



State Water Resources Control Board



Executive Office

Tam M. Doduc, Board Chair

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Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

AUG 08 2006

Mr. Jose Rodriguez
Emco Wheaton Retail
1666 Yale Street
Chula Vista, CA 91913

Dear Mr. Rodriguez:

EVALUATION OF EMCO WHEATON RETAIL EVR 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 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 March 15, 2006 we received on your behalf the enclosed signed statement by a California Registered Professional Engineer. Based on this statement and the information that Emco Wheaton provided to us, we have found no evidence that the Emco Wheaton Retail EVR Phase I System conflicts with H&SC Chapter 6.7. However, the direct burial configuration of this system does not provide secondary containment for the tank fill riser as required for certain UST systems pursuant to Chapter 6.7 of the Health and Safety Code 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.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the Emco Wheaton Retail EVR Phase I System (available in direct bury and multi-port configurations) meets the requirements of H&SC Chapter 6.7. This determination assumes the Emco Wheaton Retail EVR Phase I System is installed in accordance with applicable ARB Executive Orders and in accordance with manufacturer's instructions, as required by State Water Board regulations.

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: Certification Statement for Emco Wheaton Retail EVR Phase I System

California Environmental Protection Agency

Mr. Jose Rodriguez

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AUG 08 2006

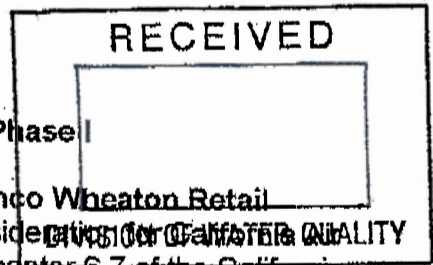
cc: Ms. Catherine Witherspoon
Executive Officer
Air Resources Board
1001 I Street
Sacramento, CA 95814

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

California Environmental Protection Agency



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 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.)²

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)

Gary W. Hall
Signed by
(California Professional Engineer)

4/1/06
Date

Jose E. Rodriguez
Signed by
(Company Representative)

4-4-06
Date

Gary W. Hall, PE
Printed Name (California Professional Engineer)

Jose E. Rodriguez/ Manager of Tech Services
Printed Name (Company Representative)

G.W. Hall Engineering
Professional Engineer Company Name

Emco Wheaton Retail
Equipment Manufacturer Name

1402 NW Santa Fe Ln #203
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Mailing Address

Silverdale, WA 98383
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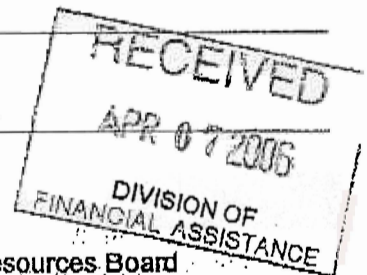
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¹ This certification statement is part of the guidelines developed by the California Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649: McCarthy).

² 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.