

1 15ANCAC 02D .0932 is proposed for readoption with substantive changes as follows:
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3 **15A NCAC 02D .0932 GASOLINE ~~TRUCK~~ CARGO TANKS AND VAPOR COLLECTION SYSTEMS**

4 (a) For the purposes of this Rule, the following definitions apply:

- 5 (1) "Bottom filling" means the filling of a cargo tank ~~truck~~ or stationary storage tank through an opening
6 ~~that is~~ flush with the tank bottom.
- 7 (2) "Bulk gasoline plant" means a gasoline storage and distribution facility ~~that has~~ with an average
8 daily throughput of less than 20,000 gallons of gasoline and which usually receives gasoline from
9 bulk terminals by trailer transport, stores it in tanks, and subsequently dispenses it via ~~account trucks~~
10 cargo tanks to local farms, businesses, and service stations.
- 11 (3) "Bulk gasoline terminal" means:
12 (A) ~~breakout tanks~~ a pipeline breakout station of an interstate oil pipeline facility; or
13 (B) a gasoline storage facility that usually receives gasoline from refineries primarily by
14 pipeline, ship, or barge; delivers gasoline to bulk gasoline plants or to commercial or retail
15 accounts primarily by ~~tank truck~~; cargo tank; and has an average daily throughput of more
16 than 20,000 gallons of gasoline.
- 17 (4) "Cargo tank" means the storage vessels of freight trucks or trailers used to transport gasoline from
18 sources of supply to stationary storage tanks of bulk gasoline terminals, bulk gasoline plants,
19 gasoline dispensing facilities and gasoline service stations.
- 20 (5)(4) ~~"Certified facility" means any facility that has been certified under Rule .0960 of this Section to~~
21 ~~perform leak tightness tests on truck tanks.~~ "Cargo tank testing facility" means any facility
22 complying with Subpart F "Registration of Cargo Tank and Cargo Tank Motor Vehicle
23 Manufacturers, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers" of 49
24 CFR Part 107.
- 25 (6) "Cargo tank vapor collection equipment" means any piping, hoses, and devices on the cargo tank
26 used to collect and route gasoline vapors in the tank to or from the bulk gasoline terminal, bulk
27 gasoline plant, gasoline dispensing facility or gasoline service station vapor control system or vapor
28 balance system.
- 29 (7)(5) "Gasoline" means any petroleum distillate having a ~~Reid vapor pressure of 4.0 psia~~ Reid Vapor
30 Pressure (RVP) of 4.0 psi or greater.
- 31 (8)(6) "Gasoline dispensing facility" means any site where gasoline is dispensed to motor vehicle gasoline
32 tanks from stationary storage tanks.
- 33 (9)(7) "Gasoline service station" means any gasoline dispensing facility where gasoline is sold to the
34 motoring public from stationary storage tanks.
- 35 (8) ~~"Truck tank" means the storage vessels of trucks or trailers used to transport gasoline from sources~~
36 ~~of supply to stationary storage tanks of bulk gasoline terminals, bulk gasoline plants, gasoline~~
37 ~~dispensing facilities and gasoline service stations.~~

1 ~~(9) "Truck tank vapor collection equipment" means any piping, hoses, and devices on the truck tank~~
2 ~~used to collect and route gasoline vapors in the tank to or from the bulk gasoline terminal, bulk~~
3 ~~gasoline plant, gasoline dispensing facility or gasoline service station vapor control system or vapor~~
4 ~~balance system.~~

5 (10) "Vapor balance system" means a combination of pipes or hoses that create a closed system between
6 the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the
7 receiving tank are transferred to the tank being unloaded.

8 (11) "Vapor collection system" means a vapor balance system or any other system used to collect and
9 control emissions of volatile organic compounds.

10 (b) This Rule applies to gasoline ~~truck cargo~~ tanks that are equipped for vapor collection and to vapor control systems
11 at bulk gasoline terminals, bulk gasoline plants, gasoline dispensing facilities, and gasoline service stations equipped
12 with vapor balance or vapor control systems.

13 (c) ~~Gasoline Truck Tanks,~~ For cargo tanks, the following requirements shall apply:

14 (1) Gasoline ~~truck cargo~~ tanks and their vapor collection systems shall be tested annually by a ~~certified~~
15 ~~cargo tank testing facility. The test procedure that shall be used is described in Section .2600 of this~~
16 ~~Subchapter and is according to Rule .0912 of this Section. The facility shall follow test procedure~~
17 ~~as defined by 15A NCAC 02D .2615 to certify the gasoline cargo tank leak tight. The gasoline truck~~
18 ~~cargo tank shall not be used if it sustains a pressure change greater than 3.0 inches of water in five~~
19 ~~minutes when pressurized to a gauge pressure of 18 inches of water or when evacuated to a gauge~~
20 ~~pressure of 6.0 inches of water, unless it is certified leak tight.~~

21 (2) Each gasoline ~~truck cargo~~ tank that has been certified leak tight, according to Subparagraph (1) of
22 this Paragraph shall display a sticker near the Department of Transportation certification plate
23 required by 49 CFR 178.340-10b.

24 (3) There shall be no liquid leaks from any gasoline ~~truck cargo~~ tank.

25 (4) Any ~~truck cargo~~ tank with a leak equal to or greater than 100 percent of the lower explosive limit,
26 as detected by a combustible gas detector using the test procedure described in Rule .2615 of this
27 Subchapter shall not be used beyond 15 days after the leak has been discovered, unless the leak has
28 been repaired and the ~~truck cargo~~ tank has been certified to be leak tight according to Subparagraph (1)
29 of this Paragraph.

30 (5) The owner or operator of a gasoline ~~truck tanks~~ ~~truck cargo~~ tank with a vapor collection system shall
31 maintain records of all ~~certification-leak~~ testing and repairs. The records shall identify the gasoline
32 ~~truck cargo~~ tank, the date of the test or repair; and, if applicable, the type of repair and the date of
33 retest. The records of ~~certification-leak~~ tests shall include:

34 (A) ~~the gasoline truck tank identification number;~~ name, address, and telephone number of
35 cargo tank testing facility performing the leak test;

36 (B) ~~the initial test pressure and the time of the reading;~~ name and signature of the individual
37 performing the leak test;

- 1 (C) ~~the final test pressure and the time of the reading;~~name and address of the owner of the
2 tank;
- 3 (D) ~~the initial test vacuum and the time of reading;~~identification number of the tank;
- 4 (E) ~~the final test vacuum and the time of the reading;~~documentation of tests performed
5 including the date and summary of results;
- 6 (F) ~~the date and location of the tests;~~continued qualification statement and returned to service
7 status; and
- 8 (G) ~~the NC sticker number issued; and~~list or description of identified corrective repairs to the
9 tank, if none are performed then the report shall state "no corrective repairs performed."
- 10 (H) ~~the final change in pressure of the internal vapor value test.~~

11 (6) A copy of the most recent ~~certification-leak testing~~ report shall be kept with the ~~truck cargo~~ tank.
12 The owner or operator of the ~~truck cargo~~ tank shall also file a copy of the most recent ~~certification~~
13 ~~test-leak testing report~~ with each bulk gasoline terminal that loads the ~~truck cargo~~ tank. The records
14 shall be maintained for at least two years after the date of the testing or repair, and copies of such
15 records shall be made available within a reasonable time to the Director upon written request.

16 (d) ~~Bulk Gasoline Terminals, Bulk Gasoline Plants Equipped With Vapor Balance or Vapor Control Systems For~~
17 bulk gasoline terminals, bulk gasoline plants equipped with vapor balance or vapor control systems, the following
18 requirements shall apply:

- 19 (1) The vapor collection system and vapor control system shall be designed and operated to prevent
20 gauge pressure in the ~~truck cargo~~ tank from exceeding 18 inches of water and to prevent a vacuum
21 of greater than six inches of water.
- 22 (2) During loading and unloading operations there shall be:
 - 23 (A) no vapor leakage from the vapor collection system such that a reading equal to or greater
24 than 100 percent of the lower explosive limit at one inch around the perimeter of each
25 potential leak source as detected by a combustible gas detector using the test procedure
26 described in ~~Rule .2615 of this Subchapter;~~ 15A NCAC 02D .2615; and
 - 27 (B) no liquid leaks.
- 28 (3) If a leak is discovered that exceeds the limit in Subparagraph (2) of this Paragraph:
 - 29 (A) For bulk gasoline plants, the vapor collection system or vapor control system (and therefore
30 the source) shall not be used beyond 15 days after the leak has been discovered, unless the
31 leak has been repaired and the system has been retested and found to comply with
32 Subparagraph (2) of this Paragraph;
 - 33 (B) For bulk gasoline terminals, the vapor collection system or vapor control system shall be
34 repaired following the procedures in ~~Rule .0927 of this Section;~~ 15A NCAC 02D .0927.
- 35 (4) The owner or operator of a vapor collection system at a bulk gasoline plant or a bulk gasoline
36 terminal shall test, according to ~~Rule .0912 of this Section;~~ 15A NCAC 02D .0912, the vapor
37 collection system at least once per year. If after two complete annual checks no more than 10 leaks

1 are found, the Director ~~may~~shall allow less frequent monitoring. If more than 20 leaks are found,
2 the Director ~~may~~shall require ~~that~~ the frequency of monitoring be increased.

3 (5) The owner or operator of a vapor control systems at bulk gasoline terminals, bulk gasoline plants,
4 gasoline dispensing facilities, and gasoline service stations equipped with vapor balance or vapor
5 control systems shall maintain records of all certification testing and repairs. The records shall
6 identify the vapor collection system, or vapor control system; the date of the test or repair; and, if
7 applicable, the type of repair and the date of retest.

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9 *History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5);
10 Eff. July 1, 1980;
11 Amended Eff. August 1, 2008; June 1, 2008; January 1, 2007; April 1, 2003; August 1, 2002; July
12 1, 1994; December 1, 1989; January 1, ~~1985~~1985;
13 Readopted Eff. _____.

1 15A NCAC 02D .0960 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 02D .0960 ~~CERTIFICATION OF LEAK TIGHTNESS TESTER~~CARGO TANK LEAK**
4 **TESTER REPORT**

5 (a) Purpose. The purpose of this Rule is to establish procedures for ~~certifying cargo tank testing~~ facilities to perform
6 leak tightness tests on ~~gasoline cargo truck~~ tanks as defined under Rule .0932 of this Section in 15A NCAC 02D .0932.

7 ~~(b) Certification request. To request certification to perform leak tightness testing on truck tanks for the purposes of~~
8 ~~complying with Rule .0932 of this Section, a facility shall submit to the Director the following information:~~

9 (1) ~~the name and address of the facility requesting certification, including the primary contact and~~
10 ~~telephone number; and~~

11 (2) ~~the federal (tank cargo) number.~~

12 ~~(c) Approval. The Director shall certify a facility requesting certification to perform leak tightness testing if he finds~~
13 ~~that:~~

14 (1) ~~All the information required under Paragraph (b) of this Rule has been submitted;~~

15 (2) ~~The Division has observed the facility conducting one or more leak tightness tests and finds that:~~

16 (A) ~~The facility has the equipment necessary to perform Method 27 of 40 CFR Part 60, Subpart~~
17 ~~A; and~~

18 (B) ~~The facility has the skills necessary to perform Method 27 of 40 CFR Part 60, Subpart A~~
19 ~~correctly;~~

20 ~~(d) Expiration. A certification to perform leak tightness testing under this Rule shall expire one year from the date of~~
21 ~~its issuance.~~

22 ~~(e) Renewal. To have a certification renewed, the certified facility shall submit to the Director a request to have the~~
23 ~~certification renewed. Within 30 days after receipt of the request, the Division shall observe the certified facility~~
24 ~~conducting one or more leak tightness tests. If the Director finds that:~~

25 (1) ~~The certified facility has the equipment necessary to perform Method 27 of 40 CFR Part 60, Subpart~~
26 ~~A; and~~

27 (2) ~~The certified facility has the skills necessary to perform Method 27 of 40 CFR Part 60, Subpart A~~
28 ~~correctly,~~

29 ~~he shall renew the certification. If the certified facility submits a request for renewal after the expiration of the last~~
30 ~~certification, the Director shall reject the renewal request, and the facility shall request a new certification under~~
31 ~~Paragraph (b) of this Rule.~~

32 ~~(f) Interim certification. If the Division is unable to observe the performance of leak tightness testing required under~~
33 ~~Paragraphs (c) or (e) of this Rule, the Director shall issue an interim certification for up to 90 days to allow the certified~~
34 ~~facility to perform leak tightness tests. An interim certification shall not be renewed.~~

35 ~~(g) Revocation of Certification. If the Director finds that a certified facility is not performing Method 27 of 40 CFR~~
36 ~~Part 60, Subpart A correctly or that the certified facility is certifying tanks as leak tight that have not passed the leak~~
37 ~~tightness test, the Director shall revoke the facility's certification or interim certification.~~

1 ~~(h) Stickers. The Division shall provide serialized stickers at no cost, or the facility may choose to provide the stickers.~~
2 ~~If the facility provides the stickers, the stickers shall contain the same information that is on the stickers provided by~~
3 ~~the Division and shall have the same dimensions and a sample sticker shall accompany the application for certification.~~

4 ~~Once a facility is certified under this Rule to perform leak tightness tests, stickers are to be:~~

5 (1) ~~affixed to tanks that have passed the test under Rule .0932 of this Section; and~~

6 (2) ~~placed near the Department of Transportation Certification (DOT, 49 CFR 178.340-10b).~~

7 ~~The certified facility performing the test shall maintain a log matching sticker serial numbers and tank identification~~
8 ~~numbers. The certified facility shall send this log to the Director monthly.~~

9 ~~(i)(b) Certification report. The certified facility performing the test shall give a copy of the certification report to the~~
10 ~~truck cargo tank owner and shall retain a copy of the certification report. The certification report shall contain the~~
11 ~~following information:~~

12 (1) ~~name, address, and telephone number of certified cargo tank testing facility performing the leak test;~~

13 (2) ~~name and signature of the individual actually performing the leak test;~~

14 (3) ~~name and address of the owner of the tank;~~

15 (4) ~~serial number of the sticker and identification number of the tank;~~

16 (5) ~~the date that the sticker is issued and the date that the sticker expires, which shall be one year after~~
17 ~~the issuance date; documentation of tests performed including the date and summary or results;~~

18 (6) ~~the pressure drops measured and vacuum drops measured; and continued qualification statement and~~
19 ~~returned to service status; and~~

20 (7) ~~list or description of problems with tank (if none are found, the report shall state that none were~~
21 ~~found); identified corrective repairs to the tank, if none are performed then the report shall state "no~~
22 ~~corrective repairs performed."~~

23 ~~(j)(c) Record retention. The certified cargo tank testing facility performing the test and the owner of the gasoline~~
24 ~~truck cargo tank shall keep the certification leak testing report for at least two years. Certification Leak testing reports~~
25 ~~shall be made available to the Division upon request.~~

26 ~~(k)(d) Verification of leak tightness. The Division may use Method 21 to verify the leak tightness of a tank.~~

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28 *History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5), (13);*

29 *Eff. April 1, 2003;*

30 *Amended Eff. July 1, 2007-2007;*

31 *Readopted Eff. _____.*

1 15A NCAC 02D .2615 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 02D .2615 DETERMINATION OF LEAK TIGHTNESS AND VAPOR LEAKS**

4 (a) ~~Leak Testing-Detection Procedures.~~ One of the following test methods from the EPA document "Control of
5 Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection System," EPA-450/2-78-051,
6 published by the U.S. ~~Environmental Protection~~ Environmental Protection Agency, December 1978, shall be used to
7 determine compliance with ~~Rule .0932-15A NCAC 02D .0932~~ Gasoline ~~Truck Cargo~~ Tanks And Vapor Collector
8 ~~Systems of this Section-Systems:~~

9 (1) The gasoline vapor leak detection procedure by combustible gas detector described in Appendix B
10 ~~of to~~ EPA-450/2-78-051 shall be used to determine leakage from gasoline ~~truck cargo~~ tanks and
11 vapor control systems.

12 (2) The leak detection procedure for bottom-loaded ~~truck cargo~~ tanks by bag capture method described
13 in Appendix C ~~of to~~ EPA-450/2-78-051 shall be used to determine the leak tightness of ~~truck cargo~~
14 tanks during bottom loading.

15 (b) ~~Annual-Certification, Testing.~~ The pressure-vacuum test procedures for leak tightness of ~~truck cargo~~ tanks
16 described in Method 27 of Appendix A ~~of to~~ 40 CFR Part 60 ~~or 49 CFR Part 180.407~~ shall be used to determine the
17 leak tightness of gasoline ~~truck cargo~~ tanks in use and equipped with vapor collection equipment. Method 27 of
18 Appendix A ~~of to~~ 40 CFR Part 60 is changed ~~for fugitive emissions leak prevention~~ to read:

19 (1) 8.2.1.2 "Connect static electrical ground connections to tank."

20 (2) 8.2.1.3 "Attach test coupling to vapor return line."

21 (3) 16.0 No alternative procedure is applicable.

22 (c) Copies of Appendix B and C of the EPA document, "Control of Volatile Organic Compound Leaks from Gasoline
23 Tank Trucks and Vapor Collection System," EPA-450/2-78-051, cited in this Rule, are hereby incorporated with
24 subsequent amendments and editions by reference and are available on the Division's Website
25 ~~http://daq.state.nc.us/enf/source/test.~~ http://deq.nc.gov/about/divisions/air-quality/air-quality-enforcement/emission-
26 measurement.

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28 *History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5);*

29 *Eff. June 1, 2008-2008;*

30 *Readopted Eff.*