

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2376**

Chapter 294, Laws of 1996

54th Legislature  
1996 Regular Session

GASOLINE VAPOR RECOVERY

EFFECTIVE DATE: 3/30/96

Passed by the House March 4, 1996  
Yeas 91 Nays 3

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate February 29, 1996  
Yeas 44 Nays 2

JOEL PRITCHARD  
**President of the Senate**

Approved March 30, 1996

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2376** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

March 30, 1996 - 4:28 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2376**

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AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

**State of Washington                      54th Legislature                      1996 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Koster, Johnson, Boldt, McMorris, Thompson and Mulliken)

Read first time 02/02/96.

1            AN ACT Relating to gasoline vapor recovery at service stations and  
2 other dispensing facilities; adding a new section to chapter 70.94 RCW;  
3 and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 70.94 RCW  
6 to read as follows:

7            (1) A gasoline vapor recovery device that captures vapors during  
8 vehicle fueling may only be required at a service station, or any other  
9 gasoline dispensing facility supplying fuel to the general public, in  
10 any of the following circumstances:

11            (a) The facility sells in excess of six hundred thousand gallons of  
12 gasoline per year and is located in a county, any part of which is  
13 designated as nonattainment for ozone under the federal clean air act,  
14 42 U.S.C. Sec. 7407; or

15            (b) The facility sells in excess of six hundred thousand gallons of  
16 gasoline per year and is located in a county where a maintenance plan  
17 has been adopted by a local air pollution control authority or the  
18 department of ecology that includes gasoline vapor recovery devices as  
19 a control strategy; or

1 (c) From the effective date of this section until December 31,  
2 1998, in any facility that sells in excess of one million two hundred  
3 thousand gallons of gasoline per year and is located in an ozone-  
4 contributing county. For purposes of this section, an ozone-  
5 contributing county means a county in which the emissions have  
6 contributed to the formation of ozone in any county where violations of  
7 federal ozone standards have been measured, and includes: Cowlitz,  
8 Island, Kitsap, Lewis, Skagit, Thurston, Wahkiakum, and Whatcom  
9 counties; or

10 (d) After December 31, 1998, in any facility that sells in excess  
11 of eight hundred forty thousand gallons of gasoline per year and is  
12 located in any county, no part of which is designated as nonattainment  
13 for ozone under the federal clean air act, 42 U.S.C. Sec. 7407,  
14 provided that the department of ecology determines by December 31,  
15 1997, that the use of gasoline vapor control devices in the county is  
16 important to achieving or maintaining attainment status in any other  
17 county.

18 (2) This section does not preclude the department of ecology or any  
19 local air pollution authority from requiring a gasoline vapor recovery  
20 device that captures vapors during vehicle refueling as part of the  
21 regulation of sources as provided in RCW 70.94.152, 70.94.331, or  
22 70.94.141 or where required under 42 U.S.C. Sec. 7412.

23 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
24 preservation of the public peace, health, or safety, or support of the  
25 state government and its existing public institutions, and shall take  
26 effect immediately.

Passed the House March 4, 1996.

Passed the Senate February 29, 1996.

Approved by the Governor March 30, 1996.

Filed in Office of Secretary of State March 30, 1996.