



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

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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.

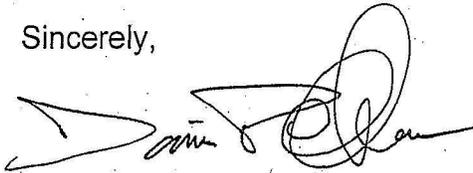
Mr. Jose E. Rodriguez

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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 its 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>

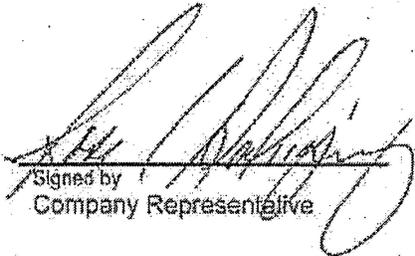
Based on a careful review and analysis, I hereby certify that the Emco Wheaton Retail Balance Phase II (EVR) System with or without (ISD), which is under consideration for California Air Resources Board (ARB) certification, meets the requirements of Chapter 6.7 of the California Health and Safety Code (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 PROFESSIONAL ENGINEER  
GARY WAYNE HALL  
M 30584  
Exp 6/30/2010  
MECHANICAL  
STATE OF CALIFORNIA

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SIGNED BY  
Company Representative  
Date 5-19-2009

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