



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

1001 I Street, Sacramento, California 95814 ♦ (916) 341-5455  
Mailing Address: P.O. Box 2231, Sacramento, California 95812  
FAX (916) 341-5808 ♦ Internet Address: <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

JUN 17 2009

Mr. Jose E. Rodriguez  
Manager of Technical Service & AMP; Support  
Emco Wheaton Retail Corporation  
1004 West Covina Parkway #413  
West Covina, CA 91790

Dear Mr. Rodriguez:

EVALUATION OF EMCO WHEATON BALANCE PHASE II ENHANCED VAPOR RECOVERY (EVR) SYSTEM FOR USE WITH THE HIRT VCS-100 VAPOR PROCESSOR AND FOR USE WITH AND WITHOUT THE FRANKLIN FUELING INCON VAPOR RECOVERY MONITORING (VRM) AND DATA TRANSFER UNIT (DTU) IN-STATION DIAGNOSTIC (ISD) SYSTEM

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 California 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 EVR requirements also meets the underground storage tank (UST) statutory requirements.

We have received information and a detailed description regarding the use of the Emco Wheaton's Balance Phase II EVR System in conjunction with the Hirt VCS-100 vapor processor and the Franklin Fueling VRM and DTU. The determination letter for the Hirt VCS-100 vapor processor (dated January 5, 2009) and both determination letters for the Franklin Fueling VRM (dated December 20, 2007) and DTU (dated July 17, 2009) are enclosed.

The design, installation, and operation of the Emco Wheaton Balance Phase II EVR System in conjunction with the Hirt VCS-100 vapor processor and the Franklin Fueling VRM and DTU have been reviewed by a California Professional Engineer, as indicated by the enclosed signed statement. Based on this signed statement and the information that you have provided, we have found no evidence that the Emco Wheaton Balance Phase II EVR System used in conjunction with the Hirt VCS-100 vapor processor and the Franklin Fueling VRM and DTU conflicts with H&SC Chapter 6.7.

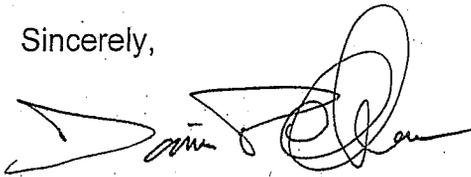
Mr. Jose E. Rodriguez

- 2 -

Please note that all conditions issued with the Hirt VCS-100 vapor processor and Franklin Fueling VRM and DTU determinations, also apply to the use of the Emco Wheaton Balance Phase II EVR System equipment with the Hirt VCS-100 vapor processor and the Franklin Fueling VRM and DTU.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of it's knowledge, the Emco Wheaton Balance Phase II EVR System used in conjunction with the Hirt VCS-100 vapor processor and Franklin Fueling VRM and DTU meets the requirements of the H&SC Chapter 6.7. This determination assumes that Emco Wheaton Balance Phase II EVR System, the Hirt VCS-100 vapor processor, and the Franklin Fueling VRM and DTU are installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and the limitations outlined in this letter.

Sincerely,



Darrin Polhemus, Deputy Director  
Division of Water Quality

Enclosures (4)

cc: Mr. George Lew, Chief  
ARB Engineering and Certification Branch  
1927 13<sup>th</sup> Street  
Sacramento, CA 95812

## Engineering Statement

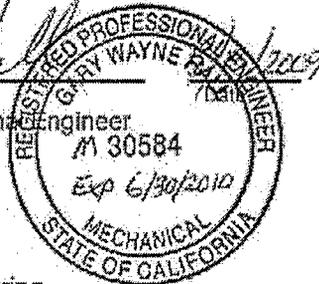
### Certification Statement for the Emco Wheaton Retail Balance Phase II Enhanced Vapor Recovery (EVR) System with or without In-Station Diagnostics (ISD)<sup>1</sup>

Based on a careful review and analysis, I hereby certify that the Emco Wheaton Retail Balance Phase II (EVR) System with or without (ISD), 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.)<sup>2</sup>

The Emco Wheaton Retail Phase II (EVR) System with or without (ISD) warranty is valid as long as the system is installed, operated and maintained according to the manufacturer's instructions and in a manner that does not exceed the limitations (e.g., tank capacity, fueling points, throughputs, etc.) described below.

Limitations: See the Attached Appendix B

Signed by  
California Professional Engineer  
M 30584



Gary W Hall  
G.W. Hall Engineering  
1402 NW Santa Fe Lane, #203  
Silverdale, Washington, 98383  
Phone: 360-692-4955  
Email: gary.hall@prodigy.net

Signed by  
Company Representative

Date

Jose E. Rodriguez  
Emco Wheaton Retail Corp.  
1004 West Covina Parkway #413  
West Covina, California, 91790  
Phone: 619-846-9882  
Email: JERodriguezSD@aol.com

<sup>1</sup> 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).

<sup>2</sup> This certification is based on the presumption that the Emco Wheaton Retail Balance Phase II (EVR) System with or without (ISD) 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.

## APPENDIX B

### EMCO Wheaton Retail Balance Phase II Enhanced Vapor Recovery (EVR) System with or without In-Station Diagnostics (ISD)

#### Limitations:

Per the ARB letter to Mr. Jose Rodriguez dated May 5, 2008, it has been determined after careful review of the documents provided and listed within the Section E document summary, that the following 3<sup>rd</sup> party manufactured systems have no negative impacts upon the EMCO Wheaton Retail Balance Phase II Enhanced Vapor Recovery (EVR) System with or without In-Station Diagnostics (ISD):

- Goodyear Maxxim Premier Plus Hose and Whip Hose
- Gilbarco/Marconi Balance Encore Dispenser
- Hirt Model VCS-100 Vapor Processor
- Hirt Indicator Panel
- Franklin Fueling Systems INCON ISD System

The preceding statement is valid for each component when it is installed and maintained in accordance to each manufacturer's instructions.

Based on the information provided, the EMCO Wheaton Retail Balance Phase II Enhanced Vapor Recovery (EVR) System with or without In-Station Diagnostics (ISD) does not increase the likelihood of liquid-phase product accumulating in the underground tank vent and vapor recovery lines.

Gary Wayne Hall, PE M 30584

**SUMMARY OF REVIEWED DOCUMENTS**  
**EMCO Wheaton Retail Phase II Enhanced Vapor Recovery (EVR) System**  
**with or without In-Station Diagnostics (ISD)**

1	ARB Letter to Mr. Jose Rodriguez from Mr. George Lew, Engineering and Certification Branch, Monitoring and Laboratory Division	May 5, 2008
2	Cut Sheet, "How the VCS-100 System Works", Emco Wheaton Retail	September 2008
3	Cut Sheet, "Emco Wheaton retail Balance Phase II Enhanced Vapor Recovery (EVR) System", Emco Wheaton Retail	Undated
4	ARB Letter to Mr Craig Boche, Development Engineer, Goodyear Engineered Products, from Mr. William V. Loscutoff, Chief, Monitoring and Laboratory Division	August 6, 2007
5	Goodyear Maxxim Premier (Hose) Installation Instructions, Goodyear	Undated
6	Cut Sheet, "The Emco Wheaton Retail Phase II EVR System", Emco Wheaton Retail	Undated
7	Cut Sheet, "Typical EVR Low Hose Dispenser Installation", Emco Wheaton Retail	Undated
8	Cut Sheet, "Typical EVR High Hose Dispenser Installation", Emco Wheaton Retail	Undated
9	Cut Sheet, "Model A4119EVR Coaxial Safe Break Valve", Emco Wheaton Retail	Undated
10	Cut Sheet, "Model A4110EVR Coaxial Hose Swivel", Emco Wheaton Retail	October, 2008
11	Cut Sheet, "Model A4005EVR Balance Vapor recovery Nozzle", Emco Wheaton Retail	October, 2008
12	California Codes, Health and Safety Code, Section 25280-25299.8	November 16, 2005
13	California Codes, Business and Professions Code, Section 6730-6749	December 7, 2005
14	Emco Wheaton Letter to Mr. George Lew, Chief, Engineering & Certification Branch, Monitoring & Laboratory Division, California Air Resources Board from Mr. Jose E. Rodriguez	September 26, 2007
15	Engineering Statement: Certification Statement for Hirt VCS 100 Vapor Processing System	September 29, 2008

**SUMMARY OF REVIEWED DOCUMENTS**  
**EMCO Wheaton Retail Phase II Enhanced Vapor Recovery (EVR) System**  
**with or without In-Station Diagnostics (ISD)**

16	Installation, Start-up, and Maintenance Manual, Hirt VCS 100 Vapor Processor and Indicator Panel, Rev 5	October, 2008
17	Troubleshooting Manual, VCS 100 Vapor Processor With Indicator Panel, Rev 3	September, 2008
18	Annual Compliance Test Procedure, VCS 100 Vapor Processor With Indicator Panel	Undated
19	SWRCB Letter to Mr. Randall Boucher of Franklin Fueling Systems from Dorothy Rice	December 20, 2007
20	Option II – INCON Equipment List, Healy Phase II EVR System Including In-Station Diagnostic (ISD) Systems, Exhibit 1 – VR-202-H	Undated
21	Console DTU (Data Transfer Unit), INCON Installation Instructions, FFS 000-0080 Rev A	2008
22	Data Transfer Unit, INCON Dispenser Retrofit Manual Model TS-DTU, FFS 000-2146 Rev A	2008
23	Vapor Recovery Monitoring, INCON Installation, Operation, and Maintenance Manual, FFS 000-2058 Rev C	2008
24	TS-VPS, INCON Installation Guide, FFS 000-2143 Rev A	2008
25	SWRCB Letter to Mr. Randall Boucher of Franklin Fueling Systems from Mr. George Lew, Chief, ARB Engineering and Certification Branch	July 17, 2008
26	TS-VFM, INCON Installation Guide, FFS 000-2144 Rev A	2007
27	SWRCB Letter to Mr. George Lew, Chief of CARB from Laura Fisher-Chaddock, Chief UST Leak Prevention Division of Water Quality. "EVR COMPONENTS NOT SUBJECT TO STATE WATER BOARD REVIEW"	April 25, 2008
28	SWRCB Letter to Mr Thomas Smith of Hirt Combustion Engineers, Inc. from Darrin Polhemus, Deputy Director, Division of Water Quality	January 5, 2009



# State Water Resources Control Board



## Executive Office

Linda S. Adams  
Secretary for  
Environmental Protection

Tam M. Doduc, Board Chair  
1001 I Street • Sacramento, California 95814 • (916) 341-5615  
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100  
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Arnold Schwarzenegger  
Governor

December 20, 2007

Mr. Randall Boucher  
Franklin Fueling Systems  
92 Industrial Park Road  
Saco, Maine 04072

Dear Mr. Boucher:

### EVALUATION OF THE FRANKLIN FUELING SYSTEMS INCON VAPOR RECOVERY MONITORING SYSTEM (VR-202-E)

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 have received information from you providing a detailed explanation of the INCON Vapor Recovery Monitoring System, which has been designed to meet the ARB requirements for In-Station Diagnostics (ISD). The system consists of a vapor flow meter(s) and pressure sensor that provide data to one of three control panel models: TS-5000, TS-550, or TS-EMS. The control panel monitors various functions of the Phase I EVR and Phase II EVR systems, and will alert the UST operator when the performance of those systems exceeds allowable specifications. The design, installation, and operation of the INCON Vapor Recovery Monitoring System have been reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statement. Based on this signed statement and the information that you provided, we have found no evidence that the INCON Vapor Recovery Monitoring System conflicts with H&SC Chapter 6.7.

California regulations<sup>1</sup> specify that any installation, repair, maintenance, or programming of monitoring equipment must be done by a qualified service technician meeting the requirements of California Code of Regulations, Title 23, section 2715(i). Individuals wishing to install the INCON Vapor Recovery Monitoring System should be aware that, in cases where the INCON TS-5000 or TS-550 control panel is serving to

<sup>1</sup> California Code of Regulations, Title 23, sections 2611 and 2638

meet any portion of the State Water Board's UST system monitoring requirements, section 2715(i) applies. This includes cases where the INCON TS-5000 or TS-550 control panel is used to monitor and/or control electronic line leak detectors, interstitial liquid sensors, interstitial vacuum sensors, or automatic tank gauging systems. In those cases, all work related to the INCON control panel must be performed by a qualified service technician.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the Franklin Fueling Systems INCON Vapor Recovery Monitoring System meets the requirements of H&SC Chapter 6.7. This determination assumes the Franklin Fueling Systems INCON Vapor Recovery Monitoring System is installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and the limitations outlined in this letter.

If you have questions regarding this letter, please contact Ms. Laura Chaddock at (916) 341-5871, or by email at [lchaddock@waterboards.ca.gov](mailto:lchaddock@waterboards.ca.gov).

Sincerely,



Dorothy Rice  
Executive Director

Enclosure: Certification Statement for the INCON Vapor Recovery Monitoring System

cc: Mr. Stan Brodecki  
Franklin Fueling Systems  
5972 Country Manor Place  
Sacramento, California 95835

Mr. George Lew, Chief  
Engineering and Certification Branch  
Air Resources Board  
1927 Thirteenth Street  
Sacramento, California 95812

**JAMES H. RAY**  
**CIVIL ENGINEER**  
2041 Hidden Valley Drive  
Santa Rosa, CA 95404  
707-480-8115

December 10, 2007

**Franklin Fueling System**  
3760 Marsh Road  
Madison, WI 53718

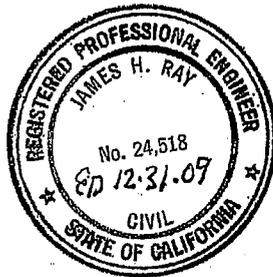
**Subject: Certification Statement for the Healy Phase II Enhanced Vapor Recovery (EVR) System including INCON In-Station Diagnostics (ISD) System per CARB Executive per Executive Order VR-202-E now under review.**

**Based on a careful review and analysis I hereby certify that the Healy Phase II Enhanced Vapor Recovery System with the addition of the INCON In-Station Diagnostic System (ISD) included in EO-VR-202-E currently under consideration for California Air Resources Board (CARB) Certification, will meet all the requirements of Title 23, California Code of Regulations, Chapter 16 Underground Storage Tank Regulations.**

**I have reviewed the materials listed on ATTACHMENT PAGES 1-3.**

*James H. Ray*

**James H. Ray**  
Civil Engineer



12-10-07

Appendix

**Certification Statement for the HEALY PHASE II ENHANCED VAPOR RECOVERY SYSTEM INCLUDING INCON In-Station Diagnostics (ISD) System**

Based on a careful review and analysis, I hereby certify that the **HEALY PHASE II EVR SYSTEM including the INCON In-Station Diagnostics (ISD) 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).

The **HEALY PHASE II EVR System including INCON In-Station Diagnostics** 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:

All limitations, including length of product and vapor lines, depend on the specific model specified for the installation. This information is found in the product literature for the specific component.

James H. Ray 12-10-07  
Signed by Date  
(California Professional Engineer)

James H. Ray  
Printed Name

(Individual)  
Professional Engineer Company Name

2041 Hidden Valley Drive

Mailing Address

Santa Rosa, CA 95404  
City, State, Zip Code

707 480-8115  
Phone Number

jhray@sbcglobal.net  
Email

Stan Brodecki 12/14/07  
Signed by Date  
(Company Representative)

Stan Brodecki  
Printed Name

FRANKLIN FUELING SYSTEMS  
Equipment Manufacture Name

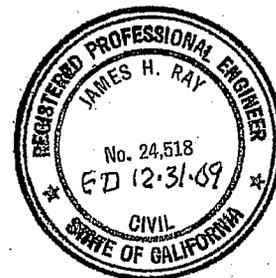
3760 Marsh Road

Mailing Address

Madison, WI 53718  
City, State, Zip Code

530 5707297  
Phone Number

BRODECKI@FRANKLINFUELING.COM  
Email



<sup>1</sup>This certification statement is part of the guidelines developed by the California Code of Air Resources Board (ARP) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649:McCarthy).

<sup>2</sup>This certification is based on the presumption that the HEALY 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 16 California Code of Regulations.



# State Water Resources Control Board

## Division of Water Quality



Linda S. Adams  
Secretary for  
Environmental Protection

Darrin Polhemus, Chief  
1001 I Street, Sacramento, California 95814 ♦ (916) 341-5458  
Mailing Address: P.O. Box 100, Sacramento, California 95812-0100  
FAX (916) 341-5463 ♦ Internet Address: <http://www.waterboards.ca.gov>

Arnold Schwarzenegger  
Governor

July 17, 2008

Mr. Randall Boucher  
Franklin Fueling Systems  
92 Industrial Park Road  
Saco, ME 04072

Dear Mr. Boucher:

### EVALUATION OF THE FRANKLIN FUELING SYSTEMS MODEL NUMBERS TD-DTU AND TS-DRK

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 California 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 have received information from you providing a detailed explanation of the Data Transfer Unit (TD-DTU) and the DTU Dispenser Installation Kit (TS-DRK) which has been designed to meet the ARB requirements. Based on the information that you provided, we have found no evidence that the TD-DTU or the TS-DRK conflicts with H&SC Chapter 6.7.

California regulations specify<sup>1</sup> that any installation, repair, maintenance, or programming of monitoring equipment must be done by a qualified service technician meeting the requirements of California Code of Regulations, Title 23, section 2715(i). Individuals wishing to install the TD-DTU and TS-DRK should be aware that, in cases where these components are serving to meet any portion of the State Water Board's UST system monitoring requirements, section 2715(i) applies.

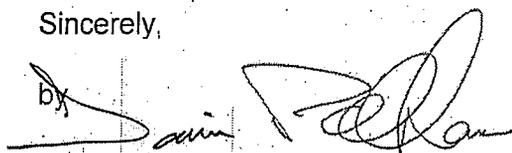
Pursuant to H&SC section 25290.1.2(a), the State Water Board certifies that, to the best of its knowledge, the Franklin Fueling Systems TD-DTU and TS-DRK components meet the requirements of H&SC Chapter 6.7. This determination assumes the Franklin Fueling Systems TD-DTU and TS-DRK are installed in accordance with applicable ARB Executive Orders and manufacturer's instructions.

<sup>1</sup>California Code of Regulations, Title 23, sections 2611 and 2638

July 17, 2008

If you have questions regarding this letter, please contact Ms. Laura Fisher-Chaddock at (916) 341-5870, or by email at [lchaddock@waterboards.ca.gov](mailto:lchaddock@waterboards.ca.gov).

Sincerely,

by 

Darrin Polhemus, Deputy Director  
Division of Water Quality

cc: Mr. George Lew, Chief  
ARB Engineering and Certification Branch  
1927 13<sup>th</sup> Street  
Sacramento, CA 95812



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

Darrin Polhemus, Deputy Director  
1001 I Street, Sacramento, California 95814 ♦ (916) 341-5458  
Mailing Address: P.O. Box 100, Sacramento, California 95812-0100  
FAX (916) 341-5463 ♦ Internet Address: <http://www.waterboards.ca.gov>



Arnold Schwarzenegger  
Governor

January 5, 2009

Mr. Thomas Smith  
Hirt Combustion Engineers, Inc.  
P.O. Box 6816  
Pico Rivera, CA 90661

Dear Mr. Smith:

### EVALUATION OF THE HIRT VCS 100 VAPOR PROCESSOR FOR USE WITH BALANCE EVR SYSTEMS

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 have received an information package regarding the Hirt VCS 100 vapor processor which will be used in conjunction with ARB approved VST Balance EVR systems and the new Emco-Wheaton EVR system (undergoing approval). The vapor processor's purpose is to remove excess gasoline vapor from the UST, burn and convert the vapor into carbon dioxide and water vapor, and expel them from the system to the atmosphere. The vapor processor allows the balance system to stay within the ARB EVR pressure criteria. An indicator panel allows for observance of processor status.

The design, construction, installation, and operation of the Hirt VCS 100 Vapor Processor used in conjunction with balance EVR systems (noted above) has been reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statement. Based on this signed statement and the information that you provided, we have found no evidence that the vapor processor conflicts with H&SC Chapter 6.7.

UST owners who intend to install this system in California should be aware that:

- For UST systems installed prior to July 1, 2003, tank vent lines are excluded from the statutory definition of "underground storage tank" if they are designed to

*California Environmental Protection Agency*

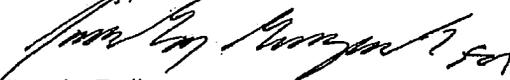
prevent, and do not hold, standing fluid<sup>1</sup>. Based on the information provided, the Hirt VCS 100 Vapor Processor does not increase the likelihood of liquid-phase product accumulating in the underground tank vent lines. Because the information indicates that the Hirt VCS 100 Vapor Processor does not increase the likelihood of liquid-phase product, vent lines that are currently excluded from the definition of "underground storage tank" may continue to be excluded once the VST Balance EVR systems and the new Emco-Wheaton EVR system using the Hirt VCS 100 Vapor Processor has been installed.

- California regulations<sup>2</sup> specify that any installation, repair, maintenance, or programming of monitoring equipment must be done by a qualified service technician meeting the requirements of California Code of Regulations, Title 23, section 2715(i). Installation of the Hirt VCS 100 may involve connecting the indicator box to an ISD system. Where the ISD is connected to a monitoring system used to satisfy monitoring requirements for the UST system, all work must be performed by a qualified service technician meeting the requirements of section 2715(i).
- Permitting and inspection requirements vary among the local regulatory agencies implementing the State Water Board's UST program in jurisdictions throughout California. Depending on the location of the UST, the local agency may require the UST owner/operator to obtain a permit prior to installation of the Vapor Processor and EVR system and/or to conduct functional testing of the monitoring system after these systems have been installed.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the Hirt VCS 100 Vapor Processor used in conjunction with Balance EVR system meets the requirements of H&SC Chapter 6.7. This determination assumes the EVR systems are installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and the limitations outlined in this letter.

If you have questions regarding this letter, please contact Ms. Laura Chaddock at (916)341-5870, or by email, at [lochaddock@waterboards.ca.gov](mailto:lochaddock@waterboards.ca.gov).

Sincerely,



Darrin Polhemus,  
Deputy Director  
Division of Water Quality

<sup>1</sup> California Health and Safety Code, Chapter 6.7, section 25281.5(a)(4)

<sup>2</sup> California Code of Regulations, Title 23, sections 2611 and 2638

Mr. Thomas Smith

- 3 -

January 5, 2009

Enclosure

cc: Mr. George Lew, Chief  
ARB Engineering and Certification Branch  
1927 13<sup>th</sup> Street  
Sacramento, CA 95812

*California Environmental Protection Agency*

 Recycled Paper

# Engineering Statement

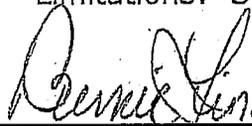
## Section 1.

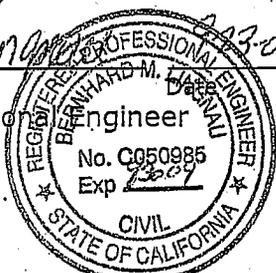
### Certification Statement for Hirt VCS 100 Vapor Processing System<sup>1</sup>

Based on a careful review and analysis, I hereby certify that the Hirt VCS Vapor Processing 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.)<sup>2</sup>.

The Hirt VCS Vapor Processing 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 described.

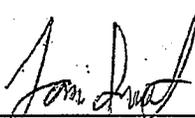
Limitations: See the attached Appendix B

  
Signature  
California Professional Engineer  
C 50985



Bernie Lingnau  
Pacific Petroleum Equipment  
5465 Gaines St., #102  
San Diego, California 92110

Phone: 619-688-5848  
E-Mail: [info@pacificpetro.com](mailto:info@pacificpetro.com)

  
Signature  
Company Representative

9/29/08  
Date

Thomas J. Smith  
Hirt Combustion Engineers Inc.  
3659 San Gabriel River Parkway  
Pico Rivera, California 90660

Phone: 562-692-1490

<sup>1</sup> This certificate 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).

<sup>2</sup> This certification is based on the presumption that the Hirt VCS 100 Vapor Processing 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.