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State Water Resources Control Board

**JUL 16 2014**

Mr. Jose Rodriguez  
Emco Wheaton Retail Corp.  
1004 West Covina Parkway #413  
West Covina, CA 91790

Dear Mr. Rodriguez:

**EVALUATION FOR EMCO WHEATON RETAIL ENHANCED VAPOR RECOVERY  
PHASE I SYSTEM**

As you know, Assembly Bill 2955 (statutes 2004, chapter 649) added section 25290.1.2(a) to chapter 6.7 of the Health and Safety Code (H&SC). This section requires the Air Resources Board (ARB) and the State Water Resources Control Board (State Water Board) to certify, to the best of their knowledge and using existing resources, that equipment meeting the ARB's Enhanced Vapor Recovery (EVR) requirements also meets underground storage tank (UST) statutory requirements.

This determination letter combines and supersedes all previous determination letters for the Emco Wheaton Retail EVR Phase I System and includes the engineering statements from the determination letters issued August 8, 2006, November 17, 2010, and March 27, 2014.

On December 10, 2013 the State Water Board received an information packet from Emco Wheaton Retail requesting a review of various components of the Emco Wheaton Retail Phase I System. The component(s) for which you seek our review includes the addition of factory installed drain plug on the fill side of the Emco Wheaton Retail A1004EVR-X series spill containment. The proposed modifications were reviewed by a California Registered Professional Engineer, as indicated in the enclosed statements. Based on these signed statements and the information you provided, we have found no evidence that the proposed components conflict with chapter 6.7 of the H&SC.

State Water Board staff has reviewed the entire Emco Wheaton Retail Phase I System and although the Emco Wheaton Retail Phase I System does not conflict with chapter 6.7 of the H&SC and implementing regulations, the following regulatory limitations apply:

## **Spill Containment**

EMCO Wheaton Retail A1004EVR-X

The following limitations apply to spill containment:

1. The direct burial configuration of spill containment does not provide secondary containment for the tank fill riser. Secondary containment of the tank fill riser is required on all UST systems installed on or after July 1, 2003 and on certain other UST systems pursuant to chapter 6.7 of the H&SC and implementing regulations. Accordingly, the direct burial configuration can only be used on UST systems where secondary containment of the fill riser is not required.
2. As required by California Code of Regulations, title 23, section 2635(b)(1)(C), spill containers shall either have a drain valve which allows drainage of the collected spill into the primary container or provide a means to keep the spill container empty. For spill containment that does not have a drain valve, the UST facility owner/operator is required:
  - i. To have a means to keep the spill container empty.
  - ii. The process, procedures, and equipment (aka the means) to empty the container shall be identified in the monitoring plan required by California Code of Regulations, title 23, section 2632(d).
  - iii. Spill buckets should be kept clean and free of liquid (water and fuel) and debris.
  - iv. Liquid from the container must be stored and or disposed of in accordance with hazardous waste laws and regulations. More information regarding hazardous waste determination can be found in California Cod of Regulations, title 22, section 66262.11.

## **Overfill Prevention**

EMCO Wheaton Retail A1100EVR-X (Flapper Valve)

EMCO Wheaton Retail A0075-X (Ball Float Valve)

The following limitations apply to overfill prevention:

1. As required by California Code of Regulations, title 23, section 2635(b)(2), the overfill prevention device shall have no manual override and shall meet one of the following options:
  - i. Overfill device activates at 90 percent; restricts the flow to the tank or triggers and audible and visual alarm.
  - ii. Overfill device activates at 95 percent; provides positive shutoff of the flow to the tank.

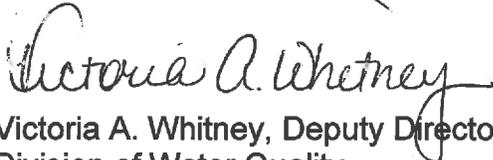
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- iii. Overfill device activates at 95 percent; restricts the flow to the tank and activates an audible alarm five minutes before overflow.
  - iv. Overfill device activates before fittings are exposed to product and provides positive shutoff of the flow to the tank.
2. When using a combination of ball float valves and flapper valves, the flapper valve should be set below the level of the ball float valves. If the ball float valve is installed below the flapper valve, it may interfere with the normal operation of the flapper valve.

Pursuant to H&SC, chapter 6.7, section 25290.1.2(a), the State Water Board certifies that, to the best of its knowledge, the Emco Wheaton Retail Phase I System, which includes the components listed on the enclosed system equipment list, meets the requirements of chapter 6.7 of the H&SC. This determination assumes the Emco Wheaton Retail Phase I System is installed in accordance with the manufacturer's instructions and as required by chapter 6.7 of the H&SC and title 23 of the California Code of Regulations.

If you have questions regarding this letter, please contact Mr. Cory Hootman at (916) 341-5668 or by email at [cory.hootman@waterboards.ca.gov](mailto:cory.hootman@waterboards.ca.gov).

Sincerely,



Victoria A. Whitney, Deputy Director  
Division of Water Quality

Enclosures (3):

- 1) Emco Wheaton Retail EVR Phase I System Equipment List (6/20/2014)
- 2) Emco Wheaton Retail EVR Phase I Engineering Statement (4/1/2006)
- 3) Emco Wheaton Retail EVR Phase I Engineering Statement (10/28/2010)



**Phase I EVR System Equipment List**  
**VR-105-A Executive Order Approval**

<u>Equipment</u>	<u>Manufacturer/ Model Number</u>
Pressure/ Vacuum Vent Valve	Husky Corporation Model 5885, 2-inch threaded
Spill Containment	Emco Wheaton Retail A1004EVR-X Series Multi-port Configuration Includes product and vapor side assemblies X = 238, 242 or 248  Direct Burial Configuration X = 003, 004, 005, 006, 010, 011, 012 or 013
Drain Valve Assembly	Emco Wheaton Retail 494118
Dust Caps (poly material)	Emco Wheaton Retail A0097-005 Product Emco Wheaton Retail A0099-X Vapor X = 002, no chain or 003, with chain
Product Adapter	Emco Wheaton Retail A0030-124S
Vapor Adapter	Emco Wheaton Retail A0076-124S
Extractor Assembly	Emco Wheaton Retail A0079-X X = 043, 044, 050, 051, 052, 150 or 152
Riser Seal	Emco Wheaton Retail 494096
Straight Drop Tube with Overfill Prevention Device	Emco Wheaton Retail A1100EVR-X X = 055, 056, 057 or 058
Automatic Tank Gauging Components	Emco Wheaton Retail A0097-010 Cap Emco Wheaton Retail A0030-014 Adapter

**Phase I EVR System Equipment List**  
**VR-105-D Executive Order Approval**

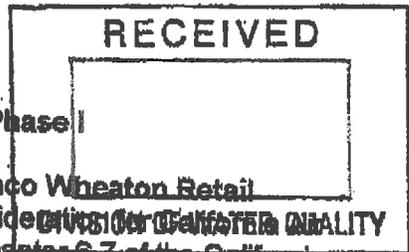
<u>Equipment</u>	<u>Manufacturer/ Model Number</u>
Spill Containment	Emco Wheaton Retail A1004EVR-X Series Direct Burial Configuration – Single Wall X = 210A, 211A, 215A, 216A, 316A or 317A  Direct Burial Configuration – Double Wall X = 210S, 211S, 215S, 216S, 316S or 317S

June 20, 2014

**Phase I EVR System Equipment List (continue)**  
**VR-105-D Executive Order Approval**

<b><u>Equipment</u></b>	<b><u>Manufacturer/ Model Number</u></b>
<b>Straight Drop Tube</b>	Emco Wheaton Retail A0020EVR-X X = 004, 005, 007 or 008  Emco Wheaton Retail A0020EVRC-X X = 004, 005, 007 or 008
<b>Ball Float Vent Valve</b>	Emco Wheaton Retail A0075-X X = 001, 002, 004, 006, 010, 013, 015 or 017
<b>Ball Float Vent Valve with Extractor Cage</b>	Emco Wheaton Retail A0078-X X = 006A, 008, 008A, 009A, 012A, 015, 018A, 020, 021A, 308, 312 or 318

Appendix  
Certification Statement for the  
Emco Wheaton Retail Enhanced Vapor Recovery Phase I

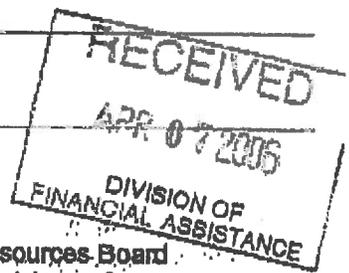


Based on a careful review and analysis, I hereby certify that the Emco Wheaton Retail Enhanced Vapor Recovery Phase I System, which is under consideration for California Air Quality Resources Board (ARB) certification, meets the requirements of Chapter 6.7 of the California Health and Safety Code (the State Water Resources Control Board's underground storage tank requirements, including enhanced leak detection and continuous vacuum, pressure, or hydrostatic monitoring.)<sup>2</sup>

The Emco Wheaton Retail Enhanced Vapor Recovery Phase I System warranty is valid as long as the system is installed, operated, and maintained according to manufacturer's instructions and in a manner that does not exceed the limitations (e.g., tank capacity, fueling points, throughputs, etc.) described below.

Limitations:  
Refer to Emco Wheaton Retail Warranty Policy (Attached)

<u><i>Gary W. Hall</i></u> Signed by (California Professional Engineer)	<u>4/11/06</u> Date	<u><i>Jose E. Rodriguez</i></u> Signed by (Company Representative)	<u>4-7-06</u> Date
<u>Gary W. Hall, PE</u> Printed Name (California Professional Engineer)		<u>Jose E. Rodriguez/ Manager of Tech Services</u> Printed Name (Company Representative)	
<u>G.W. Hall Engineering</u> Professional Engineer Company Name		<u>Emco Wheaton Retail</u> Equipment Manufacturer Name	
<u>1402 NW Santa Fe Ln #203</u> Mailing Address		<u>1666 Yale Street</u> Mailing Address	
<u>Silverdale, WA 98383</u> City, State, Zip Code		<u>Chula Vista, Ca. 91913</u> City, State, Zip Code	
<u>(619)</u> Phone Number		<u>(619) 421-1743</u> Phone Number	
<u>gary.hall@prodiay.net</u> Email		<u>JERodriguezSD@aol.com</u> Email	



<sup>1</sup> This certification statement is part of the guidelines developed by the California Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649: McCarthy).

<sup>2</sup> This certification is based on the presumption that the Emco Wheaton Retail Enhanced Vapor Recovery Phase I System is constructed, installed, maintained, and operated in accordance with all applicable requirements of Chapter 6.7 of California Health and Safety Code and Chapter 16 of California Code of Regulations.

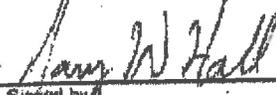
### Engineering Statement

#### Certification Statement for the EMCO Wheaton Retail Phase I Enhanced Vapor Recovery (EVR) System.<sup>1</sup>

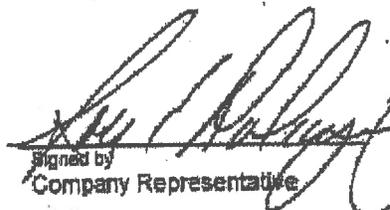
Based on a careful review and analysis, I hereby certify that the EMCO Wheaton Retail Phase I (EVR) System, which is under consideration for California Air Resources Board (ARB) certification, meets the requirements of Chapter 6.7 of the California Health and Safety Code (the State Water Resources Control Board's underground storage tank requirements, including enhanced leak detection and continuous vacuum, pressure, or hydrostatic monitoring.)<sup>2</sup>

The EMCO Wheaton Retail Phase I (EVR) System warranty is valid as long as the system is installed, operated and maintained according to the manufacturer's instructions and in a manner that does not exceed the limitations (e.g., tank capacity, fueling points, throughputs, etc.) described below.

Limitations: See the Attached Appendix

  
Signed by  
California Professional Engineer  
M 30584

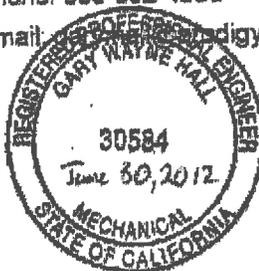
10/29/2010  
Date

  
Signed by  
Company Representative

11-1-2010  
Date

Gary W Hall  
G.W. Hall Engineering  
9556 Silverdale Loop Road NW #3  
Silverdale, Washington, 98383  
Phone: 360-892-4955  
Email: [gary@indigy.net](mailto:gary@indigy.net)

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<sup>1</sup> This certification statement is part of the guidelines developed by the California Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649: McCarthy)

<sup>2</sup> This certification is based on the presumption that the EMCO Wheaton Retail Balance Phase II (EVR) System with or without (ISD) is constructed, installed, maintained, and operated in accordance with all applicable requirements of Chapter 6.7 of California Health and Safety Code and Chapter 16 of California Code of Regulations.

**SUMMARY OF REVIEWED DOCUMENTS**  
**EMCO Wheaton Retail Phase I Enhanced Vapor Recovery (EVR) System,**  
**Approval Application**

Enclosure 3  
Page 2 of 3

1	Emco Wheaton Retail Phase I EVR System, CARB Executive Order VR-105 (Amended)	Undated
2	ARB email to Mr. Jose Rodriguez. Other Agency Approvals	June 28, 2010
3	Emco Wheaton Letter to Mr. George Lew. Request for Amendment to the Emco Wheaton Retail Executive Order VR-105	March 16, 2010
4	ARB Letter to Mr. Jose Rodriguez. Response to his March 14, 2008 letter	June 3, 2008
5	Emco Wheaton Letter to Mr. George Lew. RE: Request for Amendment to the Emco Wheaton Retail Executive Order VR-105-A	March 14, 2008
6	California Codes, Health and Safety Code, Section 25280-25299.8 ( <a href="http://www.leginfo.ca.gov">www.leginfo.ca.gov</a> )	As written October 25, 2010
7	California Codes, Business and Professions Code, Section 6730-6749 ( <a href="http://www.leginfo.ca.gov">www.leginfo.ca.gov</a> )	As written October 25, 2010

Limitations:

Based on the information provided, the EMCO Wheaton Retail Phase I Enhanced Vapor Recovery (EVR) System does not increase the likelihood of liquid-phase product accumulating in the underground tank vent and vapor recovery lines.

Gary Wayne Hall, PE M 30584