

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Chapter 47 Additional Vapor Recovery Requirements for Gasoline Dispensing Facilities

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

ALL NEW TEXT

.01 Definitions

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "CARB" means the California Air Resources Board.

(2) "Enhanced conventional nozzle" or "ECO nozzle" means a conventional nozzle that is:

(a) Certified by CARB per CP-207; and

(b) Equipped with features to control excess liquid releases such as spillage, spitting, post fueling drips, and liquid retention.

(3) "Existing gasoline dispensing facility" means any gasoline dispensing facility that is not a "new gasoline dispensing facility" as defined in this regulation.

(4) "Gasoline dispensing facility" means a site with equipment that is used to transfer gasoline from one or more stationary storage tanks into motor vehicle fuel tanks.

(5) "Gasoline fuel dispenser" means a dispenser equipped with a gasoline nozzle and hose capable of refueling one motor vehicle at a time.

(6) "Low permeation hose" means a hose certified by CARB per CP-201 and CP-207 that is used to dispense gasoline and complies with the permeation standard as determined by UL 330 (seventh edition).

(7) "Marine motor fuel dispensing facility" means a gasoline dispensing system located at a marina for boats, vessels, and other marine watercraft used primarily for recreational purposes by the general public.

(8) "Motor vehicle" means a vehicle registered with the Maryland Motor Vehicle Administration or the equivalent agency of another state.

(9) "New gasoline dispensing facility" means a gasoline dispensing facility for which the Department issues a permit to construct after January 1, 2028 except for a gasoline dispensing facility at which only the gasoline storage tanks are replaced.

(10) "Nozzle" means the spout at the end of the gasoline hose used to dispense and control the flow of gasoline from a stationary gasoline storage tank into motor vehicle fuel tanks.

(11) "Operator" means a dealer or other person who is responsible for the daily operation and maintenance of a gasoline dispensing facility and who is subject to the inspection, training, and reporting requirements of this chapter.

(12) Owner.

(a) "Owner" means the person who owns a gasoline dispensing facility and who is responsible for the installation requirements, initial compliance, and periodic testing of an approved system.

(b) Owner includes a person who:

(i) Owns an oil storage facility or underground storage tank system, or both, used for storage, use, or dispensing of regulated substances; or

(ii) Owned the underground storage tank system immediately before the discontinuation of its use.

(13) "Stage II vapor recovery system" means a system at a gasoline dispensing facility that is designed, installed, and used to collect, recover, or destroy gasoline vapors displaced when gasoline is dispensed from a stationary gasoline storage tank into motor vehicle fuel tanks.

(14) "Standard conventional hose" means a hose that does not have additional vapor recovery properties.

(15) "Standard conventional nozzle" means a nozzle that does not have additional vapor recovery properties.

.02 Incorporation by Reference.

A. In this chapter, the following CARB approved Certification Procedure documents and UL Standards are incorporated by reference.

B. Documents Incorporated.

(1) CP-201 Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Underground Storage Tanks.

(2) CP-207 Certification Procedure for Enhanced Conventional (ECO) Nozzles and Low Permeation Hoses for Use at Gasoline Dispensing Facilities.

(3) UL 330 Hoses and Hose Assemblies for Dispensing Flammable and Combustible Liquids.

.03 Applicability and Exemptions.

- A. This chapter applies to all gasoline dispensing facilities located in Maryland.*
- B. Any gasoline dispensing facility subject to the provisions of this chapter may also be subject to applicable provisions under COMAR 26.11.24.*
- C. Exemptions.*
 - (1) The provisions of this chapter do not apply to:*
 - (a) Gasoline dispensing facilities operating a Stage II vapor recovery system; and*
 - (b) Marine motor fuel dispensing facilities.*
 - (2) An owner or operator of a new or existing gasoline dispensing facility may choose to maintain one gasoline fuel dispenser equipped with a low permeation hose, as specified under Regulation .04C of this chapter, and a standard conventional nozzle.*

.04 General Requirements.

- A. Beginning on January 1, 2028, except as provided under Regulation .03C(2) of this chapter, an existing gasoline dispensing facility shall install ECO nozzles and low permeation hoses at each gasoline fuel dispenser when a replacement of a standard conventional nozzle or standard conventional hose is needed.*
- B. Beginning on January 1, 2028, except as provided under Regulation .03C(2) of this chapter, a new gasoline dispensing facility shall install ECO nozzles and low permeation hoses at each gasoline fuel dispenser prior to operation.*
- C. A gasoline dispensing facility subject to §§A and B of this regulation shall install and operate ECO nozzles and low permeation hoses that are included under Exhibit 1 “Component List” in CARB’s Executive Order NVR-1-F, “Relating to Certification of Non-Vapor Recovery Hoses and Enhanced Conventional Nozzles, For Use at Gasoline Dispensing Facilities with No Phase II Vapor Recovery Systems”, executed February 18, 2021, including updates and revisions.*
- D. No later than January 1, 2030, a gasoline dispensing facility shall install ECO nozzles and low permeation hoses at all gasoline fuel dispensers, except as provided under Regulation .03C(2) of this chapter.*

.05 Recordkeeping and Reporting Requirements.

- A. New and existing gasoline dispensing facilities shall submit the following information to the Department within six months of the installation of an ECO nozzle or a low permeation hose:*
 - (1) Product type and specifications; and*
 - (2) Installation date.*
- B. An owner or operator that chooses to maintain one gasoline fuel dispenser equipped with a low permeation hose and a standard conventional nozzle shall report to the Department that the gasoline dispensing facility will be following the exemption provision under Regulation .03C(2) of this chapter no later than January 1, 2030.*
- C. An owner or operator of a new gasoline dispensing facility that begins operation after January 1, 2030 that chooses to maintain one gasoline fuel dispenser equipped with a low permeation hose and a standard conventional nozzle shall report to the Department that the gasoline dispensing facility will be following the exemption provision under Regulation .03C(2) prior to the operation of the gasoline fuel dispenser.*
- D. All required reports under §§A—C of this regulation shall be electronically submitted to the Department at mdeair.gas@maryland.gov.*
- E. Records shall be maintained on-site for five years and made available to the Department upon request.*