

28 (a) "Gasoline cargo tank" means a tank that:

29 (i) is intended to hold gasoline;

30 (ii) has a capacity of ~~H→~~ [250] 1,000 ~~←H~~ 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 ~~H→~~ [load and] ~~←H~~ permit the loading of gasoline into a tank described in Subsection (2)

42a ~~H→~~ or load an underground storage tank with gasoline from the gasoline cargo tank described

42b in Subsection (1) ~~←H~~ 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