

State Water Resources Control Board

May 13, 2013

Mr. Stan Brodecki
Franklin Fueling Systems
5972 Country Manor Place
Sacramento, CA 95825-2152

Dear Mr. Brodecki:

Evaluation of Stage I Vapor Recovery Components, Franklin Fueling Systems Defender Series Spill Containers (Double Wall and Single Wall) Versions

Assembly Bill 2955 (Statutes 2004, Chapter 649) added Health and Safety Code, Chapter 6.7, section 25290.1.2(a). This addition 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 ARB's Enhanced Vapor Recovery (EVR) requirements also meets underground storage tank (UST) statutory requirements.

The State Water Board has received an information packet from you detailing proposed modifications to Franklin Fueling executive orders VR-101 Phil-Tite Phase I EVR and VR-103 EBW Phase I EVR. The proposed modifications are the inclusion of your new *Defender* series of spill containers (Double and Single Wall) versions. You have also stated that you recently completed over six months of certification testing with ARB which received passing results at ARCO located at 4021 Douglas Blvd., Granite Bay, CA 95746. The proposed modifications have been reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statements dated February 4, 2013 and February 8, 2013. Based on these signed statements and the supporting information you provided, the State Water Board has found no evidence that the *Defender* series of spill containers conflicts with Health and Safety Code, Chapter 6.7.

Although the use of Franklin Fueling *Defender* series spill containers does not conflict with Health and Safety Code, Chapter 6.7, we have noted that the direct burial configuration of the 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 Health and Safety Code, Chapter 6.7 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.**

This determination assumes the Franklin Fueling Systems Phase I EVR Systems are installed and maintained in accordance with the most recent ARB Executive Orders VR-101 Phil-Tite and VR-103 EBW and manufacturer's instructions. Pursuant to Health and Safety Code, Chapter 6.7, section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the

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inclusion of the *Defender* series of spill containers meets the requirements of Health and Safety Code, Chapter 6.7.

If you have questions regarding this letter, please contact Ms. Laura Fisher at (916) 341-5870, or by e-mail at lfisher@waterboards.ca.gov.

Sincerely,



Victoria A. Whitney, Deputy Director
Division of Water Quality

- Enclosures (10):
- 1- SWRCB-Signed Letter Requesting a Determination of Defender Series Spill Containers
 - 2- Third Party Review_FFS-Letter Requesting a Determination of Defender Series Spill Container
 - 3- Cut Sheets-Drawings_Defender Series Spill Container
 - 4- Defender Series Model Number Reference Chart
 - 5- Catalog Pages of Defender Series Spill Container
 - 6- F-9028r4_DefenderSpill Container Double Wall Installation
 - 7- F-9032r2_Defender Single Wall Spill Container Installation
 - 8- F-9040 r1_Multiport Sump w-Defender Retrofit-draft
 - 9- UL Online MH21091 Spill Containment Devices
 - 10- UL_MH21091_Certificate_of_Compliance-07-02-10