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Washington, DC 20460.

California Air Resources Board,
Stationary Source Division, Rule
Evaluation Section, 1001 "I" Street,
Sacramento, CA 95814.

Imperial County Air Pollution Control
District, 150 South 9th Street, El
Centro, CA 92243.

A copy of the rule may also be
available via the Internet at [http://
www.arb.ca.gov/drdb/drdbtxt.htm](http://www.arb.ca.gov/drdb/drdbtxt.htm).
Please be advised that this is not an EPA
website and may not contain the same

version of the rule that was submitted
to EPA.

FOR FURTHER INFORMATION CONTACT: Al
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SUPPLEMENTARY INFORMATION:
Throughout this document, "we," "us"
and "our" refer to EPA.

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I. The State's Submittal

A. What Rule Did the State Submit?

Table 1 lists the rule addressed by this
proposal with the date that it was
amended by the local air agency and
submitted by the California Air
Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local agency	Rule No.	Rule title	Revised	Submitted
ICAPCD	414	Storage of Reactive Organic Compound Liquids	09/14/99	05/26/00

On October 6, 2000, this rule
submittal was found to meet the
completeness criteria in 40 CFR part 51
appendix V, which must be met before
formal EPA review.

B. Are There Other Versions of This Rule?

We approved a version of Rules 413
and 414 into the SIP on January 27,
1981 (46 FR 8472).

C. What Is the Purpose of the Submitted Rule Revisions?

- The existing rule is rewritten for
clarity.
- The scope of the rule is broadened
to cover the storage of all reactive
organic liquids, except gasoline, in a
greater number of storage tanks.
- Added is an exemption for gasoline
storage tanks because they are covered
under ICAPCD Rule 415, Transfer and
Storage of Gasoline. See 67 FR 65873
(October 29, 2002).
- Added is a limited exemption from
requirements for vapor loss control
devices for an emergency standby tank
when the tank is drained or if the
operator has obtained a variance for a
breakdown of the primary tank.
- Added is a limited exemption from
requirements for vapor loss control
devices or closure devices for out-of-
service or empty storage tanks
undergoing cleaning, stock change, tank
and roof repair, or removal of
contaminated stock.
- Added is a 72-hour exemption from
requirements for vapor loss control
devices or closure devices for in-service
tanks undergoing preventive
maintenance, including, but not limited
to primary seal inspection, removal or
installation of a secondary seal, repairs
of regulators, fittings, deck components,

hatches, valves, roofs, flame arrestors, or
compressors.

- Upgraded are requirements for gaps,
seals, and roof covers based on federal
standards of performance for volatile
organic liquid storage and standards of
performance for bulk gasoline terminals.
- Added is a table to specify
appropriate vapor pressure and
temperature for stored liquids.
- Added are recordkeeping
requirements and test methods.
- Added is a compliance schedule for
tanks requiring modification to meet the
rule requirements. The TSD has more
information about these rules.

II. EPA's Evaluation and Action

A. How Is EPA Evaluating the Rule?

Generally, SIP rules must be
enforceable (see section 110(a) of the
Act), must require Reasonably Available
Control Technology (RACT) for major
sources in nonattainment areas (see
section 182(a)(2)(A)), and must not relax
existing requirements (see sections
110(l) and 193). The ICAPCD regulates
a transitional ozone nonattainment area
subject to subpart 1 of part D, title I
requirements. See 40 CFR part 81 and
the discussion in the Background
section of the TSD. We must require
Rule 414 to correct relaxation and
enforcement-related deficiencies, but
the rule is not required to fulfill RACT.

Guidance and policy documents that
we used to define specific enforceability
and RACT requirements include the
following:

- Portions of the proposed post-1987
ozone and carbon monoxide policy that
concern RACT, 52 FR 45044 (November
24, 1987).

- *Issues Relating to VOC Regulation
Cutpoints, Deficiencies, and Deviations*,
EPA (May 25, 1988) (the Bluebook).
- *Guidance Document for Correcting
Common VOC & Other Rule
Deficiencies*, EPA Region 9 (August 21,
2001) (the Little Bluebook).
- *Control of Volatile Organic
Emissions from Petroleum Liquid
Storage in External Floating Roof Tanks*,
EPA-450/2-78-047.
- *Control of Volatile Organic
Emissions from Petroleum Liquid
Storage in Fixed Roof Tanks*, EPA-450/
2-77-036.
- *State Implementation Plans: Policy
Regarding Excess Emissions During
Malfunctions, Startup and Shutdown*,
EPA Office of Air and Radiation and
EPA Office of Enforcement and
Compliance Assurance (September 20,
1999).

B. Does the Rule Meet the Evaluation Criteria?

This rule improves the SIP by
broadening the scope of the rule to
cover a greater number of ROC liquids
(except gasoline, which is cover by SIP-
approved ICAPCD Rule 415) in a greater
number of storage tanks by lowering the
applicability thresholds for vapor
pressure and tank capacity. This rule
also improves the SIP by adding testing
methods and reporting and
recordkeeping requirements. Rule
provisions which do not meet the
evaluation criteria are summarized
below and discussed further in the TSD.

C. What Are the Rule Deficiencies?

These provisions conflict with section
110 and part D of the Act and prevent
full approval of the SIP revision:

- 414.A.3.b: This paragraph refers to
a variance for a breakdown of a primary