



October 4, 2022

Mr. Loren Swalheim  
Director, Global Technical Services  
Franklin Fueling Systems  
3760 Marsh Road  
Madison, Wisconsin 53718

**RE: CONDITIONAL APPROVAL for FFS APT® XP PIPE**

Dear Mr. Swalheim:

The Maryland Department of the Environment's (MDE's) Oil Control Program has reviewed Franklin Fueling Systems (FFS) *APT® XP Pipework Installation Guide* – issued 2022 and FFS letter dated July 8, 2022, requesting MDE's conditional approval for APT® XP Piping systems installation without required slope in accordance with Code of Maryland Regulation (COMAR) 26.10.03.06E, which states *“Unless otherwise approved by the Department, ensure piping rises 1/8 of an inch for each lateral foot from the UST to the piping endpoint.”*

Based on MDE's evaluation of the *APT® XP Pipework Installation Guide*, MDE has determined the installation of the piping system is no less protective of human health and the environment provided the following conditions are met:

- MDE must be notified in writing a minimum of 5 days prior to the installation of APT XP Piping that will not have a fall of 1/8 inch lateral foot from the pipe endpoint towards the underground storage tank (UST).
- If APT XP piping is installed and does not have piping slope in accordance with 26.10.03.06E, a copy of this letter must be provided to and maintained by the owner of the UST system.
- The APT XP Piping without slope in accordance with COMAR 26.10.03.06E. may not be installed at facilities that are in High Risk Groundwater Use Areas or Well Head Protection Areas as defined in COMAR 26.10.07.02B.
- The APT XP Piping without slope falling towards the UST may only be used between dispensers and must be flat and even and enter the containment sump using an FFS Ducted Double Wall Rigid Entry Boot and connected using APT clamshell XP pipe fittings.

- APT XP Piping without slope falling towards the UST must be installed within APT chase/access pipe that is even, straight and without sags or slack. The chase/access pipe and APT XP Pipe must be continuous sump-to-sump with no joints or couplings.
- Piping must be sloped from the initial dispenser sump toward the UST/submersible turbine pump (STP) sump at a minimum of 1/8 inch per lateral foot, in accordance with COMAR 26.10.03.06E.
- The APT XP Piping must be installed to meet the minimum burial depth and clearances in accordance with COMAR 26.10.03.06.
- The APT XP Piping without slope towards the UST is only permitted for use with pressurized product piping systems.
- In accordance with COMAR 26.10.03.02D, flexible piping may not be used for direct fill lines, vents, or Stage II vapor recovery lines.
- All containment sumps associated with the APT XP Piping without slope towards the UST must have a functioning sump sensor and each sensor must be programmed for positive shut-down of the STP in the event of detection of liquid.
- Interstitial test tubes must be open within each containment sump following testing of the interstice to allow detection of the regulated substance. (Not applicable if continuous vacuum monitoring is implemented and the STP is on positive shut-down in the event of a breach in the pipe.)
- The interstice of the APT XP Piping without slope towards the UST must be tested in accordance with FFS specifications upon completion of the pipe installation and every 3 years thereafter.
- The chase/access pipe must be tested upon completion of the installation in accordance with FFS *Ducting Test Pressure* protocol. A record of the passing test must be maintained by the UST system owner.
- MDE reserves the right to require excavation of the APT XP Piping without slope towards the UST and chase access pipe if for any reason the primary or secondary pipe fails a tightness test, is otherwise compromised, or a regulated substance enters the chase/access pipe in any manner.
- The APT XP Piping without slope towards the UST placed in temporary closure status must be emptied of all liquid following FFS procedures outlined in the APT XP Pipework Installation Guide *Installing APT® Pipe Within an Existing Pipe Chase/Duct*.
- APT XP Piping without slope towards the UST may not be permanently closed-in-place. The APT XP Piping without slope must be removed from the ground and the chase/access piping must be cleaned in accordance with FFS Installation Guide ducting cleaning protocol

and the chase/access pipe must be completely filled with a solid inert material or permanently removed from the ground.

- The installation, repair, or upgrade of an UST system including the APT XP Piping must be performed under the continuous on-site presence and supervision of a Maryland certified UST system technician.
- The Maryland certified UST system technician installing the APT XP Piping must hold a valid FFS APT XP Piping certification at the time of installation.

FFS has stated the APT XP Piping without slope is safe and effective underground piping provided it is installed in accordance with FFS specifications. Therefore, it is incumbent of FFS to ensure the APT XP Piping without slope towards the UST is installed in Maryland as specified by FFS and in compliance with all the conditions in this letter. MDE may reevaluate some of these conditions in the future based upon overall performance of installed systems, including retracting this conditional approval letter.

If you have any questions, please contact Mr. Thomas Walter, Chief of the Compliance Division at 410-537-3442 (email: [tom.walter@maryland.gov](mailto:tom.walter@maryland.gov)).

Sincerely,



Christopher H. Ralston  
Program Manager, Oil Control Program

cc: Mr. Thomas L. Walter, Chief, Compliance Division, Oil Control Program