



State Water Resources Control Board



Executive Office

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Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

November 13, 2006

Mr. Stan Brodecki
Franklin Fueling Systems - Phil-Tite
3732 Electro Way
Redding, CA 96002

Dear Mr. Brodecki:

EVALUATION OF ADDITIONS TO PHIL-TITE EVR PHASE SYSTEM (VR 101-H)

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 July 28, 2006 we received an information packet from you detailing a proposed modification to the current Phil-Tite EVR Phase I System. The proposed modification would allow the use of EBW's Auto Limiter II Overfill Prevention Drop Tube and other EBW Phase I components with the Phil-Tite EVR Phase I System. The proposed modification was 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 Phil-Tite EVR Phase I System conflicts with H&SC Chapter 6.7.

Although the Phil-Tite EVR Phase I System does not conflict with H&SC Chapter 6.7, we have noted that the direct burial configuration of this system does not provide secondary containment for the tank fill riser. Secondary containment of the tank fill riser is required on all UST systems installed after July 1, 2003, and on certain other 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 Phil-Tite EVR Phase I System (available in direct bury and secondarily contained configurations) meets the requirements of H&SC Chapter 6.7. This determination assumes the Phil-Tite 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.

California Environmental Protection Agency

Mr. Stan Brodecki

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November 13, 2006

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 modifications to the Phil-Tite EVR Phase System

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

Mr. Don Johnson
Assistant Secretary
California Environmental Protection
Agency
1001 I Street
Sacramento, CA 95814

Appendix

Certification Statement for the PHIL-TITE PHASE I EVR System¹

Based on a careful review and analysis, I hereby certify that the **PHIL-TITE PHASE I EVR System**, which is under consideration for California Air Resources Board (ARB) modification 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 **PHIL-TITE PHASE I EVR 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:

James H. Ray 7-22-06
Signed by Date
(California Professional Engineer)

James H. Ray
Printed Name

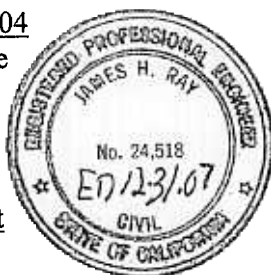
(Individual)
Professional Engineer Company Name

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 7-18-06
Signed by Date
(Company Representative)

Stan Brodecki
Printed Name

Franklin Fueling System-PHIL-TITE
Equipment Manufacture Name

3732 Electro Way
Mailing Address

Redding, CA 96002
City, State, Zip Code

530 224 3810
Phone Number

BRODECKI@FRANKLINFUELING.COM
Email

¹This 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).

²This certification is based on the presumption that the PHIL-TITE PHASE I 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.

**James H. Ray for
CIVIL ENGINEER**

2041 Hidden Valley Drive
Santa Rosa, CA 95404
707-480-8115

July 12, 2006

**Franklin Fueling Systems-Phil-Tite
3732 Electro Way
Redding, CA 96002**

**Subject: Certification Statement Auto Limiter II and other EBW Phase I equipment
for CARB Executive Order VR-101-F**

Based on a careful review and analysis I hereby certify that the modification to CARB Executive Order VR-101-E currently under consideration for California Air Resources Board (CARB) certification does not alter the operation or effectiveness of the Phil-Tite Phase I Vapor Recovery System as certified under EO VR-101-E.

The change is to include the EBW Auto Flow Limiter II Overflow Prevention Drop Tube Part NUMBER 708-491-XX and other EBW Phase I equipment. The EBW Auto Flow Limiter II and other EBW Phase I EVR equipment are currently approved in Executive Order VR-103-A.

The only change that is being made to the Auto Limiter II is the method of installation. The Auto Limiter II will be shipped from the factory already assembled and tested and will be installed using the same method as the currently approved 61SO-PT Overfill Prevention Valve with drop tube. All other equipment will remain the same as listed in EBW EO VR-103-A.

I reviewed the following materials:

1. CARB EO VR-101-E
2. Proposed Phil-Tite EO VR-101-F Update Index with 15 Sections and 3 drawings
3. CARB EO VR-103-A
4. Packet of Franklin Fueling Systems engineering drawings of equipment and parts
 - a. 40 8.5"x11" size
 - b. 9 11"x17" size

James H. Ray

James H. Ray
Civil Engineer

