



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

AUG 07 2012

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

MEMORANDUM

SUBJECT: Guidance on Removing Stage II Gasoline Refueling Vapor Recovery Programs from State Implementation Plans

FROM: Stephen D. Page, Director
Office of Air Quality Planning and Standards

TO: Regional Air Division Directors

The purpose of this memorandum is to distribute a guidance document titled "Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures" (EPA-457/B12-001, August 07, 2012). Effective May 16, 2012, the Environmental Protection Agency has used its authority under Clean Air Act (CAA) section 202(a)(6) to waive certain statutory requirements for states to implement Stage II gasoline vapor recovery at gasoline dispensing facilities in all Serious, Severe, and Extreme ozone nonattainment areas. Accordingly, states implementing Stage II programs under CAA section 182(b)(3) are now legally able to phase out those programs if doing so does not interfere with attaining or maintaining the ozone standards. This guidance provides information and tools states can use to develop a Stage II program phase-out plan and an accompanying state implementation plan revision request.

States in the ozone transport region (OTR) also have a statutory obligation to implement Stage II vapor recovery programs or "comparable measures." The EPA does not have statutory authority to waive this requirement. However, this document contains new guidance on how OTR states can phase out Stage II control programs in a manner consistent with the CAA section 184(b)(2) comparable measures requirement.

Please distribute this guidance to your respective state and local air agencies. For questions on this guidance, please contact Mr. H. Lynn Dail, (919) 541-2363, dail.lynn@epa.gov.

Attachment

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