

Introduced by Senators Wright and Cox
(Coauthors: Assembly Members Garrick and Miller)

April 23, 2009

Senate Concurrent Resolution No. 38—Relative to the State Air Resources Board.

LEGISLATIVE COUNSEL'S DIGEST

SCR 38, as introduced, Wright. Gasoline: vapor recovery systems.

This measure would request a delay in enforcement of the State Air Resources Board's Enhanced Vapor Recovery Phase II requirements until October 2010.

Fiscal committee: no.

- 1 WHEREAS, The State Air Resources Board adopted
2 requirements, effective April 1, 2009, requiring the installation of
3 Enhanced Vapor Recovery gas pumps; and
4 WHEREAS, The State Air Resources Board estimates that the
5 cost of this new equipment is approximately eleven thousand
6 dollars (\$11,000) per pump or seventy-five thousand dollars
7 (\$75,000) per gas station; and
8 WHEREAS, Funding to obtain this equipment has been scarce
9 due to the recession; and
10 WHEREAS, The enforcement of these requirements at this time
11 will adversely effect the economy; and
12 WHEREAS, No equipment to comply with the requirements
13 was approved until 2007, seven years after the regulation that
14 created the requirement was adopted; and

1 WHEREAS, The most recent approval for the least expensive
2 equipment did not take place until October 2008, six months before
3 the enforcement deadline; and
4 WHEREAS, As many as 60 percent of the gas stations in the
5 state have not yet installed the necessary equipment; and
6 WHEREAS, Forcing non-compliant gas stations to close will
7 cause hardship to the owners, employees, and the communities
8 they serve; and
9 WHEREAS, A mass closure of gas stations will cause fuel
10 shortages and longer lines for gas; and
11 WHEREAS, Independent owners are significantly impacted by
12 the credit crunch; now, therefore, be it
13 *Resolved by the Senate of the State of California, the Assembly*
14 *thereof concurring,* That the Legislature requests a delay in
15 enforcement of the State Air Resources Board’s Enhanced Vapor
16 Recovery Phase II requirements until October 2010 to allow gas
17 stations sufficient time to acquire the capital or loans needed to
18 purchase the required equipment without additional hardship on
19 small businesses and their communities; and be it further
20 *Resolved,* That the Secretary of the Senate transmit copies of
21 this resolution to the author for appropriate distribution.

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