

# 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).**

