



Compliance Advisory

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Compliance & Enforcement #2020-12 Issued: 6/25/2020

UPCOMING DEADLINE TO DECOMMISSION MOST VACUUM ASSIST PHASE II VAPOR RECOVERY SYSTEMS

WHO IS AFFECTED BY THIS INITIATIVE?

This advisory affects owners and operators of gasoline dispensing facilities (GDFs) constructed before November 9, 2017 and subject to New Jersey Air Pollution Control rules for gasoline transfer operations at N.J.A.C. 7:27-16.3. A “gasoline dispensing facility” is defined as a stationary facility that dispenses gasoline into the fuel tank of a motor vehicle.

WHAT EQUIPMENT OR SOURCES ARE AFFECTED?

GDFs with Phase II (also known as Stage II) vapor recovery systems that are not compatible with Onboard Refueling Vapor Recovery are affected by this action. Phase II vapor recovery systems capture gasoline vapors during vehicle refueling and return them to the gasoline storage tank. There are two types of Phase II vapor recovery systems, balance and vacuum assist. Vacuum assist equipment is typically not compatible with Onboard Refueling Vapor Recovery without an add-on control. An add-on control could be nozzles that make the system compatible, or a pressure regulating system in the storage tank that prevents excess internal pressure.

Since Onboard Refueling Vapor Recovery systems are used in the majority of motor vehicles statewide, the Air Pollution Control rules at N.J.A.C. 7:27-16.3(e) changed in 2018 to require non-compatible Phase II equipment at GDFs to be decommissioned by **December 23, 2020**.

WHAT SHOULD I DO?

If you own or operate a non-compatible Phase II system, you have the option of 1) upgrading the system to be compatible with onboard refueling vapor recovery; or 2) follow the requirements of N.J.A.C. 7:27-16.3(h) to properly decommission your Phase II system.

Anyone who will be decommissioning their Phase II system, should be aware of the following general list of items that can help achieve compliance, but please note this is not the complete list of requirements.

- Decommissioning activities must be performed by a NJDEP licensed UST contractor, certified in the category of Installation – Entire, or Closure.
- Follow the Petroleum Equipment Institute’s Recommended Practices in PEI RP300.
- At least fourteen (14) days prior to beginning work, send an email to 14dayUSTnotice@dep.nj.gov listing the responsible parties’ names, a description of the work being performed, start date, facility address, and program interest ID (aka UST registration) number.
- Once the decommissioning is complete, within 14 days a follow up email with post-work testing and the completed PEI RP300 checklist is to be sent to the same email address (14dayUSTnotice@dep.nj.gov).

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- The owner and operator will need to apply for a new Air General Permit 004B for Phase I only systems no later than 30 days after completing the decommissioning.

WHAT IS DEP DOING?

N.J.A.C. 7:27-16.3(e) requires non-compatible systems to decommission the Phase II equipment by **December 23, 2020**. Compatible Phase II systems are not required to be decommissioned but must be maintained in functioning order for as long as they are in use.

After December 23, 2020, NJDEP compliance inspections conducted at GDFs will include evaluations of vapor recovery system(s) at the site to ensure any decommissioning activity was properly performed, and/or the system is being properly maintained. Owners and operators that fail to comply will be subject to violations and penalties.

WHO SHOULD I CONTACT WITH QUESTIONS?

UST Compliance and Enforcement

Michael Hollis, Chief	(609) 633-1205
Jenna DiNuzzo, Assistant to Chief	(609) 477-0945
Kevin Marlowe, Supervisor	(609) 672-1309
Kristina LeNoir, Supervisor	(609) 439-9589
	(609) 221-3306

Division of Air Compliance and Enforcement

Northern Field Office (973) 656-4444 / AirCE-Northern@dep.nj.gov
Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren & Union Counties

Central Field Office (609) 292-3187 / AirCE-Central@dep.nj.gov
Burlington, Mercer, Middlesex, Monmouth, & Ocean Counties

Southern Field Office (856) 614-3601 / AirCE-Southern@dep.nj.gov
Atlantic, Camden, Cape May, Cumberland, Gloucester, & Salem Counties

Air Quality Permitting

Radius helpline (609) 292-6716

(609) 633-7259

WHERE CAN I GET MORE INFORMATION?

The following web sites can be accessed for additional information:

<https://www.state.nj.us/dep/enforcement/ust.html> UST Compliance & Enforcement

<https://www.state.nj.us/dep/enforcement/air-resources.html> Air Compliance & Enforcement

<https://www.state.nj.us/dep/aqpp/> Air Quality Stationary Sources webpage

Please note this advisory is intended to be a summary explanation of department requirements. It does not include all potentially applicable requirements. If you have any questions related to compliance, please contact an Enforcement number listed above.