



# State Water Resources Control Board



Linda S. Adams  
Secretary for  
Environmental Protection

**Division of Water Quality**  
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Arnold Schwarzenegger  
Governor

NOV 18 2009

Mr. Bill Nelson  
Franklin Fueling Systems  
3760 Marsh Road  
Madison, WI 53718

Dear Mr. Nelson:

EVALUATION TO ADD A LIQUID/VAPOR CONDENSATE TRAP TO THE HEALY PHASE II ENHANCED VAPOR RECOVERY (EVR) EXECUTIVE ORDERS VR-201 and VR-202

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.

The addition of a liquid/vapor condensate trap to the Healy Phase II EVR System has 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 addition of a liquid/vapor condensate trap conflicts with H&SC Chapter 6.7.

Please note that all conditions issued in the State Water Board determinations associated with VR-201 and VR-202 applies to this determination. Also, liquid/vapor condensate traps are part of the UST system and therefore required to meet the design, construction, operation, and maintenance requirements set forth at the time of the UST installation.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the addition of a liquid/vapor condensate trap to the Healy Phase II EVR System meets the requirements of the H&SC Chapter 6.7. This determination assumes that the liquid/vapor condensate trap and the Healy Phase II EVR System are installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and any limitations outlined in this letter.

*California Environmental Protection Agency*

Mr. Bill Nelson

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

Sincerely,

*EJ Haven for DL Polhemus*

Darrin Polhemus, Deputy Director  
Division of Water Quality

Enclosure

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