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## **EPA PROPOSES AMENDMENTS FOR TWO GASOLINE NESHAPS**

On December 15, 2009 [74 FR 66470], EPA proposed NESHAP amendments for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities(40 CFR Part 63, Subparts BBBB & CCCCC). In this action, EPA is proposing amendments and clarifications to certain definitions and applicability provisions of the final rules in response to issues raised in several petitions for reconsideration.

Some of the changes include:

- Provisions clarifying that gasoline storage tanks located at bulk facilities, used only for dispensing gasoline in a manner consistent with tanks located at a gasoline dispensing facility (GDF), are not subject to any of the requirements in 40 CFR Part 63, Subpart BBBB. Instead, these tanks must comply with the applicable requirements of 40 CFR Part 63, Subpart CCCCC.
- Provisions stating that if a bulk facility's monthly throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to those requirements even if the affected source's throughput later falls below the applicable throughput threshold.
- Provisions to allow storage tanks to have an additional option for submerged fill pipes that are further from the bottom of the tank than the distances previously specified if adequate recordkeeping is performed and records are maintained by the owner or operator to demonstrate that the liquid level in the tank never drops below the highest point in the opening of the fill pipe.