this
38 section if the operator:

39 (a) permits the loading of gasoline into the gasoline cargo tank; or

40 (b) loads an underground storage tank with gasoline from the gasoline cargo tank.

41 (3) ~~{The}~~ **Except as provided in Subsection (6), the** operator of a gasoline cargo tank may
load and permit the loading of gasoline
42 into a tank described in Subsection (2) **only** if:

43 (a) emissions from the tank ~~H→~~ that dispenses 10,000 gallons or more in any one
43a calendar month ~~←H~~ are controlled by the use of:

44 (i) a properly installed and maintained vapor collection and control system that is
45 equipped with fittings that:

46 (A) make a vapor tight connection; and

47 (B) prevent the release of gasoline vapors by automatically closing upon disconnection;

48 and

49 (ii) submerged filling or bottom filling methods; and

50 (b) the resulting vapor emitted into the air does not exceed the levels described in
51 Subsection (4).

52 (4) Vapor emitted into the air as a result of the loading of a tank under Subsection (3)
53 may not exceed 0.640 pounds per 1,000 gallons transferred.

54 (5) (a) The department ~~H→~~ ~~[shall]~~ may ~~←H~~ fine an operator who violates this section:

55 (i) **up to** \$1,000 for a first offense; or

56 (ii) **up to** \$2,000 for a second offense.

57 (b) An operator who violates this section is guilty of a class C misdemeanor for a third
58 or subsequent offense. =

(6) If a facility at which an underground storage tank is located does not have the equipment necessary for an operator of a gasoline cargo tank to comply with Subsection (3), the operator is excused from the requirements of Subsections (3) and (4) and may not be fined or penalized under Subsection (5).

