



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Quality

Darrin Polhemus, Deputy Director
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Arnold Schwarzenegger
Governor

October 3, 2008

Mr. John Fecteau
Veeder-Root
125 Powder Forest Drive
Simsbury, CT 06070

Dear Mr. Fecteau:

EVALUATION OF THE VEEDER-ROOT VAPOR POLISHER FOR USE WITH THE VST BALANCE EVR SYSTEMS (VR-203-D AND VR-204-D)

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 vapor polisher which will be used in conjunction with the ARB approved VST Balance EVR systems. The vapor polisher is designed for controlling the pressure in the UST by passing excess hydrocarbon vapors into a canister filled with activated carbon. When positive over-pressure conditions are detected in the UST hydrocarbon vapors from the tank pass through the activated carbon and are adsorbed, venting clean air into the atmosphere. During negative pressure scenarios, the hydrocarbons will be returned to the tank from the activated carbon via desorption. A Veeder-Root TLS-350 control panel and associated sensors are used to monitor UST ullage pressure and control the vapor polisher operation. The design, construction, installation, and operation of the Veeder-Root Vapor Polisher used in conjunction with the VST Phase II EVR 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 Vapor Polisher 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

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prevent, and do not hold, standing fluid.¹ Based on the information provided, the Veeder-Root Vapor Polisher does not increase the likelihood of liquid-phase product accumulating in the underground tank vent lines. Because the information indicates that the Veeder-Root Vapor Polisher system 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 Phase II EVR system using the Veeder-Root Vapor Polisher has been installed.

- California regulations² 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 VST Phase II EVR system and Vapor Polisher involves adding sensors, wiring, and possibly software to the Veeder-Root TLS-350 control panel. In cases where the Veeder-Root TLS-350 control panel is being used to satisfy monitoring requirements for the UST system, all work related to the TLS-350 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 Polisher and VST Phase II EVR system and/or to conduct functional testing of the monitoring system after these systems have been installed.
- Since the Vapor Polisher is to be mounted on a vent stack or separate stand pipe, seismic and wind shear factors should be taken into consideration.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the Veeder-Root Vapor Polisher used in conjunction with the Vapor Systems Technology Phase II EVR system meets the requirements of H&SC Chapter 6.7. This determination assumes the Veeder-Root Vapor Polisher and the Vapor Systems Technologies, Inc. Phase II EVR systems are installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and the limitations outlined in this letter.

¹ California Health and Safety Code, Chapter 6.7, section 25281.5(a)(4)

² California Code of Regulations, Title 23, sections 2611 and 2638

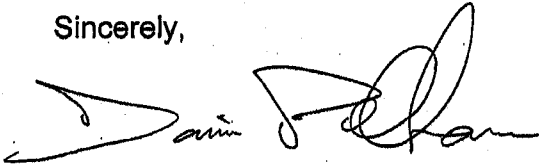
Mr. John Fecteau

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

Sincerely,

A handwritten signature in black ink, appearing to read "Darrin Polhemus". The signature is fluid and cursive, with the first name "Darrin" written in a smaller, more compact script than the last name "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

**Certification Statement for the
Veeder-Root Vapor Polisher System for the California Air Resources Board (ARB) Approved VST
Balance Enhanced Vapor Recovery (EVR) Systems¹**

Based on a careful review and analysis, I hereby certify that the **Veeder-Root Vapor Polisher (VP) system for California Air Resources Board (ARB) Approved VST Balance Enhanced Vapor Recovery (EVR) Systems**, 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

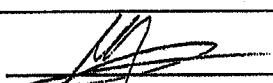
The **Veeder-Root Vapor Polisher (VP) system for California Air Resources Board (ARB) Approved VST Balance Enhanced Vapor Recovery (EVR) Systems** warranty is valid as long as the system is installed, operated, and maintained according to manufacturer's instructions and in a manner that does not exceed the limitations (e.g., tank capacity, fueling points, throughputs, etc.) described below.

Limitations:


The Vapor Polisher (VP) system for the California ARB Approved VST Balance EVR Systems must be installed,

maintained and operated in accordance with the California ARB "Executive Orders VR-203 & VR-204" and the

Veeder-Root Vapor Polisher (VP) System "Installation, Operation and Maintenance (IOM) Manuals."


Signed by
(California Professional Engineer)

7-22-08
Date


Signed by
(Company Representative)

7/16/08
Date

MAURICE E. YEE
(Printed Name (California Professional Engineer))

JOHN FECTEAU
(Printed Name (Company Representative))

RPM ENGINEERS, INC.
Professional Engineer Company Name

VEEDER-ROOT COMPANY
Equipment Manufacturer Name

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¹ 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).

² This certification is based on the presumption that the Veeder-Root Vapor Polisher (VP) system for California Air Resources Board (ARB) Approved VST Enhanced Vapor Recovery (EVR) Balance Systems 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.