

# HOUSE BILL REPORT

## HB 2376

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### As Reported By House Committee On:

Agriculture & Ecology

**Title:** An act relating to gasoline vapor recovery at service stations and other dispensing facilities.

**Brief Description:** Recovering gasoline vapors.

**Sponsors:** Representatives Chandler, Koster, Johnson, Boldt, McMorris, Thompson and Mulliken.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 1/25/96, 2/2/96 [DPS].

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## HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Chandler, Chairman; Koster, Vice Chairman; Chappell, Ranking Minority Member; Linville, Assistant Ranking Minority Member; Boldt; Clements; Delvin; R. Fisher; Honeyford; Johnson; Mastin; Murray; Ogden; Regala; Robertson and Schoesler.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Rust.

**Staff:** Rick Anderson (786-7114).

**Background:** Gasoline vapors are one source of volatile organic compounds (VOCs). Gasoline vapor recovery devices used at service stations help to reduce VOC emissions. Ground level ozone is formed when VOCs combine with oxides of nitrogen in the presence of sunshine. The federal standard for ozone is .12 parts per million. An area becomes a non-attainment area if the standard is exceeded a total of four or more times during any three consecutive years. Washington has two areas in "marginal" non-attainment for ozone. Puget Sound and Vancouver. Gasoline vapors and other VOCs generated in a county that meets the federal ozone standard can be contribute to ozone problems in non-attainment areas.

Federal law does not mandate installation of gasoline vapor recovery (stage II) devices at gasoline service stations in marginal non-attainment areas. Federal law does require that these areas develop plans that will ensure that the ozone threshold will not be exceeded. Rules adopted by the Department of Ecology require stage II devices in service stations that sell more than a specified volume of gas in a year. This rule applies to counties in western Washington only. The volume threshold is lower in ozone non-attainment areas than in attainment areas. The requirement to install the stage II devices is phased over a four-year period, from 1994 to 1998. Under Ecology's rules, about 40 percent of services stations in western Washington will be required to install stage II devices.

**Summary of Substitute Bill:** The conditions under which stage II devices can be required by the Department of Ecology are established. For areas designated as non-attainment for ozone, no changes are made to the department's rules. The Department's authority to require stage II in counties that do meet federal ozone standards is limited to eight specified counties in western Washington. In these counties, stage II devices can be required only in service stations that sell more than 1.2 million gallons per year. After December 31, 1998, the department can require stage II devices in an ozone attainment area only if (1) the facility sells more than 840,000 gallons of gas per year; and (2) the department determines, by December 31, 1997, that stage II devices are necessary in the attainment county in order to achieve federal ozone standards in non-attainment counties or counties previously designated as non-attainment for ozone.

The department's authority to require stage II devices for new or modified sources is not affected by this bill.

**Substitute Bill Compared to Original Bill:** The original bill restricted the department's authority to impose stage II devices to only those counties that are in non-attainment for ozone or that were previously in non-attainment for ozone. The substitute bill allows the department to require stage II devices in counties that are in attainment for ozone, if certain conditions are met.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** (on proposed substitute) The proponents of the bill are close to an agreement with the Department of Ecology.

**Testimony Against:** (on original bill) The department is working with the affected industries to reach agreement on where and when stage II devices should be required.

**Testified:** Jan Fisher, ARCO (pro); and Joe Williams, Department of Ecology (con).