

## **GASOLINE VAPOR REGULATION**

### **SCOPE AND OBJECTIVES**

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STATE OF WASHINGTON  
JOINT LEGISLATIVE AUDIT AND  
REVIEW COMMITTEE

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## **Why a JLARC Study of Gasoline Vapor Regulation?**

In the 2013-2015 Transportation Budget (ESSB 5024), the Legislature directed the Joint Legislative Audit and Review Committee (JLARC) to conduct a study of the registration and inspection fee programs regulating gasoline stations and other businesses that may emit gasoline vapors. The Legislature indicated its interest in consistent and transparent registration fees and regulations across the agencies that regulate these businesses.

## **State and Local Agencies Share Responsibility for Regulating Gasoline Vapor Emissions**

The federal Clean Air Act (**the Act**) calls for state, local, and tribal governments to implement the Act in partnership to reduce air pollution. Air quality in most areas in Washington is regulated by either the Department of Ecology (Ecology) or one of seven local clean air agencies (see Exhibit 1 on the next page). Tribal governments work with the U.S. Environmental Protection Agency on air quality for lands within reservation boundaries.

The Washington Clean Air Act (Chapter 70.94 RCW) allows Ecology and local clean air agencies to determine and classify sources of air contamination, including gasoline vapors, that may cause or contribute to air pollution. Ecology and the local agencies may require businesses that emit gasoline vapors to register with and report to the agency. Ecology and the local agencies may also require businesses to employ techniques to limit gasoline vapor emissions. This can include vapor recovery systems, which help capture gasoline vapors during the transfer of gasoline such as when a person refuels a car.

Businesses that register may pay a fee, and each agency determines the amount of the fee it collects. Statute requires that the amount of the fee is only to compensate for the costs of administering the registration/reporting program, which may include on-site inspections. Ecology and the local clean air agencies currently regulate more than 2,700 gasoline dispensing facilities.

## **Study Scope**

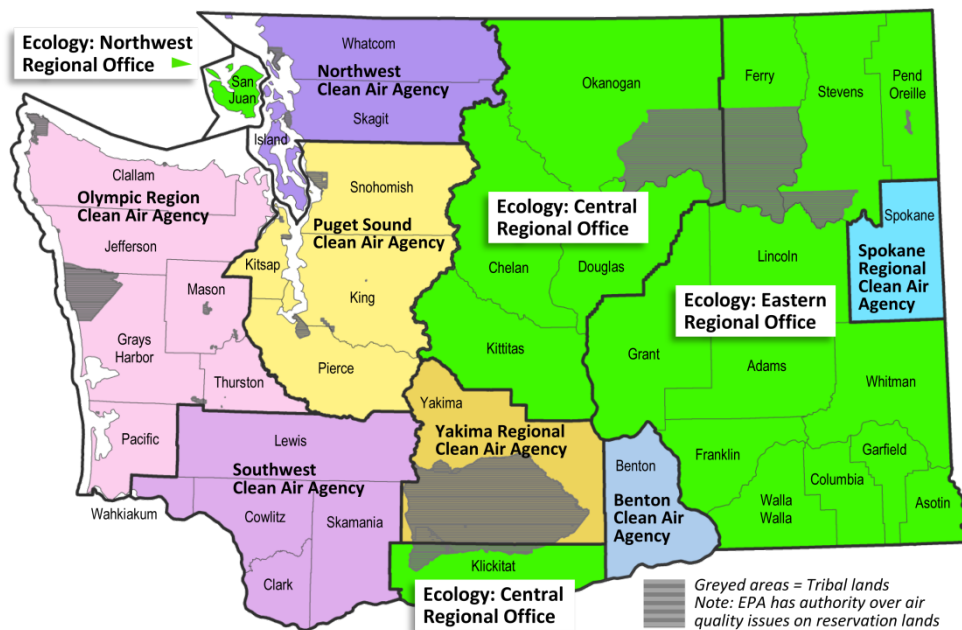
JLARC staff will conduct a study of the regulations and registration fees administered by Ecology and the local clean air agencies that regulate businesses that emit gasoline vapors. Additionally, JLARC staff will compare Washington's approach to regulating gasoline vapors with the approaches used by other states and the U.S. Environmental Protection Agency.

## Study Objectives

This study will address the following five questions related to gasoline vapor regulation:

- 1) How do registration and inspection processes and criteria compare and contrast among Ecology and the local agencies?
- 2) How do the registration and inspection fees and the methodologies used in calculating fees compare and contrast among Ecology and the local agencies?
- 3) Are fees limited to the costs of administering each agency's registration/reporting program?
- 4) How do registration and inspection processes and criteria used in Washington compare and contrast with the criteria established by the U.S. Environmental Protection Agency?
- 5) How does Washington's approach to regulating gasoline vapors compare to approaches taken by other states?

## The Department of Ecology and Seven Local Clean Air Agencies Regulate Gasoline Vapors



Source: Department of Ecology

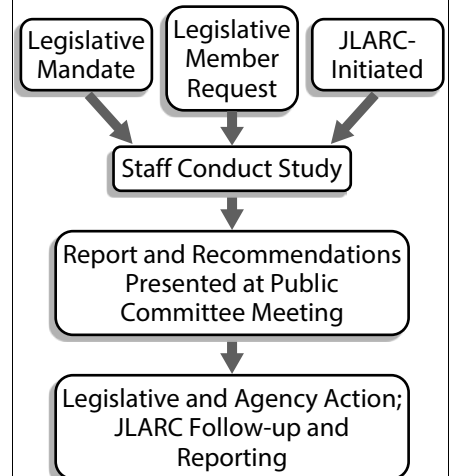
## Timeframe for the Study

Statute directs JLARC staff to hold stakeholder meetings and these will be held in April. Staff will present the preliminary report at the December 2014 JLARC meeting and the final report at the January 2015 meeting.

## JLARC Staff Contact for the Study

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## JLARC Study Process



## Criteria for Establishing JLARC Work Program Priorities

- Is study consistent with JLARC mission? Is it mandated?
- Is this an area of significant fiscal or program impact, a major policy issue facing the state, or otherwise of compelling public interest?
- Will there likely be substantive findings and recommendations?
- Is this the best use of JLARC resources? For example:
  - Is JLARC the most appropriate agency to perform the work?
  - Would the study be nonduplicating?
  - Would this study be cost-effective compared to other projects (e.g., larger, more substantive studies take longer and cost more, but might also yield more useful results)?
- Is funding available to carry out the project?