



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

April 16, 2013

Mr. Charles Liebal
OPW Fueling Containment Systems
3250 Highway 70 Business West
Smithfield, NC 27577

Dear Mr. Liebal:

Evaluation of Stage I Vapor Recovery Components, OPW 1-3700 Series Spill Containers

As you know, Assembly Bill 2955 (Statutes 2004, Chapter 649) added Health and Safety Code (H&SC), Chapter 6.7, Section 25290.1.2(a). This addition 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.

The State Water Board has received an information packet from you detailing a proposed modification to OPW executive order VR-102. The proposed modification states the only difference between OPW 1-3100 series of products and 1-3700 series of products is the cover arrangement and outer guard. This new 1-3700 series uses a steel cover instead of an iron cover and the outer guard is not included as the existing spill container performs this function. In addition, the proposed modification is intended to retrofit into existing 500L and 700L spill containers. You have also stated in your information packet that, "ARB has evaluated this new product series and concluded that no field testing will be required due to the similarities with the 1-3100 series." The proposed modification has been reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statement dated March 1, 2013. Based on this signed statement and the supporting information you provided, the State Water Board has found no evidence that the OPW 1-3700 Series Spill Containers conflicts with H&SC, Chapter 6.7.

This determination assumes the OPW Phase I EVR System is installed and maintained in accordance with the most recent ARB Executive Order VR-102 and manufacturer's instructions. 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 inclusion of 1-3700 series spill containers to the OPW Phase I EVR System as outlined in the January 5, 2009 and August 31, 2005 letters meets the requirements of H&SC, Chapter 6.7.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

1001 J Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

If you have questions regarding this letter, please contact Ms. Laura Fisher at 916-341-5870, or by email at lfisher@waterboards.ca.gov.

Sincerely,



Vicky A. Whitney
Deputy Director
Division of Water Quality

Enclosures (8): Request to Add Stage I Vapor Recovery Components, 1-3700 Series

Third Party Review and Approval of OPW Series 1-3700 Double Wall Retrofit
Spill Containment

OPW 1-3700 Series Component Cut Sheets

OPW 1-3700 Series Product List

OPW List of Changes Between 1-3100 Series and 1-3700 Series Products

OPW Representative Component Drawing

OPW Representative Picture of 1-3700 Series

OPW Double Wall EDGE Field Replacement Kits for 500L and 700L Series Spill
Containers



October 8, 2012

Laura Fisher
State Water Resources Control Board
Division of Water Quality
Underground Storage Tank Program
PO Box 100
Sacramento, California 95812-0100

Subject: Request to add Stage I Vapor Recovery Components, 1-3700 Series

Dear Laura,

OPW is currently working with ARB on getting our new 1-3700 series of UST products approved and added to OPW executive order VR-102. The 1-3700 series is nearly identical to the previously reviewed OPW 1-3100 series of products with the exception of the cover arrangement and outer guard. The 1-3700 series attaches to a steel cover instead of iron and can be retrofit into old style OPW spill containers. The 1-3100 series of products has been evaluated previously and the determination letter dated January 5, 2009 is shown online at:

http://www.swrcb.ca.gov/ust/leak_prevention/evr_determination_letters.shtml. The 1-3700 series is intended to retrofit into existing 500L and 700L spill containers which have also been evaluated previously in a determination letter dated August 31, 2005.

ARB has evaluated this new product series and concluded that no field testing will be required due to the similarities with the 1-3100 series but they have requested documentation of your approval before they will certify the 1-3700 series of products.

Attached to this letter is a product list, list of changes from 1-3100 series, cut sheets, drawing, and picture for the new product. If you have no concerns regarding these modifications please send us a determination letter that we can send to ARB.

If you have any questions, please contact me at (919) 934 2786 ext. 206.

Best Regards,

Charles Liebal
OPW Fueling Containment Systems
Product Manager
Phone: (919) 934-2786 x206
Email: cliebal@opwfcs.com

OPW Fueling Containment Systems

Mission Statement

3250 Highway 70 Business West
Smithfield NC, USA 27577
919-934-2786

Revolutionizing fueling operations globally by
optimizing safety, efficiency, reliability, and
environmental sustainability through innovative
fuel handling and information management solutions



A DOVER COMPANY

1-3700 Series Product List

1-3700 Series Spill Container Number Format - 1WW-37XYZ															
Model	1	WW			-	37	X				Y			Z	
		Cover Type					Gauge/Sensor Config.				Base Type				
		Cast Iron Rain Tight	Sealable Aluminum	Aluminum Rain Tight			Float Gauge	Sensor Port	Sensor Port and Sensor	No Sensor No Gauge	Double Wall	Single Wall 1-3100 Style Base	Single Wall 1-2100 Style Base	Drain Valve	Drain Plug
1C-3712D	1	C			-	37	1				2			D	
1C-3712P	1	C			-	37	1				2				P
1C-3722D	1	C			-	37		2			2			D	
1C-3722P	1	C			-	37		2			2				P
1C-3732D	1	C			-	37			3		2			D	
1C-3732P	1	C			-	37			3		2				P
1C-3703D	1	C			-	37				0		3		D	
1C-3703P	1	C			-	37				0		3			P
1C-3701D	1	C			-	37				0			1	D	
1C-3701P	1	C			-	37				0			1		P
1SC-3712D	1		SC		-	37	1				2			D	
1SC-3712P	1		SC		-	37	1				2				P
1SC-3722D	1		SC		-	37		2			2			D	
1SC-3722P	1		SC		-	37		2			2				P
1SC-3732D	1		SC		-	37			3		2			D	
1SC-3732P	1		SC		-	37			3		2				P
1SC-3703D	1		SC		-	37				0		3		D	
1SC-3703P	1		SC		-	37				0		3			P
1SC-3701D	1		SC		-	37				0			1	D	
1SC-3701P	1		SC		-	37				0			1		P
1A-3712D	1			A	-	37	1				2			D	
1A-3712P	1			A	-	37	1				2				P
1A-3722D	1			A	-	37		2			2			D	
1A-3722P	1			A	-	37		2			2				P
1A-3732D	1			A	-	37			3		2			D	
1A-3732P	1			A	-	37			3		2				P
1A-3703D	1			A	-	37				0		3		D	
1A-3703P	1			A	-	37				0		3			P
1A-3701D	1			A	-	37				0			1	D	
1A-3701P	1			A	-	37				0			1		P

OPW Fueling Containment Systems

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Smithfield NC, USA 27577
919-934-2786

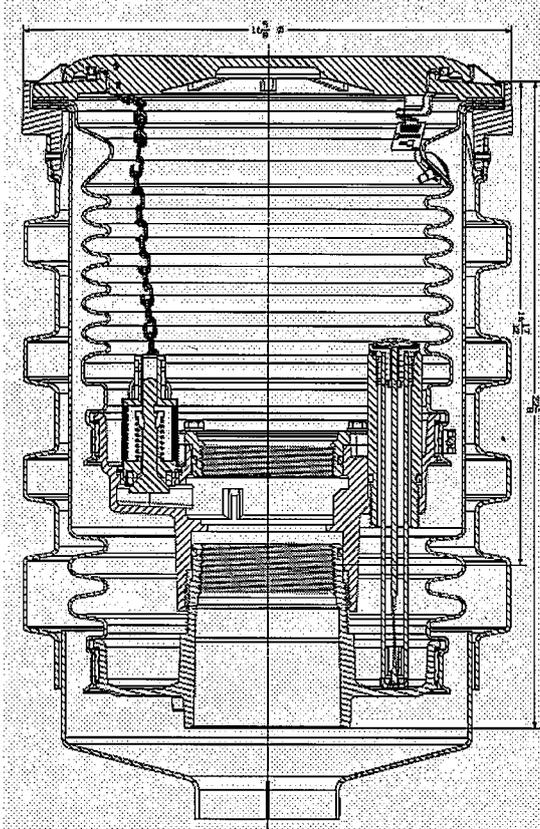
Mission Statement

Revolutionizing fueling operations globally by optimizing safety, efficiency, reliability, and environmental sustainability through innovative fuel handling and information management solutions

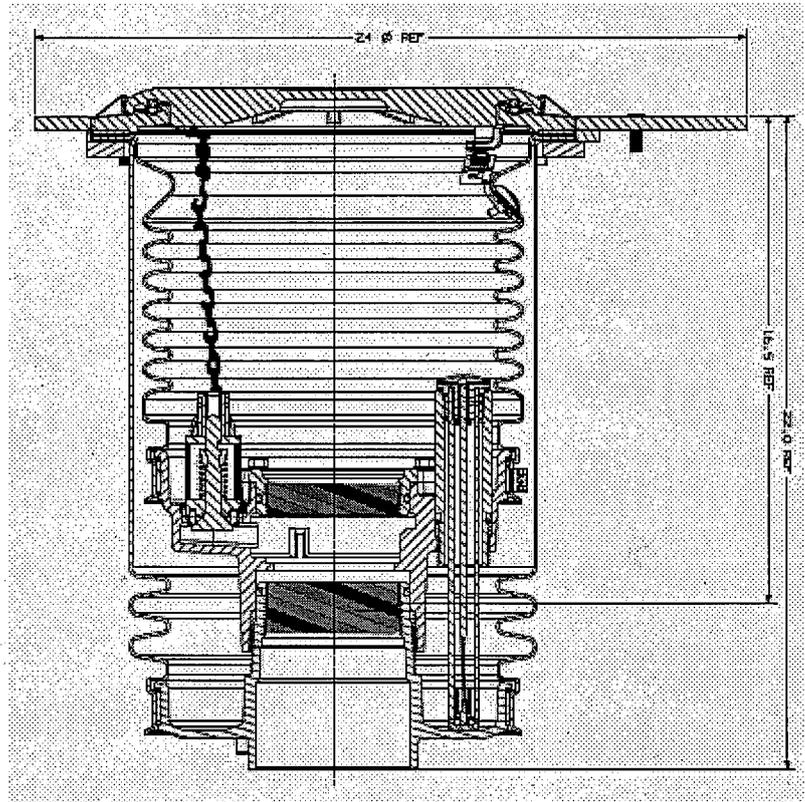


A DOVER™ COMPANY

List of changes between 1-3100 series and 1-3700 series products



1-3100 Series



1-3700 Series Edge Retrofit

- Same bases, drain valve, plug, float gauge, sensors, flange adaptor, bellows, snowplow ring, and cover used in all models.
- Same options are available on both models: double wall, single wall, float gauge, sensor, sealable cover, raintight cover.
- 1-3700 series have a steel main cover. 1-3100 series have a ductile iron mounting ring.
- 1-3700 series does not include a guard and skirt as the existing 500L or 700L fiberglass bucket performs this function.

OPW Fueling Containment Systems

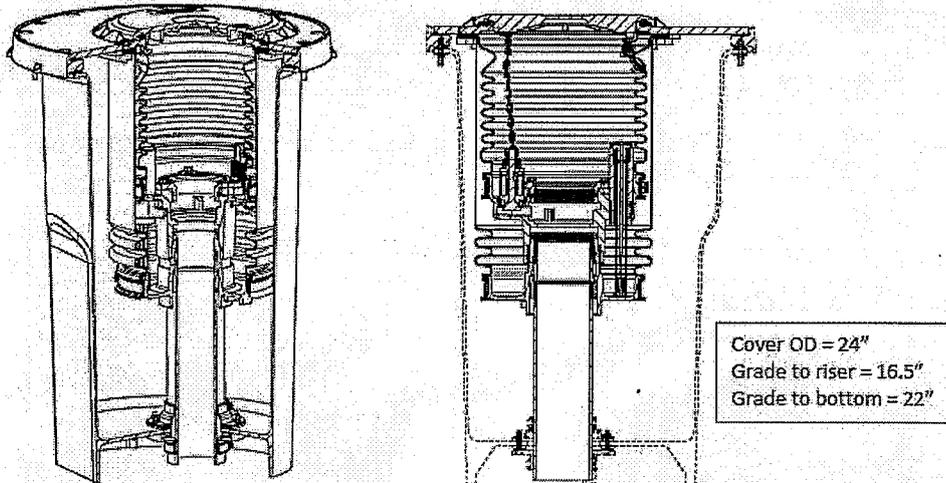
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Component Cut Sheets

1C-3700 Edge Retrofit Series



Retrofit Edge Models

- 1C-3712D The EDGE 5 Gallon DW Spill Container, with steel and cast iron covers, Float, Drain Valve
- 1C-3712P The EDGE 5 Gallon DW Spill Container, with steel and cast iron covers, Float, Plug
- 1C-3732D The EDGE 5 Gallon DW Spill Container, with steel and cast iron covers, Sensor, Drain Valve
- 1C-3732P The EDGE 5 Gallon DW Spill Container, with steel and cast iron covers, Sensor, Plug

Existing Product	Nominal Cover to Riser Dimension (inches)	Items needed to retrofit Edge
561L or 761L with cast iron base	18.50	1C-3700 DW Series + 206121 Adapter (16.5" + 2")
511L or 711L with composite base	19.63	1C-3700 DW Series + 206122 Adapter (16.5" + 3.25")
561L or 761L with cast iron base and FSA-400-S	20.50	1C-3700 DW Series + 206122 Adapter (16.5" + 3.25")
561L or 761L with cast iron base and FSA-400	21.75	1C-3700 DW Series + 4" merchant coupling + 4" NPT x 4" length nipple
511L or 711L with composite base and FSA-400	22.88	1C-3700 DW Series + 4" merchant coupling + 4" NPT x 5" length nipple
561L-RM or 761L-RM remote with cast iron base	Remote line must be below bottom of EDGE (22" below cover)	1C-3700 DW Series + New 4" NPT nipple
511L-RM or 711L-RM remote with cast iron base	Remote line must be below bottom of EDGE (22" below cover)	1C-3700 DW Series + New 4" NPT nipple

Replacement Parts / Accessories

206121	Adapter, short (adds 2" to riser)	201692	O-ring, nipple adaptor
206122	Adapter, long (adds 3.25" to riser)	201971	Visigauge
202135-KIT	5 Gallon Primary bucket drain S/A	201972	O-ring, visigauge adaptor
202136-KIT	5 Gallon Primary bucket plug S/A	202013	O-ring, visigauge
202137-KIT	5 Gallon Secondary bucket S/A	202943	Wire splice kit
202831-KIT	5 Gallon Secondary bucket sensor S/A	202947	Replacement sensor kit
201530	Snowplow ring	1DK-2100-EVR	Drain valve S/A
201689	Snowplow ring seal	1-21CC	Cast iron cover
		H12229M	Cover seal

Installation tools & testing equipment

1-3100-TOOL	Installation Tool
DW-VAC-TEST	Double Wall Vacuum Tester

OPW Fueling Containment Systems

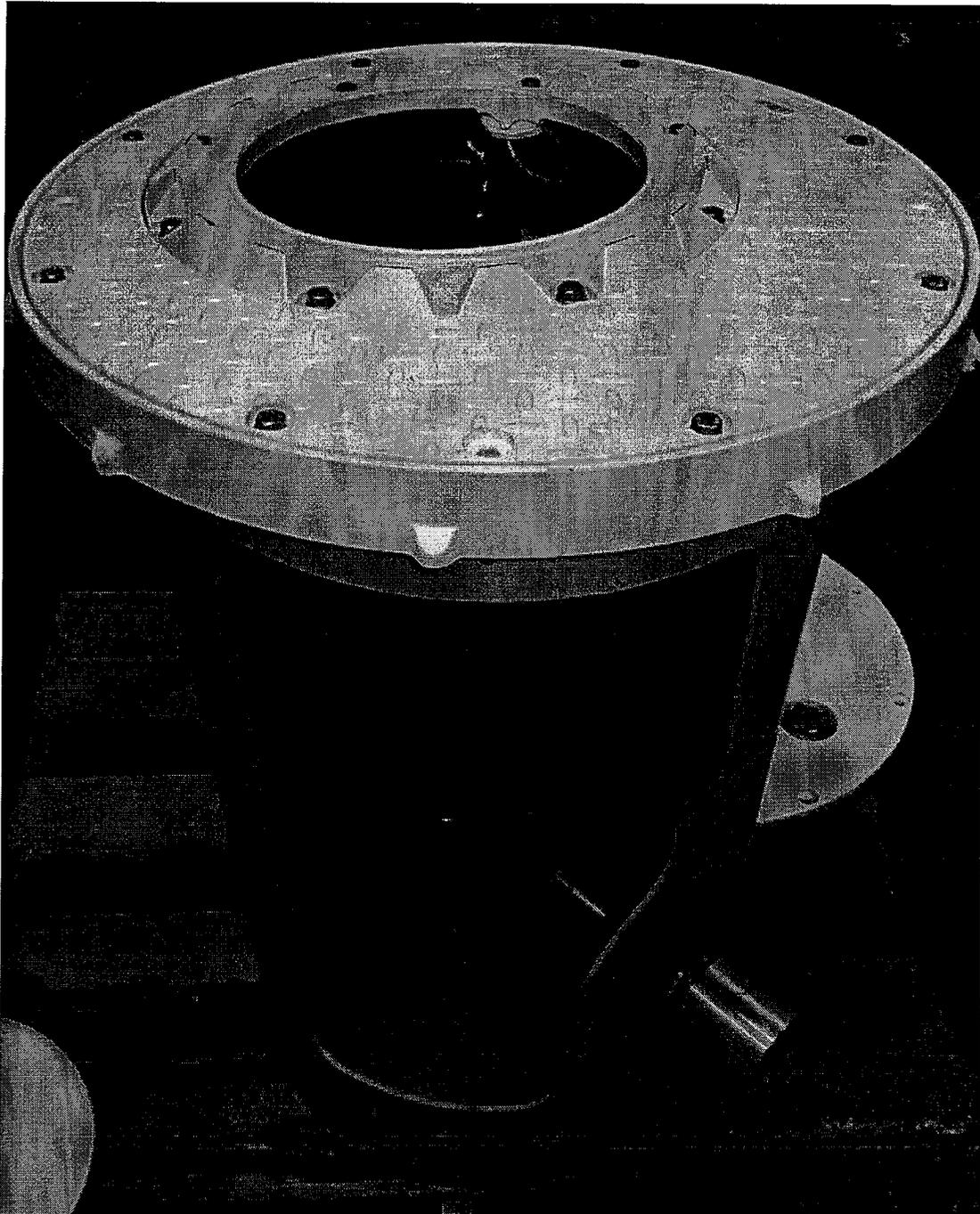
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Representative Picture of 1-3700 Series, 5 Gal Edge Retrofit



1-3700 Series

OPW Fueling Containment Systems

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919-934-2786

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Aaron M. Newman P.E.
3095 Skillman Ln.
Petaluma, CA 94952
707-479-4594
anewmanpe@comcast.net

March 1, 2013

OPW Fueling Components
9393 Princeton-Glendale Rd.
Hamilton, Ohio 45240
800-422-2525

Attn: Kris Kane

RE: Third Party Review and Approval of OPW Series 1-3700 Double Wall, Retrofit, Spill Containment

I have examined and reviewed the following items on the OPW Series 1-3700 Double Wall, Retrofit, Spill Containment.

1. Materials Compatibility
 - a. Materials Compatibility Comparison Charts for Standard OPW 1-3700 and retrofit cover
2. ULC Approval
EGYHC.MH27236, Spill Containment Devices for Flammable Liquid Storage Tanks
3. Structural Analysis
206918 Cast Cover Analysis (700L/500L Edge Retrofit) Dated: 12-21-12
4. Product Test
1-3700 Series Edge Steel Retrofit Cover Load and Fit Testing
5. Double Wall EDGE™ Field Replacement Kits for 500L and 700L Series Spill Containers literature.
6. Installation and Maintenance Instructions
 - a. Installation and Maintenance Instructions for OPW 1-3700 Series Thread-On Double Wall Spill Containers to Retrofit into Existing 500L and 700L Buckets

Aaron M. Newman P.E.
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anewmanpe@comcast.net

Based on a careful review and analysis the information provided by OPW, I hereby certify that the OPW Series 1-3700 Double Wall, Retrofit, Spill Containment will provide containment of spills and is testable in accordance with California Health and Safety Code, Chapter 6.7. The integrity of the double walled model of the spill containment can be verified either continuously or periodically by testing the interstitial space (Since riser pipe for the spill containment is not double walled, the installation does not meet the monitoring requirements of California AB 2481).

Aaron M. Newman P.E.

Aaron M. Newman P.E.
Mechanical Engineer
California Engineers License #M026214



5/1/13

ENHANCED VAPOR RECOVERY MULTI AGENCY REVIEW PROCESS
GUIDELINES FOR DETERMINATION OF COMPLIANCE OF ENHANCED VAPOR
RECOVERY SYSTEMS WITH UNDERGROUND STORAGE TANK STATUTES

May 24, 2005

Background:

Health and Safety Code (HSC), chapter 6.7, section 25290.1.2(a) 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 underground storage tank (UST) statutory requirements. Assembly Bill 2955 (Statutes 2004, Chapter 649) added this provision. To implement this new requirement, ARB and State Water Board staff are proposing the following guidelines. ARB and State Water Board staff will continue their regular meetings to discuss any overlapping issues and coordinate to the extent practical to minimize any new deadline conflicts between the two agencies' requirements.

Guidelines For New EVR Systems And Modifications To Existing EVR Systems:

1. For new EVR system applications and EVR modification requests, the ARB will copy the State Water Board on the first correspondence with the equipment manufacturer regarding this topic. The State Water Board review process will begin once it is notified that the equipment manufacturer responds to the ARB's letter.

The ARB will notify the EVR system equipment manufacturer, in writing, that the manufacturer is required to submit specific information to the State Water Board. Specific information that the equipment manufacturer must provide to the State Water Board, UST Program Manager includes:

- A. A description of the proposed EVR system or proposed modification to an existing EVR system.
- B. An equipment list of the proposed EVR system or proposed modification to an existing EVR system.
- C. Independent testing organization (e.g., UL) and third-party testing results.
- D. A statement signed by a California registered professional engineer, that the proposed EVR system meets the requirements of chapter 6.7, HSC. (A sample statement is included in Appendix I of the guidelines.)
- E. A summary of the items reviewed by the California registered professional engineer in support of the statement referenced in D.

During the review period, State Water Board may seek clarification of the information submitted from the EVR system equipment manufacturer.

State Water Board staff will advise local agencies and other interested parties via email that the EVR system is under review so that they may comment.

2. After State Water Board staff review the information outlined above in guideline #1, the State Water Board will notify the applicant and the ARB of its determination. The State Water Board determination will be made no later than the end of the California Air Pollution Control Officer Association (CAPCOA) Executive Order (E.O.) comment period or a date mutually agreed upon by ARB and State Water Board staff.
3. The ARB will issue an E.O. after determining that the proposed EVR system meets the requirements of section 94011, of title 17, CCR and after receiving all required determination letters (e.g., from the Office of the State Fire Marshal, State Water Board, Division of Measurement Standards, and Division of Occupational Safety and Health).
4. The E.O.s and specific information (including the State Water Board determination) will be posted on the ARB and the State Water Board websites.

Certification Statement for the OPW 1-3700 Double Wall, Retrofit, Spill Containment¹

Based on a careful review and analysis, I hereby certify that the **OPW 1-3700 Double Wall, Retrofit, Spill Containment** 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 **OPW 1-3700 Double Wall, Retrofit, Spill Containment** 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:

For installations after July 1, 2003, the direct bury installation of the OPW 1-3700 Double Wall, Retrofit, Spill Containment may not be used as it does not meet the monitoring requirements of California Health & Safety Code paragraphs 25290.2(j) and 25290.1(k).

Aaron M. Newman 3/1/13
Signed by Date
(California Professional Engineer)

Aaron M. Newman P.E.
Printed Name (California Professional Engineer)

Aaron M. Newman P.E.
Professional Engineer Company Name

3095 Skillman Ln.
Mailing Address

Petaluma, CA 94952
City, State, Zip Code

707-479-4594
Phone Number

anewmanpe@comcast.net
Email



Kris Kane 3-1-13
Signed by Date
(Company Representative)

Kris Kane
Printed Name (Company Representative)

OPW
Equipment Manufacturer Name

9393 Princeton - Glendale Rd.
Mailing Address

Hamilton, OH 45011
City, State, Zip Code

513-870-3162
Phone Number

kkane@opwfcs.com
Email

¹This 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).

²This certification is based on the presumption that the **OPW 1-3700 Series Spill Container** 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.

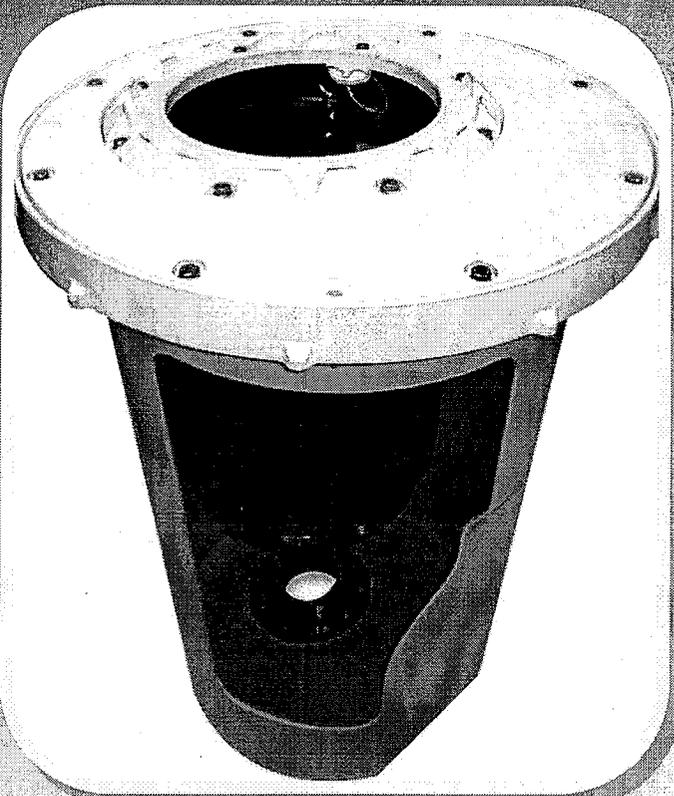
Leading the Way in Fueling Innovation Worldwide



Introducing

Double Wall EDGE™ Field Replacement Kits for 500L and 700L Series Spill Containers

Double Wall EDGE Field Replacement Kits are an efficient way to enjoy all the benefits of OPW's Double Wall EDGE Spill Container without having to break concrete to remove the frame on a 500L or 700L Series Spill Container.



Double Wall EDGE™ Field Replacement Kits include:

- ◆ Double Wall Primary and Secondary Containment Cartridges
- ◆ Snow Plow Ring
- ◆ Containment Lid
- ◆ Replacement Top Cover
- ◆ Sensor Models include a new sensor and wire splice kit

Model Options include:

- ◆ Drain Valve or Plug for Fill and Vapor Applications
- ◆ Float Gauge or Continuous Monitoring Sensor
- ◆ Raintight Cover or Sealable Cover Available for all Configurations



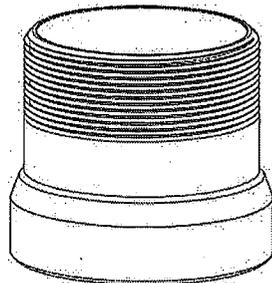
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The Way
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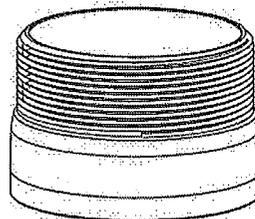
Adapter Chart

Existing Product	Nominal Steel Cover to Riser Dimension (Inches) - See Figure 5	Items Needed to Retrofit EDGE
561L or 761L with Cast Iron Base	18.50"	1-3700 DW Series + 206121 Adapter (16.5" + 2")
511L or 711L with composite base	19.63"	1-3700 DW Series + 206122 Adapter (16.5" + 3.25")
561L or 761L with cast iron base and FSA-400-S	20.50"	1-3700 DW Series + 206122 Adapter (16.5" + 3.25")
561L or 761L with cast iron base and FSA-400	21.75"	1-3700 DW Series + 4" merchant coupling (customer supplied) + 4" NPT x 4" length nipple (OPW p/n H15144M or customer supplied) OR 1-3700 DW Series + 206122 Adapter + 206121 Adapter
511L or 711L with composite base and FSA-400	22.88"	1-3700 DW Series + 4" merchant coupling (customer supplied) + 4" NPT x 5" length nipple (OPW p/n H12806M or customer supplied) OR 1-3700 DW Series + two 206122 Adapters
561L-RM or 761L-RM remote with cast iron base*	Remote line must be below bottom of EDGE (22" below steel cover)	1-3700 DW Series + New 4" NPT Nipple (Customer supplied)
511L-RM or 711L-RM remote with cast iron base*	Remote line must be below bottom of EDGE (22" below steel cover)	1-3700 DW Series + New 4" NPT Nipple (customer supplied)

* If elbow on remote line must be secondarily contained, do not proceed with this upgrade.



206122 Adapter
(adds 3.25")



206121 Adapter
(adds 2")



3250 US Highway 70 Business West * Smithfield, NC 27577

Customer Service: (800) 422-2525 * Fax: (800) 421-3297

Technical Service: 877-OPW-TECH (877) 679-8324

www.opwglobal.com





Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Executive Office

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

DELEGATION AUTHORITY
TO DIVISION CHIEF

TO: James Goldstene
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

FROM: 
Dorothy Rice
Executive Director
EXECUTIVE OFFICE

DATE: April 9, 2008

SUBJECT: Designation for Purposes of Implementing of Health and Safety Code
Section 25290.1.2 (Underground Storage Tank Vapor Recovery
Equipment)

Section 25290.1.2 of Chapter 6.7 of Division 20 of the Health and Safety Code (concerning underground storage tanks) requires the State Water Resources Control Board (State Water Board), and the State Air Resources Board under the direction of the California Environmental Protection Agency, to work collaboratively with existing resources to "certify, to the best of their knowledge, that the equipment that meets the requirements of Section 94011 of Title 17 of the California Code of Regulations for enhanced vapor recovery systems at gasoline dispensing facilities, as implemented by the State Air Resources Board, also meets the requirements of [Chapter 6.7]." (Health & Saf. Code § 25290.1.2, subd. (a).) Subdivisions (b) and (c) of section 25290.1.2, respectively, describe the certification process and specify notification requirements for certifications made pursuant to this section. Subdivision (d) of section 25290.1.2 provides that this section "shall be implemented by the executive directors of the [State Water Board] and of the State Air Resources Board, or by their designees."

~~The purpose of this memorandum is to notify you that in addition to the Executive Director, the Chief of the Division of Water Quality is also authorized to implement Health and Safety Code section 25290.1.2.~~

cc: See next page.

James Goldstene

- 2 -

April 9, 2008

cc: George Lew
Air Resources Board
Engineering and Certification Branch
1927 13th Street
Sacramento, CA 95814

California Environmental Protection Agency

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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

Linda S. Adams
Secretary for
Environmental Protection

TO: Dorothy Rice
Executive Director
Executive Office

FROM: 
Jonathan Bishop
Chief Deputy Director
EXECUTIVE OFFICE

APR 8 2008

DATE:

SUBJECT: Designation for Purposes of Implementing Health and Safety Code
Section 25290.1.2 (Underground Storage Tank Vapor Recovery
Equipment)

Health and Safety Code, Chapter 6.7, section 25290.1.2, subdivision (a) requires the Air Resources Board (ARB) and the State Water Resources Control Board (State Water Board) to determine collaboratively, to the best of their knowledge and using existing resources, that equipment that meets ARB's Enhanced Vapor Recovery (EVR) requirements also meets the State Water Board's underground storage tank (UST) statutory requirements. Section 25290.1.2, subdivision (d) specifies that the determination process "shall be implemented by the executive directors of the [State Water Board] and of the State Air Resources Board, or by their designees."

I recommend that you designate the Chief of the Division of Water Quality to implement section 25290.1.2. If you concur, please sign the attached Designation Memo.

When the statutory requirement for State Water Board determination of EVR equipment compliance went into effect in September 2004, State Water Board UST Program staff worked with ARB staff and the regulated community to develop the *Enhanced Vapor Recovery Multi Agency Review Process Guidelines for Determination of Compliance of Enhanced Vapor Recovery Systems with Underground Storage Tank Statutes*, attached for your reference and hereafter referred to as Guidelines. Since then, EVR systems have been reviewed by State Water Board UST Program staff in accordance with the Guidelines. If, after reviewing the EVR equipment as described in the Guidelines, UST Program management determines that the equipment meets applicable State Water Board UST statutory requirements, a letter is drafted and routed to the Executive Director for review and signature.

California Environmental Protection Agency

This process has worked adequately, but it could be expedited significantly by designating a person in lower level management to implement section 25290.1.2. EVR system determination letters are often time dependent, and must be completed before the ARB can issue an Executive Order for the related EVR equipment. Accordingly, it is desirable to make the State Water Board determination process as expeditious as possible while still ensuring a thorough technical and legal review. As indicated above, subdivision (d) of section 25290.1.2 allows the Executive Director to designate other persons to implement section 25290.1.2.

Attachments:

- 1) Designation Memo
- 2) *Enhanced Vapor Recovery Multi Agency Review Process Guidelines for Determination of Compliance of Enhanced Vapor Recovery Systems with Underground Storage Tank Statutes*

ENHANCED VAPOR RECOVERY MULTI AGENCY REVIEW PROCESS
GUIDELINES FOR DETERMINATION OF COMPLIANCE OF ENHANCED VAPOR
RECOVERY SYSTEMS WITH UNDERGROUND STORAGE TANK STATUTES

May 24, 2005

Background:

Health and Safety Code (HSC), chapter 6.7, section 25290.1.2(a) 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 underground storage tank (UST) statutory requirements. Assembly Bill 2955 (Statutes 2004, Chapter 649) added this provision. To implement this new requirement, ARB and State Water Board staff are proposing the following guidelines. ARB and State Water Board staff will continue their regular meetings to discuss any overlapping issues and coordinate to the extent practical to minimize any new deadline conflicts between the two agencies' requirements.

Guidelines For New EVR Systems And Modifications To Existing EVR Systems:

1. For new EVR system applications and EVR modification requests, the ARB will copy the State Water Board on the first correspondence with the equipment manufacturer regarding this topic. The State Water Board review process will begin once it is notified that the equipment manufacturer responds to the ARB's letter.

The ARB will notify the EVR system equipment manufacturer, in writing, that the manufacturer is required to submit specific information to the State Water Board. Specific information that the equipment manufacturer must provide to the State Water Board, UST Program Manager includes:

- A. A description of the proposed EVR system or proposed modification to an existing EVR system.
- B. An equipment list of the proposed EVR system or proposed modification to an existing EVR system.
- C. Independent testing organization (e.g., UL) and third-party testing results.
- D. A statement signed by a California registered professional engineer, that the proposed EVR system meets the requirements of chapter 6.7, HSC. (A sample statement is included in Appendix I of the guidelines.)
- E. A summary of the items reviewed by the California registered professional engineer in support of the statement referenced in D.

During the review period, State Water Board may seek clarification of the information submitted from the EVR system equipment manufacturer.

State Water Board staff will advise local agencies and other interested parties via email that the EVR system is under review so that they may comment.

2. After State Water Board staff review the information outlined above in guideline #1, the State Water Board will notify the applicant and the ARB of its determination. The State Water Board determination will be made no later than the end of the California Air Pollution Control Officer Association (CAPCOA) Executive Order (E.O.) comment period or a date mutually agreed upon by ARB and State Water Board staff.
3. The ARB will issue an E.O. after determining that the proposed EVR system meets the requirements of section 94011, of title 17, CCR and after receiving all required determination letters (e.g., from the Office of the State Fire Marshal, State Water Board, Division of Measurement Standards, and Division of Occupational Safety and Health).
4. The E.O.s and specific information (including the State Water Board determination) will be posted on the ARB and the State Water Board websites.