



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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April 17, 2009

Mr. Eric Riffle
Manager – Product Development
OPW Fueling Components
9393 Princeton-Glendale Rd.
Hamilton, OH 45011

Subject: *Interim Approval* – OPW Onboard Refueling Vapor Recovery (ORVR) Systems with the 21GV Nozzle - Specified as an allowable retrofit for noted compatible Stage 2 Vapor Assist Systems

Dear Mr. Riffle:

Thank you for your recent request regarding the potential use of retrofit vapor recovery system components in Wisconsin, certified for Stage 2 use in Texas and expected to meet or exceed new California Air Resources Board (CARB) Enhanced Vapor Recovery (EVR) requirements. The request involves recently developed equipment which has not been certified by CARB previously for retrofit to older generation Stage 2 systems.

As requested, we have reviewed your submitted testing documentation regarding the compatibility of the OPW 21GV ORVR Nozzle with specified hanging hardware or vacuum assist hoses (and related breakaways) as an alternate component system for use with ORVR VaporVAC and ORVR WayneVac systems. Enclosed excerpts from the final report list the required components for each system configuration and the enclosed cover letter and attachments from the Texas Commission on Environmental Quality note the Texas system approval.

When installed and operated in accordance with manufacturer recommendations and in the noted configuration, we give interim approval to the OPW21GV nozzle retrofit to compatible Wisconsin Stage 2 vapor recovery systems.

We recognize that CARB has essentially ceased the certification process for older vapor recovery systems that are not a part of California's current enhanced vapor recovery (EVR) program. This has caused an impasse as new and improved technology tries to enter the markets where previous generation Stage 2 systems have been required. In addition, as with most states in which vacuum-assist Stage 2 vapor recovery systems play a large role, we are concerned with the decreasing VOC control efficiency from these systems which has diminished the potential air quality benefits of this important air quality program. The demonstrated excess VOC emissions venting from over-pressurization of the underground tanks concerns us and we have asked EPA for better program guidance to help address the problem. In the meantime, we appreciate your initiative to craft newer, more cost-effective technology solutions that could minimize this problem as these older style systems are refurbished.

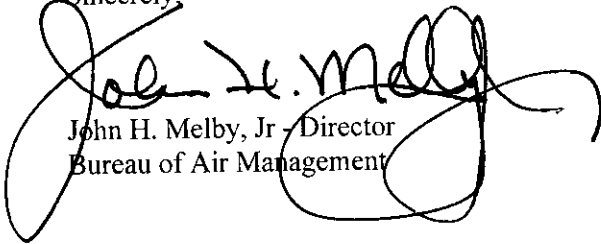
Review of our administrative code requirements for this type of installation (Chs NR 420.02 and 420.045) highlights the current problem of gaining formal certification by an entity other than the State of California. For the specified equipment, the OPW21GV series retrofit does appear to be a better emissions control solution than simple retrofit with previously CARB certified but non-ORVR compatible nozzles. We acknowledge also that the core nozzle design is going through the more rigorous Enhanced Vapor Recovery (EVR) program now

operated by CARB. We are also considering rule changes to our Stage 2 vapor recovery code to fix the current technology certification impasse in regard to the outdated equipment certification problem.

As we proceed investigating rule change options, I will keep you apprised of our efforts, since the final administrative code language or EPA SIP requirements could affect this interim approval. To finalize market certainty for the more updated retrofits and to access a more dynamic certified refueling technology base, Wisconsin will have to revise its rules much as Texas has done, and will need to seek formal EPA approval of related SIP revisions. If this interim approval does need to be changed, we would advise you immediately.

If you have questions, please contact Robert Lopez at 608-267-5284 or via e-mail at Robert.Lopez@Wisconsin.gov.

Sincerely,



John H. Melby, Jr - Director
Bureau of Air Management

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