

California Service  
Station &  
Automotive Repair  
Association

1605 Fourth St., Suite C  
Santa Rosa, CA 95404

CSSARA

Issue 03.08

# AUTO\$ENSE

March 12, 2008

Phone: 707/ 545-6376 FAX: 707/ 545-6751

<http://www.cssara.org>

To be removed from our contact list, please call the CSSARA office.

## COMING TO YOUR STATION SOON!!

On March 11, 2008 industry stakeholders met with Air Resources Board (ARB) officials regarding the state's mandate for all gasoline dispensing facilities (GDFs) in California to be compliant by April 1, 2009 as it relates to Enhanced Vapor Recovery. There will be no exceptions this was made extremely clear in the meeting. There will be no backing off or extension of the April 1, 2009 deadline to have Enhanced Vapor Recovery installed.

EVR program status shows that Franklin Fueling Systems (Healy) has now been certified for three years and the system is performing adequately in the field. The new recently certified Balance System by Vapor Systems Technology (VST) which is the alternative to the Healy System as it is a balance system will receive its ISD certification in the month of April. There are two systems available to station owners as it relates to Enhanced Vapor Recovery that are currently certified. One has ISD certification that being Healy, the other soon to have its ISD component certified is VST. It is important for industry to know that there will be no other systems certified by the state until after the mandated installation date of April 1, 2009. Only VST and Healy will be certified by the mandated time frame.

For those station owners who do not show proper due diligence in arranging for the installation and permitting of their EVR systems by April 1, 2009 the Air Resources Board through its individual Air District partners will be issuing notices of violation (NOV) to station owners for not being in compliance. These NOV's will carry a fine from a minimum of \$1000 per day to as much as \$75,000 per day for non-compliance or willful disregard of the deadline.

This is a very serious issue and you must be responsible as it relates to complying with this Enhanced Vapor Recovery/ISD mandate. In station diagnostics (ISD) the mandated installation and operation deadline is September 1, 2009. It would be extremely costly for you **not** to do both EVR/ISD installations at the same time. It is your responsibility to make sure that the contractor/installer is certified by the Air Resources Board to install the designated Healy/VST system.

Go to the ARB website [www.evrhome.org](http://www.evrhome.org) for a listing of certified contractors.

CSSARA is planning to hold industry meetings to educate you on equipment availability, sources of supply, and possible contracting of equipment in order to meet the state mandate. Please look for future AutoSense newsletters for dates and times of meetings related to EVR/ISD compliance.

CSSARA is working with different financing entities trying to find packaged programs that will encompass all of your needs. CSSARA will give you monthly updates on the progress of any information it learns related to this mandated state program.

For those of you wishing to utilize the Replacement Underground Storage Tank Fund (RUST) the lead time for loan approval is approximately four months.

Contact: C.J. Lynden 800-758-6800.

## EMISSION WARRANTY LAWSUIT

The Automotive Aftermarket Associations which CSSARA is one of, who filed legal action against the California Air Resources Board (CARB) may be ordered to consolidate its lawsuit with one brought by the Engine Manufacturers Association (EMA). EMA has requested the court to consolidate the two lawsuits. Our suit centers around the right to repair. EMA's suit differs as it focuses on the fact that CARB no longer needs to demonstrate that a defective part would cause the vehicle to exceed emissions standards in order to require the company to recall or extend the warranty on the defective part.

Although the cases differ in nature our lawyers felt it's not worth the effort or cost to oppose the consolidation. Therefore, both lawsuits will be heard in L.A. County by the judge assigned to our case. It should be understood that just because the cases are being consolidated it does not mean that the trials will be held together. It simply allows CARB to only certify one record for both cases. In addition, the judge gave CARB a 60 day deadline to certify the record. There will be another conference in May to set a briefing schedule and trial date.