



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Underground Storage Tanks
4th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-1541

November 4, 1996

Mr. Jeff Wilcox
Ken Wilcox Associates
1125 Valley Ridge
Gram Valley, MO. 64029

Dear Jeff,

Pursuant to our conversation on **October 17**, I am **sending** a clarification of the position of the NWGLDE SIB Subcommittee **regarding licensing SIR methods and the possibility for Third Party Evaluations** on them.

It is our opinion **that** if a SIB method has been third party evaluated, and **subsequently** sold or its use licensed to another party, and used by those parties without modifications **affecting its performance**, then another evaluation is not needed **This** opinion would not prohibit a vendor **from** licensing or assigning the use of a method to **another** party or vendor, who would provide SIB services using the **original** vendor's listing. No separate listing will **be** given to subsequent vendors as long as the program is unchanged. If however, any modifications are made to the algorithms or leak **detecting** abilities of the method, or any changes that would affect the P(d) or P(fa) as **determined** in the previous evaluation, then a subsequent evaluation will be needed.

For example, if Company A developed a **SIR** method called **SIRVIVE** version 1.0 and then licensed its use to **Company B who operated it unchanged, Company B would not need a reevaluation of SIRVIVE. There** would not be a separate listing in the NWGLDE List for Company B **using SIRVIVE** version 1.0. If however, Company B **changed** the formulae or modified the statistical calculating ability in any way, then the modified method must be reevaluated and receive a separate **listing** in the NWGLDE publication.

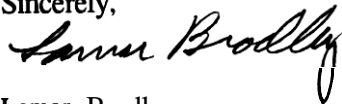
Should Company B **desire** to provide a SIR service using **Company A's** method and **wish** to have a separate listing in the NWGLDE List, then Company B must undergo a separate third party evaluation using different data sets, and without any assistance from the original vendor. The third party evaluator will certify Company B if evaluation results meet or exceed EPA requirements. Company B may then receive a separate listing in the List following **Work Group** review.

In addition, there has been much discussion about methods that were evaluated as services as opposed to "stand alone" software systems. A "stand alone" system would be one that is software driven and calculates results **independent** of any data manipulation by the operator other than raw data entry. It is our

opinion that if a **SIR** method is **designed** to be **operated** as a “stand alone” software system or licensed for use by others, that should be made known to the evaluator, and the method **evaluated** as a “stand alone.” **SIR** system. For this evaluation, a copy of the software program would be supplied to the evaluator. **The** evaluator would use **this** software to calculate leak rates **from datasets**. The vendor is not **involved** in the evaluation process in **any** way other **than** providing the program to the evaluator and **instructions on loading** the software. The Work **Group** might **be** skeptical of **SIR** methods that **were** not designed as “stand alone” systems being used as such, without first having undergone an evaluation as a “stand alone” system. I am aware- that **this** opinion was not **in** place when many **SIR** systems currently on the **list** were **evaluated**. I trust that as a new **SIR** protocol is developed, guidelines that express this will be incorporated into the new protocol. I would also hope that as other vendors go back for reevaluations, they **can communicate** the anticipated uses for their method(s), so that if a “stand alone” evaluation is needed, it can be done.

I hope this answers your questions. If there are others, please **call** me at 615 532-0952.

Sincerely,

A handwritten signature in black ink that reads "Lamar Bradley". The signature is written in a cursive, flowing style.

Lamar Bradley
Chairman, **SIR** Subcommittee
National Work Group on Leak Detection Evaluations

cc: Mike Kadri
Beth DeHaas