CALIFORNIA
Water Boards

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SECRETARY FOR
ENVIRONMENTAL PROTECTION

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.

iii. Overfill device activates at 95 percent; restricts the flow to the tank and activates an audible alarm five minutes before overfill.
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.

Sincerely,

Victoria A. Whitney

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)