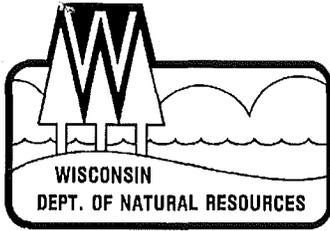


CR 93-207



George E. Meyer  
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

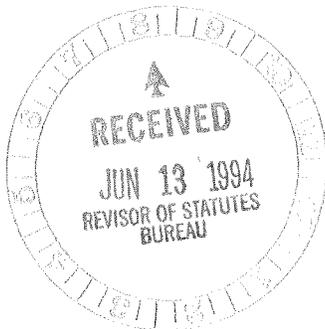
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TELEPHONE 608-266-2621  
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STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. AM-48-93 was duly approved and adopted by this Department on April 28, 1994. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 9<sup>th</sup> day of June, 1994.



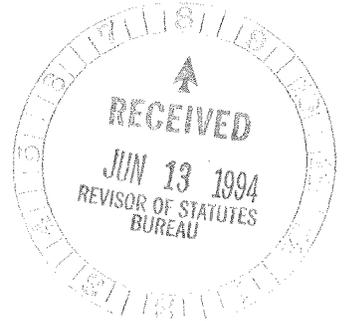
George E Meyer  
George E. Meyer, Secretary

(SEAL)

8-1-94.



ORDER OF THE STATE OF WISCONSIN  
NATURAL RESOURCES BOARD  
CREATING RULES



.....  
IN THE MATTER of creating s. NR 420.035 of the  
Wisconsin Administrative Code pertaining to .  
the control of VOC emissions from gasoline .  
storage tank vent pipes. .  
.....

AM-48-93

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a) and (f), 144.38, and 227.11(2)(a),  
Stats.

Statutes interpreted: s. 144.31(1)(f), Stats. The State Implementation Plan  
developed under that provision is revised.

This rule revision is part of the 15% Volatile Organic Compound (VOC)  
Reduction Plan, the second of three major State Implementation Plan (SIP)  
revisions required for the control of ozone in nonattainment areas of  
Wisconsin. The plan was required to be submitted to U.S. EPA by November 15,  
1993. Since federal and state mandated measures are currently insufficient to  
meet the 15% VOC reduction objective, Wisconsin statutes require rules or  
control requirements which go beyond these measures for ozone control. Hence  
additional regulations are being proposed to most efficiently meet the  
reasonable further progress towards the 15% objective.

The proposed regulation will require gasoline dispensing facilities in a nine  
county area in Southeastern Wisconsin, whose gasoline storage capacity is at  
least 2000 gallons, to install a pressure vacuum valve on each underground  
gasoline storage tank vent pipe.

SECTION 1. NR 420.035 is created to read:

NR 420.035 GASOLINE STORAGE TANK VENT PIPES. (1) APPLICABILITY AND  
EXEMPTIONS. (a) Applicability. Except as provided in par (b), this section  
applies to all stationary gasoline storage tanks at a gasoline dispensing  
facility with a total stationary storage tank capacity of 2000 gallons or more  
located in Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine,  
Sheboygan, Washington or Waukesha county.

(b) Non-highway fuel use exemption. This section does not apply to any  
gasoline dispensing equipment that is used exclusively for fueling marine  
vessels, aircraft or snowmobiles.

(2) VAPOR CONTROL REQUIREMENTS. (a) No owner or operator of a gasoline  
dispensing facility described in sub.(1)(a) may permit gasoline to be  
transferred from either a gasoline delivery vessel to a stationary storage  
tank, or from a stationary storage tank to a motor vehicle fuel tank, unless

the owner or operator has installed a pressure vacuum valve on the stationary gasoline storage tank vent pipe.

(b) The owner or operator of the gasoline dispensing facilities subject to par. (a) shall ensure that each pressure vacuum valve installed on a storage tank vent pipe is certified by the California air resources board under section 41954 of the California health and safety code, and is maintained in good working order .

(3) COMPLIANCE SCHEDULE. (a) The owner or operator of a gasoline dispensing facility subject to sub. (2) on the effective date of this rule... [revisor insert date] shall install a pressure vacuum valve on each stationary gasoline storage tank vent pipe by March 31, 1995.

(b) The owner or operator of an existing gasoline dispensing facility previously exempt from the vapor control requirements of sub. (2) because its gasoline storage tank capacity was less than 2000 gallons shall install a pressure vacuum valve on each stationary gasoline storage tank vent pipe not later than 120 days after the exemption level is exceeded, making sub. (2) applicable.

(c) The owner or operator of a gasoline dispensing facility on which construction was commenced after the effective date of this rule... [revisor insert date] and which is subject to the vapor control requirements of sub. (2) shall install a pressure vacuum valve on each stationary gasoline storage tank vent pipe before the tank is first filled with gasoline.

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The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on April 28, 1994.

The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2) (intro.), Stats.

Dated at Madison, Wisconsin 6-9-94.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer  
George E. Meyer, Secretary

