



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

January 7, 2019

John Vautier
EMCO Wheaton Retail
14530 Riviera Pointe Drive
Orlando, FL 32828

RE: EMCO A1100-T Testable Overfill Prevention Valve

Dear Mr. Vautier:

You have requested the UST Section to review EMCO's A1100-T Testable Overfill Prevention Valve to evaluate if it meets the State's triennial overfill inspection requirements. Based on our review, the overfill prevention device meets the overfill inspection requirements provided the overfill prevention valve is removed from an underground storage tank (UST). However, we do not believe that the overfill device meets the requirements if the inspection is conducted while the overfill valve remains in the UST.

North Carolina Rule 15A NCAC 02N .0406 incorporates Federal Regulation 40 CFR 280.35 by reference. 40 CFR 280.35(a)(2) requires that overfill prevention equipment be inspected to determine:

- (1) the overfill prevention equipment is set to activate at the correct level and
- (2) the overfill prevention equipment will activate when regulated substance reaches the correct level.

Therefore, at every operability check, the inspection must show that all parts of the overfill device are present and operational, and that the equipment is installed at the proper height.

The shutoff level for the A1100-T Testable Overfill Prevention Valve can be determined without removing the overfill prevention valve from the tank. Also, the A0081-1100 testable tool can be used to determine that the valve is present and that it will move. However, the inspection method does not allow for verification that the float is still there or that when the float moves, the valve closes. Therefore, the testable overfill prevention valve does not meet the inspection requirements unless it is removed from the tank.

If there is any additional information that you would like us to consider, please submit it to me and we will be happy to review it.

Sincerely,

A handwritten signature in blue ink that reads "Ruth A. Strauss".

Ruth A. Strauss, UST Permits and Inspection Branch Head
Division of Waste Management, NC DEQ

