

AIR POLLUTION CONTROL DISTRICT
REGULATORY COMPLIANCE DIVISION

POLICIES AND PROCEDURES

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Topic: Seven-Day Notice to Correct

Distribution: All Policy Holders

This policy and procedure provides guidance to inspectors on the applicability and use of the SEVEN-DAY NOTICE TO CORRECT form (APCD-80). This Notice is applicable to all gasoline motor vehicle fueling facilities which are equipped with CARB-certified vapor recovery systems.

Pursuant to the provisions of Section 41960.2(c) of the California Health and Safety Code, the following vapor recovery system equipment defects have been identified as defects which substantially impair the effectiveness of the system in reducing air contaminants. If while conducting an inspection you observe any of these defects, the nozzle should be tagged out of service. If more than three nozzles are tagged, a Notice of Violation should be issued.

1. Absence or disconnection of any component required to be used in the Executive Order(s) that certified the system.
2. A vapor hose which is crimped or flattened in such a way that the vapor passage is blocked, or the pressure drop through the vapor hose exceeds by a factor of two or more the requirements in the system certified in the Executive Order(s) applicable to the system.
3. A nozzle boot which is torn in one or more of the following manners:
 - a. Triangular-shaped or similar tear 1/2 inch or more to a side, or hole 1/2 inch or more in diameter or,
 - b. Slit 1 inch or more in length.
4. Faceplate or flexible cone which is damaged in the following manners:
 - a. For balance nozzles and for nozzles for aspirator and educator assist type systems, damage must be such that the capability to achieve a seal with fill pipe interface is effected for 1/4 of the circumference of the faceplate (accumulated).
 - b. For nozzles for vacuum assist-type systems, more than 1/4 of the flexible cone must be missing.
5. Nozzle shut-in mechanisms which malfunction in any manner.

6. Vapor return lines, including such components as swivels, anti-recirculation valves and underground piping, which malfunction or are blocked, or restricted such that pressure drop through the line exceeds by a factor of two or more requirements specified in the Executive Order(s) that certified the system.
7. Vapor processing unit which is inoperative.
8. Vacuum producing device which is inoperative.
9. Any equipment defect which is identified in an Executive Order certifying a system pursuant to the Certification Procedures incorporated in Section 94001 of Title 17, California Administrative Code, as substantially impairing the effectiveness of the system in reducing air contaminants.

During an inspection of a CARB-certified vapor recovery system, if it is determined that a component of the system is not in good working order and does not constitute an equipment defect which will substantially impair the effectiveness of the system, then consistent with Section 41960.2(e) of the California Health and Safety Code, the following steps should be taken:

1. Provide the operator or other responsible person with a Seven-Day Notice to Correct. Clearly specify the basis of the defect, the required correction and date by which the correction(s) must be made.
2. Inform the operator or other responsible person that if the defect is not corrected by the time specified, that a Notice of Violation for Rule 316 will be issued.
3. Reinspect system(s) for defect correction by no later than the date on which the defect is due to be corrected. Issue a Notice of Violation if the defect is not corrected.
4. Prepare inspection report.