

PETROLEUM VAPOR RECOVERY AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill addresses vapor recovery systems for a gasoline cargo tank.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the operator of a gasoline cargo tank to meet certain requirements to control the emission of gasoline vapors; and
- ▶ establishes penalties.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

19-2-128, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **19-2-128** is enacted to read:

19-2-128. Gasoline vapor recovery -- Penalties.

(1) As used in this section:



- 28 (a) "Gasoline cargo tank" means a tank that:
- 29 (i) is intended to hold gasoline;
- 30 (ii) has a capacity of 250 gallons or more; and
- 31 (iii) is attached to or intended to be drawn by a motor vehicle.
- 32 (b) "Operator" means an individual who controls a motor vehicle:
- 33 (i) to which a gasoline cargo tank is attached; or
- 34 (ii) that draws a gasoline cargo tank.
- 35 (c) "Underground storage tank" means the same as that term is defined in Section
- 36 19-6-102.
- 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) Except as provided in Subsection (6), the operator of a gasoline cargo tank may
- 42 load and permit the loading of gasoline into a tank described in Subsection (2) only if:
- 43 (a) emissions from the tank that dispenses 10,000 gallons or more in any one calendar
- 44 month are controlled by the use of:
- 45 (i) a properly installed and maintained vapor collection and control system that is
- 46 equipped with fittings that:
- 47 (A) make a vapor tight connection; and
- 48 (B) prevent the release of gasoline vapors by automatically closing upon disconnection;
- 49 and
- 50 (ii) submerged filling or bottom filling methods; and
- 51 (b) the resulting vapor emitted into the air does not exceed the levels described in
- 52 Subsection (4).
- 53 (4) Vapor emitted into the air as a result of the loading of a tank under Subsection (3)
- 54 may not exceed 0.640 pounds per 1,000 gallons transferred.
- 55 (5) (a) The department may fine an operator who violates this section:
- 56 (i) up to \$1,000 for a first offense; or
- 57 (ii) up to \$2,000 for a second offense.
- 58 (b) An operator who violates this section is guilty of a class C misdemeanor for a third

59 or subsequent offense.

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

Legislative Review Note
Office of Legislative Research and General Counsel