

NATIONAL WORK GROUP ON LEAK DETECTION EVALUATIONS
Policy Memorandum #3
Summary of Work Group Policies and Procedures

November 29, 1999; Revised May 17, 2012

Work Group List Policies

I. List availability:

- A. The List shall be available to all state UST contacts, vendors, evaluators, EPA Regional Offices, local government and tribal contacts and to all other interested parties via the NWGLDE web site on the internet and any and all other web sites that wish to make the List available.

II. List formatting policy:

- A. The List should initially be formatted basically the same as the original California List.
- B. First, a summary of leak detection systems is included listed alphabetically by method, and then vendor. Following this are individual data sheets describing each system listed alphabetically by vendor and then by method.
- C. The data in each listing should be in the units shown in the third-party evaluation.
- D. As they are developed, sample maintenance checklists shall be included on the Work Group web site, but no longer in the List.
- E. All pages of the List must have the following:
 - 1. A disclaimer,
 - 2. A revision date,
 - 3. A page number (only required on the annual edition of the list available for downloading and printing).
 - 4. A software version number – where applicable
- F. The summary section of the List shall have tank and piping capacities listed.
- G. The List shall include only acceptable peer reviewed third-party test method protocols and will not include protocols under review.
- H. A glossary of technical terms shall be included in the List.
- I. The List shall include the third-party evaluator's phone number.
- J. The List shall not cross reference identical leak detection systems marketed by more than one vendor unless requested to do so by all vendors who market the system.
- K. All evaluation dates and evaluation revision dates should be shown on the List.
- L. When the Work Group is made aware, the List includes information concerning status of the vendor such as "no longer in business" and/or "no longer provides technical support".
- M. When the vendor informs the Work Group of leak detection system status, such as "the vendor no longer supports the use of this system", the List includes information from the vendor concerning the status of the leak detection system.
- N. The List disclaimer shall include a statement that says equipment should be installed and operated in accordance with all applicable laws and regulations.
- O. All applicable data sheets should indicate that a tank system should not be declared tight if a loss or gain equals or exceeds the threshold.
- P. The data sheets should show only the units of measurement of the system that was used in the evaluation. If more than one system was used, then both systems may be shown.

Work Group Review Policies

I. General leak detection equipment/method evaluation review policy:

- A. All leak detection systems must be third-party evaluated with simulated leak rates blind to the equipment manufacturer's representative.
- B. In order for an evaluation to be listed, third-party evaluation reports must clearly state which previously approved protocol was used to conduct the evaluation.
- C. The Work Group will not review any evaluations that do not follow either:
 - 1. A Standard EPA protocol, or
 - 2. An alternative protocol reviewed and accepted by the Work Group.Acceptance must be obtained before the Work Group will begin the evaluation review.
- D. Changes to an existing protocol must be discussed with and accepted by the Work Group before testing, or before continuing testing if the evaluator identifies concerns during testing.
- E. Regular communication with Work Group members can expedite the review. For planning purposes, anticipate at least a six-month review process for a complete evaluation package.
- F. The evaluation must confirm that the system meets minimum EPA and/or other regulatory performance standards.
- G. Listing of system(s) which are identical to evaluated leak detection system requires:
 - 1. Submittal by the evaluator of a detailed letter verifying that the system is identical to the evaluated system and describing how the determination was made, and
 - 2. A finding by the Work Group that the information is complete and acceptable. ***If information is not complete and/or acceptable, the leak detection system will not be listed for the other vendor or vendors until the Work Group receives written confirmation from the third-party evaluator that the system is identical to the evaluated system.***
- H. When special clarification is desirable, system data sheets should comment on the source of data used during the evaluation.
- I. If a minor problem is discovered with a third-party test after a system data sheet has been added to the List, the vendor shall be given a reasonable time period to provide information clarifying the test. The data sheet listing will be removed from the List if: 1) the vendor must re-test the system to correct the problem; 2) the vendor provides an unsatisfactory response to this request; 3) the vendor fails to respond to this request. The system data sheet may be reinstated on the List after all third-party test concerns are resolved. If concerns cannot be resolved or if there is no response from the vendor, the system will be removed from the List.

II. Alternative leak detection test method protocol review policy:

- A. All leak detection test method protocols must be written by a third-party.
- B. All leak detection test method protocols must be peer reviewed by a peer review committee.
- C. Protocols must meet all EPA requirements listed under "Alternative Test Procedures Deemed Equivalent to EPA's" which is included in the Foreword to all EPA Standard Test Procedures for Evaluating Leak Detection Methods, March, 1990.

Work Group General Team Procedures

I. Team third-party leak detection equipment/method **evaluation** review procedure:

- A. The team leader and all members of the team receive evaluation information from vendor.
- B. The team leader, upon receipt of the evaluation, shall survey the material in accordance with the "Leak Detection System Review-Document List" (refer to the front of the List) and if incomplete, request the additional information be sent to all the members of the team in a timely manner.
- C. Team member(s) shall review the evaluation in accordance with Work Group review criteria and try their best to complete the review within 3 months. Team member(s) are not precluded from seeking expertise from non work group members if such expertise will assist them in reviewing evaluations, although this may extend the time necessary to complete the review. Team member(s) might receive unsolicited comments from the public or other parties during the review process and may, at their discretion, decide the relevance of any such comments. Team member(s) are not obligated to acknowledge receipt of unsolicited comments or respond to the commenter(s).
- D. If necessary, the lead team member must notify the vendor of any concerns that must be addressed.
- E. If all concerns cannot be resolved between the team and the vendor, the vendor may make a written request to the Chair of the Work Group for the unresolved issue or issues to be heard by the entire Work Group. After hearing the issue(s), the entire Work Group will attempt to resolve the issue(s).
- F. Team member(s) shall review the evaluation in accordance with Work Group review criteria and try their best to complete the review within 3 months. Team member(s) are not precluded from seeking expertise from non work group members if such expertise will assist them in reviewing evaluations, although this may extend the time necessary to complete the review. Team member(s) might receive unsolicited comments from the public or other parties during the review process and may, at their discretion, decide the relevance of any such comments. Team member(s) are not obligated to acknowledge receipt of unsolicited comments or respond to the commenter(s).
- G. If necessary, the lead team member must notify the vendor of any concerns that must be addressed.
- H. If all concerns cannot be resolved between the team and the vendor, the vendor may make a written request to the Chair of the Work Group for the unresolved issue or issues to be heard by the entire Work Group. After hearing the issue(s), the entire Work Group will attempt to resolve the issue(s).
- I. If it becomes obvious that all concerns cannot be resolved, or if the vendor has taken no action to resolve the concerns within 12 months, the lead member of the team shall notify the vendor by certified letter that the Work Group has discontinued review of the system.
- J. When all concerns are resolved, the lead member will prepare a draft leak detection system data sheet in accordance with Work Group policies and submit a copy to the vendor for review and comment. The data sheets must be stamped "draft" before any data sheets are sent out. Send the draft data sheet using a method which will verify receipt by the vendor. The vendor will be asked to approve the draft data sheet in writing or e-mail. Verbal approval should not be accepted.
- K. The lead member will finalize the data sheet and e-mail it to the team leader for final review. The team leader will make sure the data sheet is correct and then e-mail the final data sheet to the "List Administration" team leader.
- L. The "List Administration" team leader makes all necessary editorial changes and finalizes data sheet. If necessary, the "List Administration" team leader sends changes by e-mail to the team leader, and allows an appropriate time to review.
- M. After an appropriate time, the "List Administration" team leader sends the data sheet to the entire work group and allows an appropriate time to review. If there are comments, the "List Administration" team leader will address the comments, then add the new data sheet to the List.
- N. The lead member reviewing the evaluation needs to keep an official Work Group file of information used during the evaluation review process.

II. Team alternative third-party leak detection test method **protocol** review procedure:

- A. The team leader and all the members of the team receive an outline of the draft protocol from a peer review committee summarizing the results of the committee's review of a draft protocol.
- B. If necessary, the team leader shall submit the outline to the team for its review.
- C. The team leader collects comments from the team and submits a written summary of the team comments to the peer review committee chairperson.
- D. The team leader and all the members of the team receive a final draft protocol from a peer review committee.
- E. The team leader, upon receipt of the final draft protocol, shall survey the material and if incomplete request the additional information be sent to all the members of the team in a timely manner.
- F. Team member(s) shall review the final draft protocol in accordance with Work Group review criteria and try their best to complete the review within 3 months. Team member(s) are not precluded from seeking expertise from non work group members if such expertise will assist them in reviewing final draft protocols, although this may extend the time necessary to complete the review. Team member(s) might receive unsolicited comments from the public or other parties during the review process and may, at their discretion, decide the relevance of any such comments. Team member(s) are not obligated to acknowledge receipt of unsolicited comments or respond to the commenter(s).
- G. The team leader must provide written comments to the peer review committee explaining any concerns that must be addressed.
- H. Team member(s) shall review the final draft protocol in accordance with Work Group review criteria and try their best to complete the review within 3 months. Team member(s) are not precluded from seeking expertise from non work group members if such expertise will assist them in reviewing final draft protocols, although this may extend the time necessary to complete the review. Team member(s) might receive unsolicited comments from the public or other parties during the review process and may, at their discretion, decide the relevance of any such comments. Team member(s) are not obligated to acknowledge receipt of unsolicited comments or respond to the commenter(s).
- I. If all concerns cannot be resolved between the team and the peer review committee, the peer review committee may make a written request to the Chair of the Work Group for the unresolved issue or issues to be heard by the entire Work Group. After hearing the issue(s), the entire Work Group will attempt to resolve the issue(s).
- J. If the final protocol does not address the concerns or meet the standards of the Work Group, the team leader will return it with written comments to the peer review committee for reevaluation and/or redesign and the process starts over again at Item H above.
- K. If the final protocol addresses the concerns or meets the standards of the Work Group, the team leader shall e-mail the final protocol name, author, and date to the "List Administration" team leader who will add it to the "Acceptable Test Protocols" section of the List.
- L. If all concerns cannot be resolved between the team and the peer review committee, the peer review committee may make a written request to the Chair of the Work Group for the unresolved issue or issues to be heard by the entire Work Group. After hearing the issue(s), the entire Work Group will attempt to resolve the issue(s).
- M. If the final protocol does not address the concerns or meet the standards of the Work Group, the team leader will return it with written comments to the peer review committee for reevaluation and/or redesign and the process starts over again at Item H above.
- N. If the final protocol addresses the concerns or meets the standards of the Work Group, the team leader shall e-mail the final protocol name, author, and date to the "List Administration" team leader who will add it to the "Acceptable Test Protocols" section of the List.
- O. The lead team member who reviews the listed final protocol needs to keep an official Work Group file of information used during the review process. The Work Group Chairperson and all team members who will be reviewing third party tests using the protocol shall keep a copy of the listed final protocol.

III. Team leak detection equipment/method data sheet revision procedure:

- A. The team leader and all members of the team must receive the following data sheet revision information from the vendor before a revision to a data sheet can be considered.
 1. The exact information on what is to be revised.
 2. The corresponding page number(s) in the Work Group list of the proposed revision.
 3. The corresponding file name(s) on the Work Group website for the proposed revision.
 4. Exactly (in detail) what the Work Group is being requested to revise on the list and why the change is necessary.
 5. When a vendor is claiming that the changes do not merit a new third-party evaluation, justification must be included from a third-party tester to confirm that the changes do not affect the performance indicated by the original third-party evaluation.
 6. A generic e-mail address and website URL, if available.
 7. When a leak detection system has been sold to a new company, a letter from the former and new owner confirming the sale.
- B. The team leader, upon receipt of the data sheet revision information, shall survey the material in accordance with the requirements of Item A above, and if incomplete, request additional information be sent to all the members of the team in a timely manner information.
- C. The team leader may review the data sheet revision request or may designate a team member to review the data sheet revision request.
- D. The team member shall revise data sheets, as necessary, in a manner that makes the corrections clearly discernable, and send them to the "List Administration" team leader.
 1. If necessary, the team member should provide a cover memo with explanation(s) of revisions.
 2. The team member needs to clearly indicate on data sheet if it is new or revised.
- E. The "List Administration" team leader will revise and, if necessary, make editorial changes to the revised data sheets, send by e-mail to the team member, giving the team member 10 days to review them.
- F. After 10 days, the "List Administration" team leader will add the revised data sheet to the List.