

**SENATE BILL REPORT**

**SB 6214**

**AS OF FEBRUARY 1, 1994**

**Brief Description:** Disclaiming the requirement of gasoline vapor recovery devices.

**SPONSORS:** Senators Moore, Sheldon and Amondson

**SENATE COMMITTEE ON ECOLOGY & PARKS**

**Staff:** Kari Guy (786-7464)

**Hearing Dates:** February 2, 1994

**BACKGROUND:**

Federal law sets ambient air quality standards, deadlines for attainment with those standards, and parameters for the strategies that may be employed to reach attainment with the standards. Once in attainment, federal law requires the state to demonstrate that it has legally enforceable strategies to keep the area in attainment for the next 12 years.

In the late 1980s and early 1990s, Washington exceeded the federal ozone standard in the Puget Sound region and in Clark County. The state reached attainment in 1993, and is now required by the Environmental Protection Agency to have a plan to stay in attainment until 2005. Strategies to stay in attainment within the ozone standard include vehicle emission testing, industrial controls, and Stage II vapor recovery at service stations.

The requirement for Stage II vapor recovery is being phased in at service stations in western Washington. In 1993, the Washington Oil Marketers Association petitioned the Department of Ecology to repeal the requirements for Stage II vapor recovery, arguing that Stage II devices are unsafe, that gasoline vapors are not an acute health hazard, and that on-board vapor recovery requirements on the federal level make Stage II recovery redundant.

The Department of Ecology denied the petition. Ecology stated that the Stage II nozzles are no more hazardous than conventional nozzles, and that gasoline vapor is classified as a probable human carcinogen. Ecology also stated that while on-board canisters may eventually replace vapor recovery, it would be at least 2018 before on-board canisters would capture as much vapor as the Stage II rule will do in 1998.

**SUMMARY:**

Legislative findings are made that the use of gasoline vapor recovery devices endangers the health and safety of Washington citizens.

A gasoline vapor recovery device is not required at any service station that dispenses gasoline to the general public.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 14, 1994

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