



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

April 18, 2002

Certified Mail

Return Receipt Requested: 7001 0320 0001 7977 1700

Mr. Kurt Kaul  
Emco Wheaton Retail Corporation  
3946 SE 17<sup>th</sup> Street  
Ocala, Florida 34471

RE: DEP Approval of the Emco Wheaton spill containment  
equipment Models, A1003, A1004, and A1005,  
File No. EQ-524

Dear Mr. Kaul:

The Bureau of Petroleum Storage Systems has concluded its review of the Equipment Approval requests dated March 20, and April 5, 2002, that were submitted for the above referenced spill containment equipment pursuant to Rule 62-761.850, Florida Administrative Code (F.A.C.).

Based on the information provided by the Emco Wheaton Retail Corporation, the Department finds that the applicant's spill containment equipment Models, A1003, A1004, and A1005, will provide environmental protection substantially equivalent to that provided by compliance with the requirements established in Rules 62-761.500(1)(c), and 62-761.500(1)(e), F.A.C.

Pursuant to Rule 62-761.850, F.A.C., the request for the use of the above referenced products is approved for underground storage tank spill containment in the State of Florida.

Please be advised that the above referenced DEP rules are subject to change. If the above rule standards are modified in the future, this order may be modified or rescinded for future upgrades and installations. Additionally, if the product(s) shows a consistent pattern of failure(s), and therefore does not provide substantially equivalent environmental protection, the Department may rescind this order.

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes ("F.S."), within 21 days of receipt of this Order. Persons who have filed such a

*"More Protection, Less Process"*

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Mr. Kurt Kaul  
April 18, 2002  
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petition may seek to mediate the dispute, and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing and pursuing mediation are set forth below.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department about equipment approval, you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

If you choose to challenge the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order; such a request should be made if you wish to meet with the Department in an attempt to resolve any disputes without first filing a petition for hearing or negotiate an agreement to mediate.

OR

3. In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation under section 120.573, F.S., and must negotiate an agreement to mediate within 10 days after the deadline for filing a petition.

#### How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), Florida Administrative Code ("F.A.C."), the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) with the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of

Mr. Kurt Kaul  
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this Order. Petitioner, if different from the applicant, shall mail a copy of the request to the applicant at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

#### How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Department's Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the applicant, shall mail a copy of the petition to the applicant, at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsections 120.54(5)(b)4 and 120.569(2), F.S. and rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the name, address of the applicant if different from petitioner;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

### How to Pursue Mediation

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for hearing). The agreement must contain all the information required by rule 28-106.404, F.A.C. The agreement, signed by all parties, must be received by the Department's Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000 within 10 days after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement.

Pursuant to rule 28-106.404, F.A.C., an agreement to mediate must include the following:

- (i) The name, address, and telephone number of the persons who may attend the mediation (also the DEP file number, and the name and address of the applicant);
- (ii) The name, address, and telephone number of the mediator agreed to by the parties;
- (iii) How the costs and fees associated with the mediation will be allocated (the Bureau of Petroleum Storage Systems will not pay any of the costs of mediation);
- (iv) The agreement of the parties regarding the confidentiality of discussions and documents introduced during mediation to the extent authorized by law;
- (v) The date, time, and place of the first mediation session;
- (vi) The name of the party's representative who shall have authority to settle or recommend settlement; and
- (vii) The signature of the parties.

As provided in section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57, F.S., for holding an administrative hearing and issuing a final order. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons seeking to protect their substantial interests that would be affected by such a modified

Mr. Kurt Kaul  
April 18, 2002  
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final decision must file their petitions within 21 days of receipt of this notice, or they shall be deemed to have waived their right to a proceeding under sections 120.569 and 120.57, F.S. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57, F.S., are resumed.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or mediation settlement.

#### Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department (see below).

#### Questions

Any questions regarding the Department's review of your equipment approval should be directed to Farid Moghadam at (850)921-9007. Questions regarding legal issues should be



EQ-524 Summary  
Emco Wheaton Retail Corporation

Description of EQ-524

The company manufactures spill containment devices for underground storage tanks. These products are Emco Wheaton's A1003, A1004, and A1005 spill containment systems. The A1003 and A1004 models are HDPE, and the A1005 model is stainless steel or epoxy-coated steel. All of the products are constructed with corrosion resistant materials. The company has supplied the third party verification through Underwriters Laboratories, Inc. The company has supplied technical drawings and installation instructions.

Statute/Rule Analysis

The spill containment devices are equivalent to Rule 62-761.500, F.A.C., requirements since the products meet the minimum requirements for spill containment.

Effects/Risks

The Department's approval is justified in accordance with Rule 62-761.850(2), F.A.C. The spill containment devices are equivalent to previous approvals that the Department has granted to other companies. There are no risks or adverse effects for approving the products.



**UNDERWRITERS' LABORATORIES OF CANADA**

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7 Crouse Road, Scarborough, Ontario, Canada M1R 3A9

Telephone: (416) 757-5250 ext. 61233

Fax: (416) 757-1781 - Engineering

(416) 757-8915 - Standards and Publications/Accounting

**FAX TRANSMISSION**

1

**FROM:** Gordana Nikolic

Number of page(s): \_\_\_\_\_  
(Including the cover page)

Department/Ext.: Engineering / 61233

Date 16/ 04 / 1998 (DD/MMYY)

**FAX TO:** Mr. Charles S. Pearson

Fax: (919) 243-4759

Company: Emco Wheaton, Industrial Retail Corp.

**SUBJECT:** Spill Containment Device, Model 1005

ULC File: CMH1603

Further to your request of March 27, 1998 and investigation of the above overfill protection device, we confirm the following:

The investigation of the subject product initiated by File CMH1603, has been completed. The object of the investigation was to determine compliance of this product with requirements of Underwriters' Laboratories of Canada as described in ULC/ORD-C58.19, Spill Containment Devices for Flammable Liquid Storage Tanks.

As you are aware the examination and testing of the subject overfill protection device has been completed with acceptable results. The test results were satisfactory and found to be in compliance with the current requirements of Underwriters' Laboratories of Canada.

Copies of our Listing Text and Follow-Up Service Procedure will be sent to you as soon as they are available for release.

Should you have any additional questions on the forgoing, please do not hesitate to communicate with us.





INCORPORATED 1920

# UNDERWRITERS' LABORATORIES OF CANADA

General Offices and Testing Station 7 CROUSE ROAD, SCARBOROUGH, ONTARIO, CANADA M1R 3A9

Telephone (416) 757-3611 Fax (416) 757-9540

In Reply  
Please Refer to

File CMH1603

Issued

January 16, 1996

Volume I

## INTEGRAL MARKER SERVICE PROCEDURE

for

### SPILL CONTAINMENT DEVICES FOR FLAMMABLE LIQUID STORAGE TANKS

LISTEE: Emco Wheaton Inc.  
3800 Gateway Centre Blvd., Ste. 301  
Morrisville, NC 27560

APPLICANT: Same as Listee

MANUFACTURER: Emco Wheaton Inc.  
2300 Industrial Park Drive  
Wilson, NC 27894

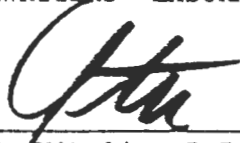
INSPECTIONS AT: Same as Manufacturer

This Procedure authorizes the application of ULC labels at the point of inspection to products when constructed, tested and found to be in compliance with requirements of this Procedure and in accordance with the terms of the Listing Agreement.

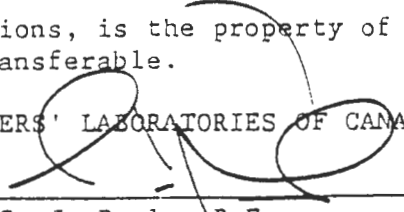
It is the responsibility of the Listee to make sure that only products meeting the aforementioned requirements bear the labels of Underwriters' Laboratories of Canada. Proposed changes or additions are required to be submitted to the Engineering Department of Underwriters' Laboratories of Canada for review. If the changes or additions are judged to be acceptable, the Procedure will be revised to authorize the use of ULC labels on such product.

The Procedure contains confidential information for the guidance of the Listee and Manufacturer and the Representatives of Underwriters' Laboratories of Canada and is not to be used for any other purpose. It is loaned with the understanding that it is not to be copied either wholly or in part and that it will be returned to Underwriters' Laboratories of Canada upon request.

This PROCEDURE, together with any subsequent revisions, is the property of UNDERWRITERS' LABORATORIES OF CANADA and is not transferable.

  
G. Nikolic, P.Eng.  
Project Engineer

UNDERWRITERS' LABORATORIES OF CANADA

  
S. J. Pople, P.Eng.  
Managing Engineer

## Integral Marker Service Procedure - Underwriters' Laboratories of Canada

File No. CMH1603

- 1-1 -

Procedure Issued  
This page dated January 16, 19

## . I N D E X O F V O L U M E S

<u>Volume No.</u>	<u>Product Covered</u>	<u>Remark</u>
I	Spill Containment Devices Models A1003 and A1004	

This Procedure contains information for the guidance of the manufacturer of the product described therein and of Representatives and Inspectors of Underwriters' Laboratories of Canada, and is not to be used for any other purpose. It is loaned with the understanding that it is not to be copied, either wholly or in part, and will be returned to Underwriters' Laboratories of Canada, on request.

Reviewed by GN/ai

This is a      page, and  
replaces page      dated

Underwriters' Laboratories of Canada

PROC 2506

Changes indicated by \*

## AIR RESOURCES BOARD

2020 L STREET  
P.O. BOX 2815  
ACRAMENTO, CA 95812



July 13, 1992

David J. Parrish  
Engineering Manager  
Emco Wheaton  
4001 Weston Parkway  
Cary, NC 27513

#92-10

Dear Mr. Parrish:

Approval of Emco Wheaton Spill Containers

The Emco Wheaton model A1003 and model A1004 spill containers equipped with either the push type drain (PN 493144) or pull type drain (PN 493143) have met the requirements for California Air Resources Board (CARB) certification. Our evaluation of this equipment indicated that the operation and durability will be satisfactory.

As required by CARB certification and test procedures, you requested the approval of the Division of Occupational Health and Safety, the Office of the State Fire Marshal, and the Department of Food and Agriculture, Division of Measurement Standards. The necessary approvals have been obtained from these agencies.

I find that use of these Emco Wheaton spill containers will not adversely affect the performance of gasoline vapor recovery systems. Therefore, spill container models A1003 and A1004, equipped with either the 493144 or 493143 drain valves, are approved for use with Phase I gasoline vapor recovery systems in California.

If you have any questions, please call Darrell Hawkins at (916) 324-7343 or Laura McKinney at (916) 327-1525.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Morgester", written over a horizontal line.

James J. Morgester, Chief  
Compliance Division

cc: All APCDs and AQMDs  
Vapor Recovery Technical Committee Members  
CAP Gasoline Marketing and Distribution Manual

**IMPORTANT**

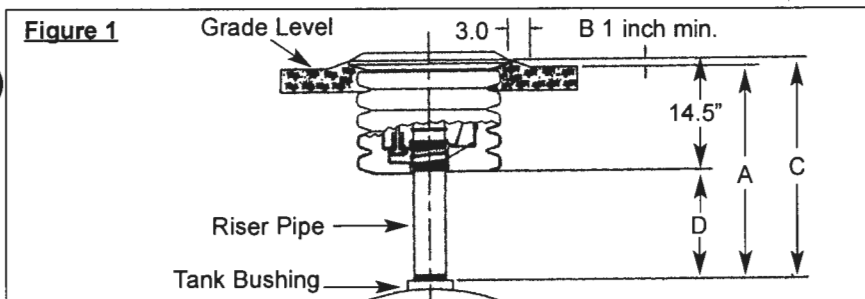
Read these instructions completely before attempting to install this system. Failure to follow these instructions could result in damage to the manhole or tank and will void any warranty. Installation of the A1004 manhole on risers other than 4" NPT or use of equipment other than Emco Wheaton Retail could require modifications. Prior to any modifications or if you have any questions, please call Emco Wheaton Retail Customer Service at 800-234-4394.

## INSTALLATION INSTRUCTIONS

The A1004 Manhole will accommodate movement due to frost heave and settling. Three spacer bars (p/n 565681) are located around the interior of the manhole to stabilize the unit during installation. Remove these bars after the concrete has set.

### Step 1 Tank Riser Pipe Length

1. Measure from top of tank bushing to grade = length A (Figure 1).
2. Add crown height, length B to length A = length C.  
Note: Length B should be 1" minimum for proper run-off.
3. Manhole height = 14.5" when the spacer bars are installed.
4. Subtract manhole height, 14.5" from length C = distance between the tank bushing and manhole body, length D.
5. Cut and finish riser pipe to length D plus 2".  
Thread riser pipe to 4.00 - 8 NPT requirements.
6. Make up riser pipe/tank joint with a permanent thread lock sealant.



### Example

1. A tank is buried 36" from grade level and tank bushing is 3" tall. Length A is 33"
2. The site requires 1" crown above grade to manhole rim for run-off. Length B is 1".
3. Length A + length B = length C or 33" + 1" = 34"
4. Length C - 14.5" = length D or 34" - 14.5" = 19.5"
5. The 4" riser pipe should be 19.5" + 2" = 21.5"

## Step 2 Manhole to Riser

1. Make up manhole/riser joint. Use Emco Wheaton Z0838 Joint Sealant on the male threads of the riser pipe.  
Using the Emco Wheaton A0081 Adapter Wrench or a fabric strap wrench, tighten the manhole onto the riser pipe until snug.

**Caution:** Excessive tightening of the manhole may result in damage to the manhole which may cause leakage.

## Step 3 Nipple and Adapter

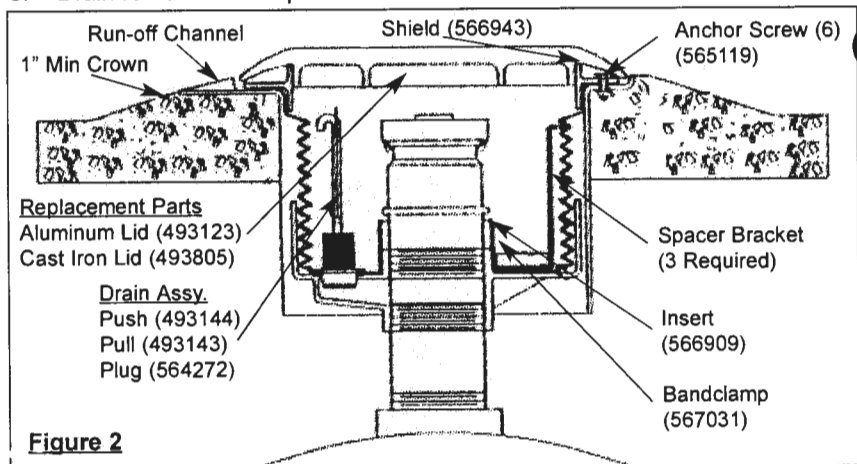
1. Loosen bandclamp (p/n 569031).
2. Install appropriate nipple to manhole. Maximum nipple length = 5".
3. Assemble adapter to nipple.
4. Using Emco Wheaton Z0838 thread sealant, tighten until snug with Emco Wheaton A0081 Adapter Wrench. Do not overtighten.
5. Tighten bandclamp around newly installed pipe nipple.
6. Replace lid on manhole to prevent backfill from entering containment area.

## Step 4 Backfill and Finish

1. Finish back filling over tank and around manhole to depth required for concrete pad.
2. Concrete must completely fill around and under manhole rim to insure proper anchoring.
3. Form required crown from rim to grade level.
4. After concrete has set, remove excess concrete from inside of rim and the runoff channels.
5. Remove 3 spacer bars.
6. Paint lid as required by product color code.

## Maintenance

1. Keep rim/lid and drain areas free of debris.
2. Replace any damaged part at once.
3. Drain removal tool is p/n 564445.



**IMPORTANT**

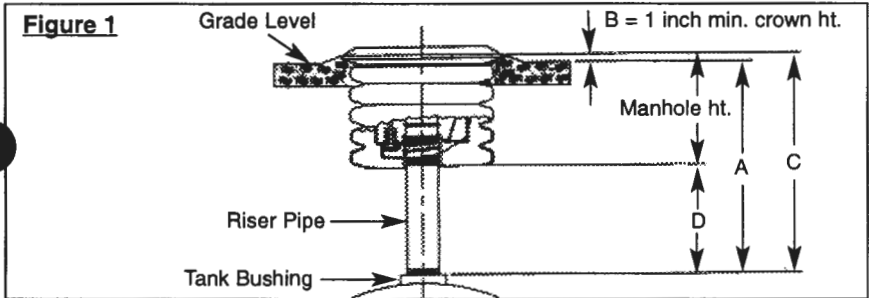
Read these instructions completely before attempting to install this system. Failure to follow these instructions could result in damage to the manhole or tank and will void any warranty. Installation of the A1004 manhole on risers other than 4" NPT or use of equipment other than Emco Wheaton Retail could require modifications. Prior to any modifications or if you have any questions, please call Emco Wheaton Retail Customer Service at 800-234-4394.

## INSTALLATION INSTRUCTIONS

This manhole will accommodate movement due to frost heave and settling. Three spacer bars (p/n 565681) are located around the interior of the manhole to stabilize the unit during installation. Remove these bars after the concrete has set.

### Step 1 Tank Riser Pipe Length

1. Measure from top of tank bushing to grade = length A (Figure 1).
2. Add crown height, length B to length A = length C.  
Note: Length B should be 1" minimum for proper run-off.
3. See Chart 1 for manhole height when the spacer bars are installed.
4. Subtract manhole height from length C to obtain the distance between the tank bushing and manhole body, length D.
5. Cut and finish riser pipe to length D plus 8.5".



### Chart 1

<u>Manhole Type</u>	<u>Height</u>
A1003-105	14.5"
A1003-110	14.5"
A1003-111	14.5"
A1004-106	16.2"
A1004-107	14.7"
A1004-188	14.7"

### **Example**

1. A tank is buried 36" from grade level and tank bushing is 3" tall. Length A is 33"
2. The site requires 1" crown above grade to manhole rim for run-off. Length B is 1".
3. Length A + length B = length C or  $33" + 1" = 34"$
4. Your manhole is an A1003-105. Subtract its height (14.5") from Length C to obtain Length D, which is the distance from the tank bushing to the bottom of your manhole when installed.  $D = 34" - 14.5" = 19.5"$
5. Add 8.5" to Length D.  $8.5" + 19.5" = 28"$ . Your riser pipe should be cut to 28".

### **Step 2 Manhole to Riser**

1. Remove the lid from manhole.
2. Slide the manhole down the riser pipe to the required distance indicated in Step 1.
3. While holding the manhole in place, place the insert between the inner bellows of the manhole and the riser pipe. Place the band clamp around the inner bellows and insert and tighten the manhole to the riser pipe until firmly secured.

### **Step 3 Adapter**

1. Assemble proper adapter to riser pipe.
2. Tighten until snug with Emco Wheaton A0081 Adapter Wrench.
3. Put lid back on manhole to prevent backfill from entering.

### **Step 4 Backfill and Finish**

1. Finish back filling over tank and around manhole to depth required for concrete pad.
2. Concrete must completely fill around and under manhole rim to insure proper anchoring.
3. Form required crown from rim to grade level.
4. After concrete has set, remove excess concrete from inside of rim and the runoff channels.
5. Remove 3 spacer bars.
6. Paint lid as required by product color code.

### **Maintenance**

1. Keep rim/lid and drain areas free of debris.
2. Replace any damaged part at once.

**IMPORTANT**

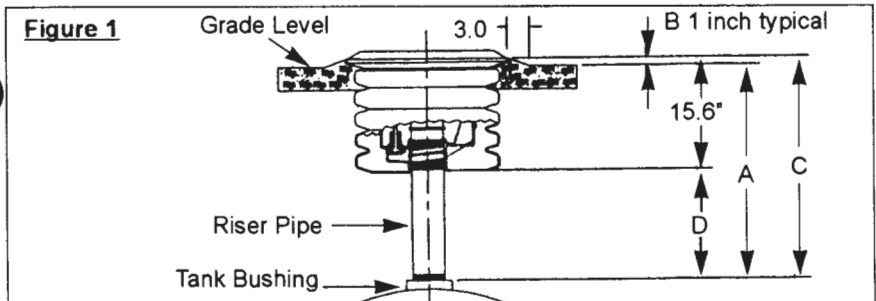
Read these instructions completely before attempting to install this system. Failure to follow these instructions could result in damage to the manhole or tank and will void any warranty. Installation of the A1004 manhole on risers other than 4" NPT or use of equipment other than Emco Wheaton Retail could require modifications. Prior to any modifications or if you have any questions, please call Emco Wheaton Retail Customer Service at 800-234-4394.

**INSTALLATION INSTRUCTIONS**

The A1004 Manhole will accommodate movement due to frost heave and settling. Three spacer bars (p/n 565681) are located around the interior of the manhole to stabilize the unit during installation. Remove these bars after the concrete has set.

**Step 1 Tank Riser Pipe Length**

1. Measure from top of tank bushing to grade = length A (Figure1).
2. Add crown height, length B to length A = length C.  
Note: Length B should be 1" minimum for proper run-off.
3. Manhole height = 15.6" when the spacer bars are installed.
4. Subtract manhole height, 15.6" from length C = distance between the tank bushing and manhole body, length D.
5. Cut and finish riser pipe to length D plus 2".  
Thread riser pipe to 4.00 - 8 NPT or BSP requirements.
6. Tighten riser pipe/tank joint using a permanent thread lock sealant.



**Example**

1. A tank is buried 36" from grade level and tank bushing is 3" tall. Length A is 33"
2. The site requires 1" crown above grade to manhole rim for water run-off. Length B is 1".
3. Length A + length B = length C or  $33" + 1" = 34"$
4. Length C - 15.6" = length D or  $34" - 15.6" = 18.4"$
5. The 4" riser pipe should be  $18.4" + 2" = 20.4"$



## **Step 2 Manhole to Riser**

1. Tighten manhole to riser joint using a thread sealant such as Emco Wheaton Z0838.  
Using a fabric strap wrench, tighten the manhole onto the riser pipe until snug.

**Caution:** Excessive tightening of the manhole may result in damage to the manhole which may cause leakage.

## **Step 3 Nipple and Adapter**

1. Install appropriate nipple to manhole. Maximum nipple length = 5".
2. Assemble adapter to nipple.
3. Using a thread sealant such as Emco Wheaton Z0838, tighten until snug.

**Caution:** Do not overtighten.

4. Replace lid on manhole.

## **Step 4 Backfill and Finish**

1. Finish back filling over tank and around manhole to depth required for concrete pad.
2. Concrete must completely fill around and under manhole rim to insure proper anchoring.
3. After concrete has set, remove excess concrete from inside of rim and the runoff channels.
4. Remove 3 spacer bars.
5. Paint lid as required by product color code.

## **Maintenance**

1. Keep rim/lid and drain areas free of debris.
2. Replace any damaged part at once.

