Arizona Department of Weights and Measures

Vapor Recovery Alert No. 20

April 7, 2014

The Department of Weights and Measures is issuing this Vapor Recovery Alert to inform the Registered Service Agency (RSA) community that the Department has conducted unannounced inspections of annual vapor recovery testing performed by Registered Service Representatives (RSRs). During the inspections, Department inspectors observed annual vapor recovery tests performed by 13 individual RSRs without their knowledge to verify the testing was performed as stated in test results submitted to the Department. The results of the inspections are summarized below.

# of RSRs Observed Testing	# Inspections Observed	# RSRs Completing Full Test	# RSRs that Did Not Complete Full Test[1]	# A/L Tests Not Completed at All Dispensers[2]	# Blockage Tests Not Completed	# Communication Tests Not Completed	# PV Vent Valve Tests Not Completed
13	23	6	10	5	10	14	13

Under R20-2-602(B), RSRs are responsible to perform all vapor recovery tests as required by Department rules. R20-2-603(G) states that the Department may suspend, revoke, or refuse to renew a license if the applicant has been found to have violated any applicable statutes or rules.

As demonstrated in the results above, there is significant noncompliance with the testing requirements. The allowance of unwitnessed testing is something that industry personnel requested of the Department to better streamline the testing process. Failure to conduct all tests at the scheduled test time is not acceptable and the complete testing shall be conducted at the scheduled test time whether or not the Department is present to witness the testing.

Failure to perform testing as required by rule at the scheduled test time may result in disallowing unwitnessed testing, revocation of RSR/RSA licenses, and/or civil penalties. Additionally, knowingly falsifying test documentation that is submitted to the Department could be considered a criminal act and may be turned over to the Attorney General's office for further action.

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[1] Several RSRs that were observed more than one time completed the full testing one time, but not during all observed inspections.
[2] In one instance testing was performed; however, a repair was made during testing and results showed a pass.