



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Executive Office

Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California 95814 • (916) 341-5615
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
Fax (916) 341-5621 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

November 13, 2006

Mr. Paul Bauer
Healy Systems, Inc.
18 Hampshire Drive
Hudson, NH 03051

Dear Mr. Bauer:

EVALUATION OF MODIFICATIONS TO HEALY EVR PHASE II SYSTEM (VR 201-B)

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 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.

We reviewed the entire Healy EVR Phase II System in 2005 and determined that the system does not conflict with UST statutory requirements. (See the enclosed determination letter, dated April 7, 2005.) The proposed modifications to Healy EVR Phase II System that we reviewed in 2005 are as follows:

- The hold open clip on the dispenser nozzle will have only two positions, rather than the three positions indicated in the original system, As an option, the Model 807 Swivel Breakaway and 1302 Flow Limiter may be used in lieu of the Model 8701VV Breakaway and 1301 Flow Limiter that were specified in the original system.

Because the proposed modifications to the Healy EVR Phase II System are very minor and involve only components that are not part of the UST system as regulated by the State Water Board¹, the enclosed April 7, 2005 determination letter applies to the system as described in VR 201-A and VR 201-B.

¹ Chapter 6.7, H&SC, section 25281.5(a)(3) exempts "unburied delivery hoses, vapor recovery hoses, and nozzles that are subject to unobstructed visual inspection for leakage" from the definition of pipe.

If you have questions regarding this letter, please contact Scott Bacon at (916) 341-5873, or by email at sbacon@waterboards.ca.gov.

Sincerely,


Celeste Cantú
Executive Director

Enclosure: April 7, 2005 determination letter for the Healy EVR Phase II System

cc: Ms. Catherine Witherspoon
Executive Officer
Air Resources Board
1001 I Street
Sacramento, CA 95814

Mr. Don Johnson
Assistant Secretary
California Environmental Protection
Agency
1001 I Street
Sacramento, CA 95814



State Water Resources Control Board



Executive Office

Alan C. Lloyd, Ph.D.
Agency Secretary

Arthur G. Baggett, Jr., Chair
1001 I Street • Sacramento, California 95814 • (916) 341-5615
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
Fax (916) 341-3621 • <http://www.waterboards.ca.gov>

Arnold Schwarzenegger
Governor

APR - 7 2005

Mr. Paul Bauer
Healy Systems, Inc.
17 Hampshire Drive
Hudson, New Hampshire 03051

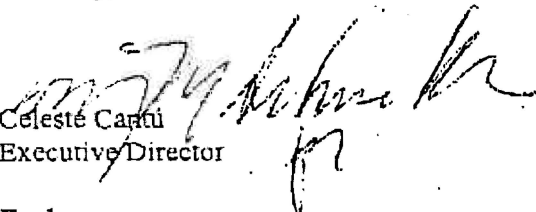
Dear Mr. Bauer:

HEALY SYSTEMS, INC., PHASE II ENHANCED VAPOR RECOVERY (EVR) SYSTEM

As you know, Assembly Bill 2955 (Statutes 2004, Chapter 649) added a provision to the Health and Safety Code (H&SC), chapter 6.7, section 25290.1.2(a). This section requires the Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to determine collaboratively, to the best of their knowledge and using existing resources, that the equipment that meets the ARB's Enhanced Vapor Recovery (EVR) requirements also meets UST statutory requirements. We discussed this requirement in a joint letter from the Air Resources Board and the State Water Board to you dated January 24, 2005.

On April 6, 2005 we received on your behalf the enclosed signed statement by a California Professional Engineer. Based on this statement and the information that Healy Systems, Inc. provided to us, we have found no evidence that this EVR System conflicts with H&SC Chapter 6.7. This determination assumes the EVR System is installed in accordance with applicable ARB Executive Orders and in accordance with manufacturers' instructions, as required by State Water Board regulations. Therefore, pursuant to H&SC section 25290.1.2(a), the State Water Board certifies that, to the best of our knowledge, the Healy Phase II EVR system meets the requirements of H&SC Chapter 6.7.

Sincerely,

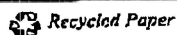

Celeste Capri
Executive Director

Enclosure

cc: Catherine Witherspoon
Executive Officer
Air Resources Board
1001 I Street
Sacramento, CA 95814

Don Johnson
Assistant Secretary
Cal/EPA
1001 I Street
Sacramento, CA 95814

California Environmental Protection Agency



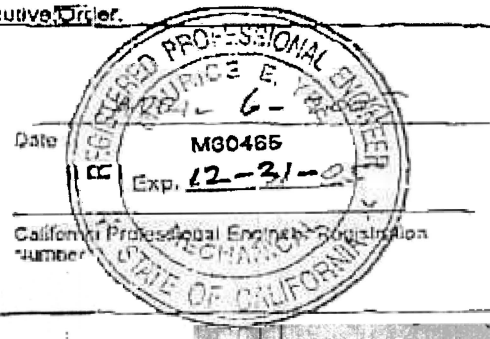
**Certification Statement for
Healy Systems, Inc. Phase II Enhanced Vapor Recovery System¹**

Based on a careful review and analysis, I hereby certify that Healy Systems, Inc. Phase II Enhanced Vapor Recovery (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). Furthermore, the Healy Systems, Inc. Phase II EVR 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:

The system must be installed, maintained and operated in accordance with the California Air Resources Board "Executive Order VR-201-A", Healy Systems, Inc. Phase II Enhanced Vapor Recovery (EVR) System Not Including ISD and the CARB - Approved (IOM) "Installation, Operation and Maintenance Manuals" which is part of the Executive Order.

[Signature]
Signed by (California Professional Engineer)
MAURICE E. YEE
Printed Name (California Professional Engineer)



Healy Systems, Inc.
Company Name
18 Hampshire Drive
Mailing Address
Hudson, NH 03051
City, State, Zip Code

James W. Healy
Signed by (Healy Systems, Inc Representative) April 6, 2005
Date

¹ 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 the provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649; McCarty).
² This certification is based on the presumption that the Healy Systems, Inc. Phase II EVR 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 18 of California Code of Regulations.