

**REGULATION 8  
ORGANIC COMPOUNDS  
RULE 39  
GASOLINE BULK PLANTS  
AND GASOLINE CARGO TANKS ~~DELIVERY VEHICLES~~**

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**REGULATION 8  
ORGANIC COMPOUNDS  
RULE 39  
GASOLINE BULK PLANTS  
AND GASOLINE CARGO TANKS DELIVERY VEHICLES**

(Adopted October 7, 1987)

**8-39-100 GENERAL**

**8-39-101 Description:** The purpose of this Rule is to limit emissions of organic compounds ~~associated with~~~~from~~ gasoline transfer operations at gasoline bulk plants and organic compounds from gasoline cargo tanks~~delivery vehicles~~.

*(Amended June 1, 1994)*

~~8-39-110 Exemptions~~

**8-39-111 Exemption, Cargo Tanks**~~Delivery Vehicle Exemptions:~~ The requirements of ~~Subsections 8-39-304.1, and 304.2, 304.3, and 304.36~~ do not apply to gasoline cargo tanks ~~delivery vehicles which that~~ deliver exclusively to:

111.1 Storage tanks with an actual capacity of less than 250 gallons.

111.42 Storage tanks installed prior to February 18, 1987, with an annual throughput of less than ~~227 cubic meters (60,000 gallons),~~ provided the storage tanks which were not equipped with are exempt from Phase I requirements pursuant to Regulation 8, Rule 7~~vapor recovery as of July 1, 1983.~~

111.23 Storage tanks with a storage capacity of less than ~~2.2 cubic meters (550 gallons)~~ used primarily for the refueling of implements of husbandry as defined in Division 16, Chapter 1, of the California Vehicle Code, provided such tanks are equipped with a submerged fill pipe.

111.34 Storage tanks where the APCO determines that the Phase I gasoline vapor recovery requirements identified in Regulation 8, Rule 7 are ~~is~~ not feasible.

*(Amended June 1, 1994)*

**8-39-112 Exemption, Gasoline Bulk Plants Without Phase I Vapor Recovery** ~~Delivery to Exempt Facilities:~~ ~~The requirements of Section 8-39-302 do not apply to b~~ Bulk gasoline plants that distribution facilities which load exclusively to gasoline cargo tanks ~~delivery vehicles~~ servicing stationary tanks without Phase I vapor recovery unit(s) pursuant to Section 8-39-111.2 which are exempt from Phase I as defined in Section 8-39-209 provided that submerged fill is used. are exempt from the requirements of Sections 8-39-302, 307.2, 308.1 and 401.2.

**8-39-113 Exemption, Tank Gauging and Inspection**~~Exemption:~~ Any gasoline cargo tank may be opened for gauging or inspection ~~when loading operations are not in progress,~~ provided that such the tank is not pressurized or being loaded.

**8-39-114 Exemption, Maintenance and Repair**~~Exemption:~~ The requirements of Sections ~~8-39-304.4, 304.5, and 306~~ shall not apply to liquid gasoline spills and vapor leaks resulting from maintenance or repair operations provided proper operating practices are employed to minimize evaporation of gasoline into the atmosphere to the greatest extent practicable.

**8-39-115 Exemption, CARB Certification:** CARB certification requirements in this Rule do not apply to vapor recovery equipment or systems where the gasoline bulk plant owner or operator demonstrates that CARB has determined that such equipment or systems are not required to be CARB certified.

**8-39-116 Limited Exemption, Aviation Gasoline:** The distribution of aviation gasoline to and from bulk terminals:

115.1 is exempt from this Rule's CARB certification requirements of the vapor recovery system.

115.2 is exempt from the requirements of Sections 8-39-304.5 and 306 when sampling is required for quality assurance.

**8-39-200 DEFINITIONS**

- 8-39-201 CARB Certified Vapor Recovery System:** A gasoline bulk plant vapor recovery system ~~that which~~ has a valid ~~been~~ certification issued by the California Air Resources Board (CARB), pursuant to Section 41954 of the California Health and Safety Code.
- 8-39-203~~2~~** **Gasoline:** Any ~~P~~petroleum distillates, including aviation gasoline and additives, that has used as motor fuel with a Reid vapor pressure of greater than four (4.0) pounds or greater.
- 8-39-202~~3~~** **Gasoline Bulk Plant:** A storage and distributioning facility ~~that which~~ receives gasoline by gasoline cargo tanks, ~~truck, stores it in stationary tanks,~~ and loads it into gasoline cargo tanks ~~trucks~~ for delivery to service stations and ~~or~~ other distribution points.
- 8-39-204** **Gasoline Cargo Tank:** Any container, including its associated pipes and fittings, that is attached to a vehicle used to transport gasoline and is required to be certified in accordance with Section 41962 of the California Health and Safety Code.
- 8-39-204~~5~~** **Leak Free:** A liquid fill connector or vapor hose connector that does not leak liquid leak in excess of the standards set forth in CARB CP-202, Certification Procedure for Vapor Recovery Systems of Bulk Plants for gasoline bulk terminal connectors, or CARB CP-204, Certification Procedure for Vapor Recovery Systems of Cargo Tanks for gasoline cargo tank connectors.~~of less than four drops per minute excluding losses which occur upon disconnecting transfer fittings, provided such disconnect losses do not exceed 10 milliliters (0.34 fluid ounces) per disconnect., averaged over three disconnects.~~
- 8-39-240~~6~~** **Non-Methane Organic Compound (NMOC):** Any compound of carbon, excluding methane, carbon monoxide, carbonic acid, metallic carbides, ~~or~~ metallic carbonates and ammonium carbonate.
- (Adopted June 1, 1994)*
- 8-39-207** **Portable Maintenance Container:** A portable vessel or tank with a capacity of less than 250 gallons, equipped with liquid and vapor hose connectors that temporarily stores gasoline.
- 8-39-208** **Reid Vapor Pressure:** The vapor pressure of an organic liquid at 100 degrees Fahrenheit, except liquefied petroleum gases, as determined in accordance with the Manual of Procedures, Volume III, Method 13, the most current version of ASTM D323, or the equivalent method described in California Code of Regulations Title 13, Section 2297.
- 8-39-209** **Slop Tank:** Any permanent or fixed container that has the primary function of temporarily storing petroleum product and other liquids that have been collected during maintenance or loading operations and are not loaded into a gasoline cargo tank.
- 8-39-210~~5~~** **Submerged Fill Pipe:** Any storage tank fill ~~discharge~~ pipe ~~or nozzle which that~~ meets either of the following conditions:
- 209~~5~~.1 ~~If Where~~ the tank is filled from the top, the end of the discharge pipe is ~~or nozzle must be~~ totally submerged when the liquid level is six 15 cm ~~(6 in.) inches above from~~ the bottom of the tank.
- 209~~5~~.2 ~~If Where~~ the tank is filled from the side, the discharge pipe is ~~or nozzle must be~~ totally submerged when the liquid level is 46 cm ~~(18 inches) above from~~ the bottom of the tank.
- 8-39-206~~11~~** **Switch Loading:** ~~For the purpose of this Rule, The switch loading is the~~ loading of an organic liquids with a Reid vapor pressure of less than 4.0 pounds into a gasoline cargo tank ~~delivery vehicle~~ where the previous load was gasoline.
- 8-39-212** **Total Organic Compound (TOC):** Any compound of carbon, including methane, excluding carbon monoxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.
- 8-33-213** **Vapor Processing Unit:** Equipment designed to dispose of hydrocarbon vapors to prevent their emission into the atmosphere.
- 8-39-214** **Vapor Recovery System:** A system capable of collecting and disposing of hydrocarbon vapors to prevent their emission into the atmosphere.
- 8-39-207~~15~~** **Vapor Tight:** A liquid fill connector or vapor hose connector that does not leak vapor in excess of the standards set forth in CARB CP-202, Certification Procedure for

~~Vapor Recovery Systems of Bulk Plants of less than 100 percent of the lower explosive limit on a combustible gas detector measured at a distance of 2.5 cm (1 in.) from the source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.~~

**8-39-20816 Vapor Tight - Gasoline Cargo Tank:** A gasoline cargo tank that does not leak vapor in excess of that does not exceed the standards set forth in CARB CP-204, Certification Procedure for Vapor Recovery Systems of Cargo Tanks, ~~specified in the CARB "Certification and Test Procedures for Vapor Recovery Systems on Gasoline Delivery Tanks.~~

~~8-39-209 Deleted June 1, 1994~~

## 8-39-300 STANDARDS

~~8-39-301 Phase I Requirements:~~ A person shall not transfer or allow the transfer of gasoline from gasoline delivery vehicles into stationary tanks at gasoline bulk plants unless a CARB-certified Phase I vapor recovery system is used.

**8-39-302 Gasoline Bulk Plant Emission Limitations:** A person shall not load or permit the loading of gasoline into or out of a gasoline bulk plant unless a CARB-certified vapor recovery system is properly connected and used. Emissions of non-methane organic compounds from a gasoline bulk plant vapor recovery system shall not exceed ~~Such systems shall not emit into the atmosphere more than 60 grams of organic compounds per cubic meter (0.50 pounds per 1,000 gallons)~~ of organic liquid loaded. Switch loading operations are ~~shall be~~ subject to this standard. Where multiple vapor processing units ~~ers~~ are used, each vapor processing unit ~~er~~ shall be subject to this standard.

(Amended June 1, 1994)

~~8-39-303 Vapor Recovery System Requirements:~~ Vapor recovery systems installed at gasoline bulk plants shall be subject to CARB certification.

**8-39-304 Gasoline Cargo Tank Delivery Vehicle Requirements:** An owner or operator of a gasoline cargo tank delivery vehicles are subject to must shall comply with the following requirements:

304.1 Vapor Integrity Requirement: An owner or operator of a gasoline cargo tank person shall only not operate, or allow the operation of, a gasoline cargo tank delivery vehicle unless that displays a valid State of California decal, as required by Section 41962 of the Health and Safety Code, and which attests to the vapor integrity of the cargo tank, ~~are displayed.~~

304.2 Vapor Recovery Requirement: Any gasoline cargo tank delivery vehicle loading at a gasoline bulk plant facility subject to the requirements of Section 8-39-302 shall be equipped with and use a vapor recovery system certified pursuant to Section 41962 of the California Health and Safety Code.

304.3 Vapor Return Requirement: An owner or operator of a gasoline cargo tank person shall not load at a gasoline bulk plant facility that is exempt from the Section 8-39-302 gasoline bulk plant emission limitation pursuant to under Section 8-39-112 if any portion of the gasoline cargo tank's prior preceding load, or any portion thereof, was delivered to a storage tank equipped with a Phase I vapor recovery system.

304.4 Purging Requirement: An owner or operator of a gasoline cargo tank person shall not purge gasoline vapor from the cargo tank of a delivery vehicle to the atmosphere, at any time.

304.5 Drainage Requirement: An owner or operator of a gasoline cargo tank shall not drain or spill liquid gasoline from the cargo tank, discard it in sewers, store it in open containers, or handle it in any other manner that would result in its evaporation to the atmosphere.

304.6 Vapor Tight Requirement: The gasoline cargo tank shall be vapor tight.

304.7 Vapor Leak Requirement: Gasoline cargo tank liquid fill and vapor return connectors shall be vapor tight. The cargo tank owner or operator must notify the bulk plant personnel immediately if the product or vapor connectors do not meet these vapor leak requirements.

- 304.8 Liquid Leak Requirements: Gasoline cargo tank liquid fill and vapor return connectors shall be leak free. The cargo tank owner or operator must notify the bulk plant personnel immediately if the product or vapor connectors do not meet these liquid leak requirements.
- 304.9 Compatible Connectors Requirement: An owner or operator of a gasoline cargo tank shall only load the gasoline cargo tank at a gasoline bulk plant if the gasoline cargo tank product and vapor connectors are compatible with the associated fittings of the gasoline bulk plant.
- 304.10 Maintenance Requirement: An owner or operator of a gasoline cargo tank shall maintain all equipment associated with the gasoline cargo tank in good working order.
- 8-39-305 Gasoline Bulk Plant ~~Equipment Maintenance and Repair~~:** An owner or operator of a gasoline bulk plant shall comply with the following requirements:
- 305.1 All equipment associated with gasoline delivery, ~~and~~ loading and vapor recovery operations shall be ~~maintained~~ in good working order.
- 305.2 Effective January 10, 2012, prior to any equipment maintenance and/or repair on the product or vapor hoses that requires opening the hoses to the atmosphere, a gasoline bulk plant owner or operator shall transfer any retained liquid gasoline in these hoses to either a portable maintenance container equipped with liquid and vapor hose connectors or to a slop tank through fixed piping or a liquid hose connector. The cover, seal, lid, or connector shall be in a closed position at all times except when the device is in use for liquid transfer, inspection, maintenance, or repairs.
- 305.3 Any portable maintenance container or slop tank hose connectors shall be vapor tight and leak free.
- 8-39-306 Operating Practices:** An owner or operator of a gasoline bulk plant ~~Gasoline~~ shall not ~~be drain or spilled liquid gasoline~~, discarded ~~it~~ in sewers, stored ~~it~~ in open containers, or handled ~~it~~ in any other manner that would result in ~~its~~ evaporation to the atmosphere.
- 8-39-307 Loading Practices:** ~~Loading operations which use vapor processing equipment shall be operated in such a manner that the vapor processing capacity is not exceeded.~~
- 307.1 Compatible Connectors Requirement: An owner or operator of a gasoline bulk plant shall inform all gasoline cargo tank owners or operators allowed to load at their facility of the liquid and vapor hose connectors required, that each cargo tank shall be allowed to only use compatible connectors, and that use of compatible connectors is necessary for continued access to the bulk plant.
- 307.2 An owner or operator of a gasoline bulk plant shall not load, or permit the loading of gasoline into or out of a gasoline bulk plant unless a CARB-certified vapor recovery system, or a vapor recovery system for which a complete application for certification has been submitted to CARB, is properly connected and used.
- 307.3 An owner or operator of a gasoline bulk plant shall not load, or permit the loading of gasoline into a gasoline cargo tank unless the loading hose connector and vapor recovery connector are vapor tight and leak free. Should a loading event result in a liquid or vapor leak, the owner or operator shall allow the cargo tank operator to finish the load, then shutdown the affected loading arm and affected portion of the vapor recovery system until the cause of the event has been determined and repairs have been completed.
- 307.4 An owner or operator of a gasoline bulk plant shall not load, or permit the loading of gasoline that results in the excessive release or out-breathing of emissions through any pressure/vacuum (P/V) valves on the vapor recovery system in excess of the standards set forth in CARB CP-202, *Certification Procedure for Vapor Recovery Systems of Bulk Plants*. Should a loading event result in such an excessive release or out-breathing, the owner or operator shall finish the load, then shutdown the affected portion of the vapor

recovery system until the cause of the event has been determined and repairs have been completed.

**8-39-308 Gasoline Bulk Plant Vapor Recovery System Requirements—~~Loading Rack:~~**  
Vapor recovery systems are subject to the following requirements:

- 308.1 Organic compound emissions from each delivery and loading operation shall be captured and controlled by a CARB Certified Vapor Recovery System.
- 308.2 ~~The~~ ~~v~~Vapor recovery systems shall be operated and maintained ~~and operated in a manner that prevents~~ such that the gauge pressure ~~in the delivery~~ at the cargo tank / vapor hose interface does not ~~from~~ exceeding 46 ~~cm~~ (18.0 inches) of water column during product loading operations.
- 308.3 Vapor Leak Requirement: Gasoline bulk plant liquid fill and vapor return connectors shall be vapor tight.
- 308.4 Liquid Leak Requirements: Gasoline bulk plant liquid fill and vapor return connectors shall be leak free.
- 308.5 Effective January 10, 2011 a pressure gauge shall be installed on the vapor collection piping as close to the vapor hose connector as feasible. For plants that utilize top loading arms, a pressure gauge shall be installed on the fixed vapor piping as close to the end or the top loading arm, as feasible.
- 308.6 Gauge pressure of each vapor hose shall be maintained below the CARB-certified set pressure of the pressure/vacuum valve(s) of the vapor recovery system at all times.

**8-39-400 ADMINISTRATIVE REQUIREMENTS**

**8-39-401 Equipment Installation and Modification:** An owner or operator of a gasoline bulk plant who installs or modifies vapor recovery system equipment at a gasoline bulk plant shall meet the following requirements:

- 401.1 Comply with the requirements of Regulation 2, Rule 1. ~~A person shall not install or modify stationary gasoline storage tanks greater than 1 cubic meter (260 gallons) or vapor recovery equipment, exclusive of repair, unless an authority to construct has been obtained pursuant to Section 301 of Regulation 2, Rule 1.~~
- 401.2 Submit a complete application to CARB for certification or recertification pursuant to Section 41954 of the California Health and Safety Code before undertaking any of the following activities:
- 401.2.1 Operation of a new or replacement vapor recovery system.
- 401.2.2 Replacement or modification of equipment that would result in a greater gasoline loading capacity than the gasoline bulk plant's CARB certified throughput limits. CARB throughput limits shall not be exceeded unless a new CARB certification is issued that permits these higher throughput limits.
- 401.2.3 Operation of a vapor recovery system in a mode not certified by CARB.
- 401.2.4 Submittal of an application for a revised District Permit to Operate.

~~**8-39-402 Implementation:** Any person who must install or modify vapor recovery equipment as required by Section 8-39-302 of this rule shall meet the following increments of progress:~~

- ~~(a) By April 1, 1988 submit an application to the APCO for Authorities to Construct.~~
- ~~(b) By April 1, 1989, be in final compliance.~~

~~**8-39-403 Stationary Tanks:** Any person who must install Phase I vapor recovery on stationary tanks at a gasoline dispensing facility as required by the March 4, 1987 amendments to Regulation 8, Rule 7 shall meet the following increments of progress:~~

- ~~(a) By September 1, 1989, submit an application to the APCO for Authorities to Construct.~~
- ~~(b) By March 1, 1990, be in final compliance.~~

*(Adopted October 7, 1987; Amended December 2, 1987)*

**8-39-404 Bulk Plant Monitoring, Inspection, Notification and Reporting Requirements:** An owner or operator of a gasoline bulk plant shall develop and submit for APCO approval by October 1, 2010 a monitoring, inspection, notification and reporting plan that meets the following requirements, as applicable, and implement the approved plan on or before January 10, 2011:

404.1 40 CFR Part 63, Subpart R, §63.424, §63.425, and §63.428.

404.2 40 CFR Part 63, Subpart BBBB, §63.11087, §63.11088, §63.11089, §63.11092, §63.11093, §63.11094 and §63.11095.

## 8-39-500 MONITORING AND RECORDS

**8-39-501 Burden of Proof:** The burden of proof of eligibility for exemptions from this rule is on the applicant. Persons seeking ~~such~~ an exemption under this rule shall maintain adequate records and furnish them to the APCO upon request.

**8-39-502 Biennial Source Test:** The gasoline bulk plant owner or operator shall conduct a biennial source test not less than 18 months, but less than 30 months from the previous source test, in accordance with the provisions in Section 8-39-601. A copy of the final report including raw data sheets shall be submitted to the APCO (Attention: Source Test) within 60 days of the completed test. The gasoline bulk plant owner or operator shall retain on the site for a period of at least five (5) years a copy of the final report for each biennial source test.

## 8-39-600 MANUAL OF PROCEDURES

**8-39-601 Emission Rate Determination for (Vapor ~~Recovery~~ Processing Systems):** Emissions of non-methane organic compounds from ~~The means by which mass emission rates of gasoline bulk plant vapor recovery processing system(s) systems are measured are set forth in the~~ shall be determined in accordance with the Manual of Procedures, Volume IV, ST-34 or EPA Method 25.

*(Amended June 1, 1994)*

**8-39-602 Emission Rate Determination for (Vapor Balance System):** The ~~means for determining mass~~ emission rates from vapor balance systems at gasoline bulk plants shall be determined in accordance with the ~~are set forth in the~~ Manual of Procedures, Volume IV, ST-3.

**8-39-603 Back Pressure Determination on Vapor Recovery System ~~Loading Pressure:~~** The back pressure on vapor recovery systems during un-loading or loading of gasoline cargo tanks shall be determined in accordance with ~~means of determining gauge pressure in the delivery truck are set forth in~~ the Manual of Procedures, Volume IV, ST-34.

*(Amended June 1, 1994)*

**8-39-604 Vapor Tight – Gasoline Cargo Tanks ~~Delivery Vehicles:~~** The ~~determination of vapor tight for gasoline cargo tanks shall be in accordance with ~~means for determining vapor integrity for delivery vehicles are set forth in~~ the Manual of Procedures, Volume IV, ST-33 or CARB Procedure TP-204.1 or TP-204.2.~~

**8-39-605 Analysis of Samples:** Reid vapor pressure analyses shall be conducted in accordance with the ~~Samples of gasoline as specified in Section 8-39-203 shall be analyzed as prescribed in~~ the Manual of Procedures, Volume III, Method 13, the most current version of ASTM D323, or the equivalent method described in California Code of Regulations Title 13, Section 2297.

**8-39-606 Vapor Leak Concentration Determination:** Determination of the concentration of vapor leaks shall be conducted in accordance with the procedure set forth in CARB TP-204.3, Determination of Leak(s).