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R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 19, 2004; REVISED April 14, 2005

Mr. John Nesbit
Product Manager Dispensing Systems
OPW
P O BOX 405003
Cincinnati OH 45240-5003

Dear Mr. Nesbit:

The Texas Commission on Environmental Quality (TCEQ) has reviewed your submissions (including your third party independent review of California Air Resources Board certification tests) requesting Texas approval under 30 Texas Administrative Code 115.243 for OPW's VAPORSAVER I as an add on device to previously approved or new systems to reduce vapor growth and to obtain Texas ORVR Compatibility.

TCEQ hereby approves the use of OPW's VAPORSAVER I as a vapor growth / excessive emission reduction Texas ORVR Compatible device on gasoline dispensing facilities in the State of Texas when installed and operated in accordance with all the applicable original Stage II system CARB Executive Orders and OPW recommendations. This device is considered ORVR Compatible in Texas as of April 13, 2005. This approval for use in Texas is not subject to constraints or restrictions imposed by other state environmental agencies within their respective jurisdictions. However, should a system shut down due to excessive throughput, then it is no longer considered ORVR Compatible and the manufacturer's recommendations for additional processor capacity shall be implemented in order to regain system efficiency and ORVR Compatibility. In areas of Texas requiring Stage II, VAPORSAVER I may be installed in addition to **any** approved non-burner Stage II system (either balance or assist). At the owner's discretion, in facilities requiring only Stage I, VAPORSAVER I may be installed in conjunction with **any** approved Stage I system.

If I may be of any further assistance please call me at 512 239 2620.

Yours truly,

A handwritten signature in cursive script that reads "Roger S. Vaughan".

Roger S. Vaughan, P.E.
PST and Stage II Technical Services
Registration and Reporting Section
Registration, Review and Reporting Division