



**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
AIR MANAGEMENT SERVICES**

**December 21, 2016**

**MEMORANDUM**

**TO:** Owners and operators of gasoline dispensing facilities located in Philadelphia

**FROM:** Edward Braun, Air Management Services Program Manager

**RE:** **Suspension of Enforcement of 25 Pa. Code §129.82 Stage II Vapor Recovery Requirements and Air Management Regulation V Vapor Recovery Requirements for the Addition or Replacement of Gasoline Dispensers**

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Consistent with the policy adopted by Pennsylvania Department of Environmental Protection (PADEP), the City of Philadelphia (City) Department of Public Health, Air Management Services (AMS) exercises its enforcement discretion to suspend enforcement of 25 Pa. Code § 129.82 Stage II Vapor Recovery System (Stage II) requirements and Air Management Regulation (AMR) V § V.C. vapor recovery provisions for the addition of new gasoline dispensers, or replacement of existing gasoline dispensers, at gas dispensing facilities located within Philadelphia as of November 16, 2016. See 46 Pa. B. 7204 (November 12, 2016). This action supplements AMS's prior suspension of enforcement of Stage II and AMR V § V.C. requirements for newly constructed gasoline dispensing facilities in Philadelphia that began operations after July 31, 2012. See AMS Memorandum, Dated January 31, 2014.

**An Installation Permit from AMS is required BEFORE the installation of additional gasoline dispensers, or replacement of existing gasoline dispensers, within Philadelphia can occur.** See Phila. Code § 3-306(1)(a). The necessary Installation Permit Application can be obtained online (<http://www.phila.gov/health/airmanagement/AirPermittingForms.html>), by phone (215) 685-7572, or by email ([DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov)). As required by Pennsylvania law, all installation or replacement of gasoline dispensers must be performed by a PADEP certified tank installer in accordance with industry best practices.

**Existing gasoline dispensers in Philadelphia that are otherwise equipped with Stage II and AMR V vapor recovery equipment must continue to be operated in accordance with 25 Pa. Code § 129.82 and AMR V § V.C.** Neither this suspension, nor AMS's prior suspension of Stage II and AMR V § V.C. requirements for certain newly constructed gasoline dispensing facilities, protect any owner or operator of a gasoline dispensing facility from the possibility of

legal challenge by third persons under 25 Pa. Code § 129.82, the Commonwealth's approved SIP, of the Federal Clean Air Act. Owners and operators of gasoline dispensing facilities otherwise remain legally obligated to comply with all applicable City, State, and Federal air pollution requirements.

Questions pertaining to the contents of this memorandum, or air pollution requirements applicable to Philadelphia gasoline dispensing facilities, may be forwarded to AMS Source Registration by phone ((215) 685-7572), or by email (DPHAMS\_Service\_Requests@phila.gov).