



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 196
[2011 Senate Bill 518]

**Vapor Control Systems
at Gas Stations**

Under the federal Clean Air Act, a state, rather than the federal Environmental Protection Agency (EPA), may administer an air pollution control program in the state if the program is consistent with the federal Clean Air Act and EPA approves the state's plan for implementing the program (SIP). EPA has approved Wisconsin's SIP and the Department of Natural Resources (DNR) administers an air pollution control program in accordance with the SIP.

EPA's regulations require a state with an area that has levels of atmospheric ozone that violate federal standards (an ozone nonattainment area) to include, in its SIP, requirements that gasoline stations in that area have vapor control systems for capturing gasoline vapors from the fueling of motor vehicles. EPA may waive the requirement for vapor control systems at gasoline stations if it finds that onboard systems to control emissions of gasoline from refueling motor vehicles are in widespread use.

Current Wisconsin law requires gasoline stations in ozone nonattainment areas to install and operate vapor control systems. Act 196 provides that if the EPA waives the requirement to maintain vapor control systems at existing gasoline stations, the Wisconsin law ceases to apply, as of the effective date of the federal waiver.

Act 196 also provides that vapor control systems are not required at any gasoline station for which construction begins after the Act takes effect.

Act 196 authorizes the DNR to promulgate rules setting forth requirements for capping and closing existing vapor control systems.

Effective date: April 17, 2012.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.