

PETROLEUM VAPOR RECOVERY AMENDMENTS

2016 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) The operator of a gasoline cargo tank may load and permit the loading of gasoline
- 42 into a tank described in Subsection (2) if:
- 43 (a) emissions from the tank 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 shall fine an operator who violates this section:
- 55 (i) \$1,000 for a first offense; or
- 56 (ii) \$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.

Legislative Review Note
Office of Legislative Research and General Counsel