

**FINAL RULEMAKING**  
**Annex A**  
**TITLE 25. ENVIRONMENTAL PROTECTION**  
**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Subpart C. PROTECTION OF NATURAL RESOURCES**  
**ARTICLE III. AIR RESOURCES**  
**CHAPTER 121. GENERAL PROVISIONS**

**§ 121.1. Definitions.**

The definitions in section 3 of the act (35 P.S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

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*Compliant coating*—A coating that meets the applicable emission limits specified in Chapter 129 (relating to standards for sources).

**{*Compliant fuel*—Low RVP gasoline.}**

*Computer diskette jacket manufacturing adhesive*—An adhesive intended by the manufacturer to glue the fold-over flaps to the body of a vinyl computer diskette jacket.

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*Immersion cold cleaning machine*—An open top cold cleaning machine in which the parts are immersed in the solvent when being cleaned.

**{*Importer*—A person who imports gasoline or gasoline blending stocks or components from a foreign country into the United States.}**

*Incineration*—The combustion of wastes, including municipal wastes, in an enclosed device with the products of combustion directed to a flue as defined in this section.

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*Lithographic printing*—A printing process in which the image and nonimage areas are in the same plane on the surface of a lithographic plate. The image and nonimage areas are chemically differentiated; the image area is oil receptive and the nonimage area is water receptive. The substrate can be fed to the press as either an individual sheet or a rolled web.

**{*Low RVP gasoline*—Gasoline that has an RVP of 7.8 pounds per square inch or less as determined in accordance with the appropriate sampling and testing methodologies in 40 CFR Part 80, Appendix E (relating to test for determining Reid vapor pressure (RVP) of gasoline and gasoline-oxygenate blends).}**

*Lower Beaver Valley air basin*—All of Beaver County except for the following political subdivisions: Darlington Borough, Darlington Township, Economy Borough, Frankfort Springs

Borough, Franklin Township, Hanover Township, Independence Township, Marion Township, New Sewickley Township and South Beaver Township.

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*Phase 2 outdoor wood-fired boiler*—An outdoor wood-fired boiler that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million Btu output or lower and is labeled accordingly.

**{Pittsburgh-Beaver Valley Area—The seven-county area comprised of the following Pennsylvania counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland.}**

*Plastic cement welding adhesive*—

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**CHAPTER 126. MOTOR VEHICLE AND FUELS PROGRAMS**  
**Subchapter C. {GASOLINE VOLATILITY REQUIREMENTS} (~~Reserved~~)**

§ 126.301. **{Compliant fuel requirement} (~~Reserved~~)**.

**{(a) This subchapter applies to gasoline which is sold or transferred into or within the Pittsburgh-Beaver Valley Area during the period May 1 through September 15, 1998, and continuing every year thereafter.**

**(b) A refiner, importer, distributor, reseller, terminal owner and operator or carrier, may not:**

**(1) Sell, exchange or supply gasoline that is not a compliant fuel during the period described in subsection (a).**

**(2) Blend, mix, store or transport or allow blending, mixing, storing or transporting of compliant fuel with noncompliant fuel during the period described in subsection (a).**

**(c) A retailer or wholesale purchaser-consumer may not sell, exchange or supply gasoline that is not a compliant fuel during the period June 1 through September 15, 1998, and continuing every year thereafter.}**

**(d) THIS SUBCHAPTER WILL NO LONGER BE APPLICABLE TO THE PITTSBURGH-BEAVER VALLEY AREA UPON THE EFFECTIVE DATE OF APPROVAL BY THE EPA OF THE REMOVAL, SUSPENSION OR REPLACEMENT OF THIS SUBCHAPTER AS A PART OF THE COMMONWEALTH'S STATE IMPLEMENTATION PLAN.**

§ 126.302. **{Recordkeeping and reporting} (~~Reserved~~)**.

**{(a) Beginning with the terminal owner or operator who sells or transfers gasoline intended for use in the Pittsburgh-Beaver Valley Area during the period described in §**

**126.301(a) (relating to compliant fuel requirements), each time the physical custody of or title to a shipment of gasoline changes hands, other than when gasoline is sold or transferred for use in motor vehicles at a retail outlet or wholesale purchaser-consumer's facility, the transferor shall provide to the transferee a copy of the record described in this subsection. This record shall legibly and conspicuously contain, at a minimum, the following information:**

- (1) The date of the sale or transfer.**
- (2) The name and address of the transferor.**
- (3) The name and address of the transferee.**
- (4) The location of the gasoline at the time of transfer.**
- (5) The volume of gasoline which is being sold or transferred.**
- (6) A statement or grade code certifying that the gasoline has an RVP of 7.8 pounds per square inch or less per gallon.**

**(b) A person who transports, stores or sells compliant fuel that is intended for use in the Pittsburgh-Beaver Valley Area during the period described in § 126.301(a), shall segregate the compliant fuel from noncompliant fuel and the documentation described in subsection (a) shall accompany the compliant fuel at all times.**

**(c) Each person in the gasoline distribution network shall maintain records containing the compliance information listed in subsection (a). These records shall be retained for at least 2 years from the date of the sale or transfer of compliant fuel.**

**(d) The records containing the compliance information in subsection (a) for the period described in subsection (c) shall be kept onsite at each point in the distribution network except for retail outlets. Retail outlets shall retain these records for the period described in subsection (c) and only those records for the current period described under § 126.301(c) shall be kept onsite. At the end of each period described under § 126.301(c), these records may be transferred to an alternate location for the remainder of the period described under subsection (c) and be made available to the Department upon request.}**

**§ 126.303. {Compliance and test methods} (~~Reserved~~).**

**{Compliance with the 7.8 pounds per square inch RVP standard shall be determined by use of the sampling and testing methods specified in this section. Sampling or testing of gasoline required by this chapter shall be accomplished as follows:**

**(1) Sampling of gasoline for the purpose of determining compliance with this subchapter shall be conducted in accordance with 40 CFR Part 80, Appendix D (relating to sampling procedures for fuel volatility).**

**(2) Testing of gasoline for purposes of determining compliance with this rule shall be conducted in accordance with 40 CFR Part 80, Appendix E (relating to test for determining Reid Vapor Pressure (RVP) of gasoline and gasoline-oxygenate blend).}**