CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

MAR 2 1 2016

Ms. Sandy Adams
Franklin Fueling Systems
3760 Marsh Road
Madison, WI 53718

Dear Ms. Adams:

THE COMBINING OF THE EBW AND PHIL-TITE PHASE I ENHANCED VAPOR RECOVERY SYSTEMS, ADDITION OF THE DEFENDER SERIES OVERFILL PREVENTION VALVE, AND CONSOLIDATION OF PREVIOUSLY ISSUED DETERMINATION LETTERS

Health and Safety Code (Health & Saf. Code), chapter 6.7, section 25290.1.2 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.

On July 22, 2015, the State Water Board received an information packet from Franklin Fueling Systems requesting a review of various modifications to the Phil-Tite and EBW EVR phase I systems. The information packet included: (1) a description of the proposed EVR system or proposed modification to an existing EVR system; (2) an equipment list of the proposed EVR system; (3) signed statements from California registered professional engineers indicating that the proposed EVR systems or proposed modification meet the requirements of Health & Saf. Code, chapter 6.7; and (4) a summary of the items reviewed by the California registered professional engineers in support of their signed statements.

The modifications for which Franklin Fueling Systems seek the State Water Board's review include the addition of the Defender 708-59X-9YZ Series overfill prevention valve and the combining of the Phil-Tite and the EBW EVR phase I systems into one phase I EVR system. Based on the signed engineering statements and other information provided by Franklin Fueling Systems, State Water Board staff have concluded that the proposed modifications do not conflict with chapter 6.7 of the Health & Saf. Code.

In order to take account of all the limitations of the EVR systems, previously issued determination letters for the Phil-Tite and EBW EVR phase I systems have been combined into one determination letter. This determination letter include the limitations previously determined on June 30, 2005, November 13, 2006, January 28, 2008, June 26, 2008, and May 13, 2013. In addition, enclosed are all the submitted and signed California registered professional engineering statements from the previous determination letters for both the Phil-Tite and EBW EVR phase I systems.

Although the above referenced EVR phase I systems do not conflict with chapter 6.7 of the Health & Saf. Code and implementing regulations, the following regulatory limitations apply:

Spill Containment
Phil-Tite 85100 Series
Phil-Tite 8510X-1 Series
EBW Defender 705 Series
EBW 7XX-49Y-0Z Series

1. Direct burial configuration can only be used on UST systems where secondary containment of the fill riser is not required. 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 UST systems installed before July 1, 2003 that do not meet the overfill prevention requirements cited in California Code of Regulations (Cal. Code Regs.), title 23, sections 2636(a)(1). (Health & Saf. Code, ch. 6.7, § 25290.2(j).)

2. As required by Cal. Code Regs., title 23, section 2635(b)(1)(C), spill containers shall meet all the following:
   i. Have a minimum capacity of 5 gallons;
   ii. Kept clean and free of liquid (water and fuel) and debris;
   iii. Either,
      (a) Have a drain valve which allows drainage of the collected spill into the primary container; or
      (b) Provide a means to keep the spill container empty;
   iv. For spill containment that does not have a drain valve, the UST facility owner/operator is required to specify the means (process, procedures, and equipment) to keep the spill container empty in the Monitoring Plan required by Cal. Code Regs., title 23, section 2632(d); and
   v. 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 Cal. Code Regs., title 22, section 66262.11.)

Overfill Prevention
EBW 708-49X-1Y Series (Flapper Valve)
EBW 708-49X-3Y Series (Flapper Valve)
Defender 708-59X-9YZ Series (Flapper Valve)

1. As required by Cal. Code Regs., title 23, section 2635(b)(2), the overfill prevention device shall have no manual override and meet one of the following requirements:
    i. Alert the transfer operator when the tank is 90 percent of capacity by restricting the flow into the tank or triggering an audible and visual alarm;
    ii. Restrict the flow to the tank at least 30 minutes before the tank overfills, provided that the restriction occurs when the tank is no more than 95 percent of capacity; and activates an audible alarm at least 5 minutes before the tank overfills;
    iii. Provide positive shut-off of the flow to the tank when the tank is filled to no more than 95 percent of capacity; or
    iv. Provide positive shut-off of the flow to the tank so that none of the fittings located on the top of the tank are exposed to product due to overfilling.

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.

Tank Bottom Protector
Phil-Tite TBP-3516-E

1. As required by Cal. Code Regs., title 23, section 2631(c), below each accessible opening of a tank, the primary containment shall have one of the following:
    i. A wear plate (striker plate) installed, center to center, meeting all of the following requirements:
        (a) The plate shall be made of steel or if steel is not compatible with the hazardous substance stored another compatible material;
        (b) The width of each plate shall be at least eight inches on each side, or shall be equal to the area of the accessible opening or guide tube, whichever is larger;
        (c) The thickness of each steel plate shall be at least 1/8 inch and each plate made of another material shall be of sufficient thickness to provide equivalent protection;
        (d) If the plate is under 1/4 inch thick, it shall be rolled to the contours of the UST; and
        (e) The plate shall be bonded or tack welded in place; or
    ii. A drop tube-mounted bottom protector.

Pursuant to Health & Saf. Code, chapter 6.7, section 25290.1.2, the State Water Board certifies that, to the best of its knowledge, the Franklin Fueling Systems EVR phase I System, which includes the components listed on the enclosed Phil-Tite/EBW EVR Phase I Vapor Recovery System Equipment List, meets the requirements of chapter 6.7 of the Health & Saf. Code. This

determination assumes the Phil-Tite and EBW phase I systems are installed, operated, and maintained in accordance with the manufacturer's instructions, chapter 6.7 of the Health & Saf. Code, and title 23 of the Cal. Code Regs.

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,

Karen Larsen, Deputy Director
Division of Water Quality

Enclosures (8):

1) Franklin Fueling System's Phil-Tite/EBW EVR Phase I Vapor Recovery System Equipment List (1/28/2016)
2) Phil-Tite EVR Phase I Engineering Statement (6/27/2005)
3) Franklin Fueling Systems-Phil-Tite EVR Phase I Auto Limiter II and EBW Phase I Equipment Engineering Statement (7/12/2006)
4) Franklin Fueling Systems- Phil-Tite EVR Phase I Defender Series Spill Containment Engineering Statement (2/4/2013)
5) Franklin Fueling Systems-EBW EVR Phase I Defender Series Spill Containment Engineering Statement (2/8/2013)
6) Franklin Fueling Systems-Phil-Tite EVR Phase I Defender Series Overfill Prevention Valve Engineering Statement (7/13/2015)
7) Franklin Fueling Systems-EBW EVR Phase I Defender Series Overfill Prevention Valve Engineering Statement (7/13/2015)
8) Franklin Fueling Systems- Phil-Tite and EBW EVR Phase I Defender Series Spill Containment for E85 Engineering Statement (7/16/2015)

cc: Mr. Aaron M. Newman, P.E.
3095 Skillman Lane
Petaluma, CA 94952

cc: [Via email only]

Pat Bennett
Air Resources Supervisor
Monitoring and Laboratory Division
Air Resources Board
pat.bennett@arb.ca.gov

Julie M. Osborn
Attorney III
Office of Chief Counsel
State Water Resources Control Board
julie.osborn@warterboards.ca.gov