

2 SHB 2376 - S COMM AMD
3 By Committee on Ecology & Parks

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.94 RCW
8 to read as follows:

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

13 (a) The facility sells in excess of six hundred thousand gallons of
14 gasoline per year and is located in a county, any part of which is
15 designated as nonattainment for ozone under the federal clean air act,
16 42 U.S.C. Sec. 7407; or

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

22 (c) From the effective date of this section until December 31,
23 1998, in any facility that sells in excess of one million two hundred
24 thousand gallons of gasoline per year and is located in an ozone
25 contributing county. For purposes of this section, an ozone
26 contributing county is a county in which emissions have contributed to
27 the formation of ozone in any county where violations of federal ozone
28 standards have been measured, including: Cowlitz, Island, Kitsap,
29 Lewis, Skagit, Thurston, Wahkiakum, and Whatcom counties; or

30 (d) After December 31, 1998, in any facility that sells in excess
31 of eight hundred forty thousand gallons of gasoline per year and is
32 located in any county no part of which is designated as nonattainment
33 for ozone under the federal clean air act, 42 U.S.C. Sec. 7407, if the
34 department of ecology determines by December 31, 1997, that the use of
35 gasoline vapor control devices in the county is appropriate to achieve
36 or maintain attainment status in any other county.

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

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

10 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
11 administering the air quality program within the department of ecology
12 is not provided in at least the following amounts from the following
13 accounts by June 30, 1996, in the omnibus appropriations act, this act
14 is null and void: (1) Sixteen million dollars from the air pollution
15 control account; and (2) four million five hundred thousand dollars
16 from the air operating permit account."

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20 On page 1, line 2 of the title, after "facilities;" strike the
21 remainder of the title and insert "adding a new section to chapter
22 70.94 RCW; creating a new section; and declaring an emergency."

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