State Water Resources Control Board

October 1, 2019

Mr. Ted Tiberi
ARID Technologies, Inc.
323 S. Hale Street
Wheaton, IL 60187

Dear Mr. Tiberi:

EVALUATION FOR THE MODIFICATION TO THE ASSIST ENHANCED VAPOR RECOVERY PHASE II SYSTEM INCLUDING IN-STATION DIAGNOSTICS

Assembly Bill 2955 (statutes 2004, chapter 649) added Health and Safety Code, requires the California Air Resources Board (CARB) 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 CARB's Enhanced Vapor Recovery (EVR) requirements also meets underground storage tank (UST) statutory requirements.

On July 3, 2019, the State Water Board received information from ARID Technologies, Inc. requesting a State Water Board review of a proposed modification to the Assist EVR Phase II System. The proposed modification is the addition of the Permeator AT-150 processor. As indicated in the enclosed statements, a California registered professional engineer has reviewed the proposed modifications and did not find any evidence that the proposed modification conflicts with UST Statutes.

This determination letter supersedes all previous State Water Board determination letters for the Assist EVR Phase II System and includes all the engineering statements from the determination letters issued April 7, 2005, November 13, 2006, and November 18, 2009.

State Water Board staff has reviewed the Assist EVR Phase II System as modified and although the Assist EVR Phase II System does not conflict with UST Statutes and California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), the following existing regulatory limitations apply:

Vent and Vapor Recovery Piping

For UST systems installed prior to July 1, 2003, vent and vapor piping is excluded from the statutory definition of "underground storage tank" if the vent and vapor piping is designed to prevent, and does not hold, standing fluid. Based on the information submitted, the addition of the Permeator AT-150 processor does not increase the likelihood of liquid-phase product accumulating in the vent or vapor recovery piping, because the Permeator AT-150 processor does not condense the vapors to the liquid-phase. Because the information submitted indicates the addition of the Permeator AT-150 processor does not increase the likelihood of liquid-phase product accumulating in the vent or vapor recovery piping, vent and vapor recovery piping connected to USTs installed before July 1, 2003 that are currently excluded from the definition of "underground storage tank" may continue to be excluded.

[UST Statutes, section 25281.5(a)(4).]

Liquid Condensate Trap (Vapor Pot)

When liquid/vapor condensate traps are connected to USTs, the condensate traps are part of the UST system, and therefore, are required to meet the design, construction, operation, and maintenance requirements set forth at the time of the UST installation.

[UST Statutes, sections 25290.1, 25290.2, 25291, & 25292.]

Nozzles, Hoses, and Pressure/Vacuum Vent Valves

The following EVR components are excluded from the statutory definition of "pipe" or are aboveground vapor recovery components that are not part of the UST system regulated by the State Water Board.

1. Unburied delivery hoses, vapor recovery hoses, and nozzles that are subject to unobstructed visual inspection for leakage.

2. Pressure/Vacuum vent valves that are installed above ground on tank vent piping.

In order to minimize the burden of the *EVR Multi Agency Review Process* on manufacturers, the State Water Board has determined that review of these components on an individual basis is not necessary.

[UST Statutes, section 25281.5(a)(3).]

Leak Detection Monitoring Panel (ISD)

UST Regulations specify that any installation, repair, maintenance, or programming of monitoring equipment must be done by a qualified service technician meeting the requirements of section 2715(f)(2)(B) of the UST Regulations. Installation of the Assist Phase II EVR System Including In-Station Diagnostics involves adding sensors, wiring, and possibly software to an INCON or Veeder-Root console. In cases where the Veeder-Root's TLS-350, TLS-350 Plus, or TLS-350R or INCON's TS-5000 or TS-550

console is being used to satisfy monitoring requirements for the UST system, all work related to the console must be performed by a qualified service technician meeting section 2715(f)(2)(B) of the UST Regulations. This includes cases where the console is used to monitor and/or control electronic line leak detectors, interstitial liquid sensors, interstitial vacuum sensors, or automatic tank gauging systems. In those cases, all work related to the console must be performed by a qualified service technician.

[UST Regulations, sections 2611 & 2638.]

Pursuant to UST Statutes, section 25290.1.2(a), the State Water Board certifies that, to the best of its knowledge, the Assist EVR Phase II System Including In-Station Diagnostics, which includes the components listed on the enclosed system equipment list, meets the requirements of UST Statutes. This determination assumes the Assist EVR Phase II System Including In-Station Diagnostics is installed in accordance with applicable CARB Executive Orders, the manufacturer's instructions, the limitations outlined in this letter, and as required by UST Statutes and UST Regulations.

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

Sincerely,

Karen Mogus, Deputy Director
Division of Water Quality

Enclosures (6):

1. Assist EVR Phase II System Including In-Station Diagnostics Equipment List (7/3/2019)
2. Healy Systems, Inc. EVR Phase II System Engineering Statement (4/6/2005)
3. Veeder-Root In-Station Diagnostics System Engineering Statement (7/15/2005)
4. INCON In-Station Diagnostics System Engineering Statement (12/10/2007)
5. Veeder-Root In-Station Diagnostics System Engineering Statement (3/13/2008)
6. ARID Technologies, Inc. Permeator AT-150 Engineering Statement (7/3/2019)

cc: [via email only]

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