

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 024

APPROVAL OF PROPOSED REVISED REGULATIONS GOVERNING UNDERGROUND
STORAGE TANKS

WHEREAS:

1. The Legislature enacted Health and Safety Code Chapter 6.7 to establish orderly procedures that will ensure that underground storage tanks meet appropriate standards and are installed, maintained, inspected, tested, and upgraded so that the health, property, and resources of the people of the state will be protected.
2. The SWRCB administers the Underground Storage Tank (UST) Program, and local agencies implement the program through UST permitting and enforcement.
3. Health and Safety Code section 25299.33 of chapter 6.7 authorizes the SWRCB to adopt regulations to implement chapter 6.7.
4. In October 1999, the Legislature amended chapter 6.7 by enacting Senate Bill 989 (stats.1999, ch 812).
5. On May 12, 2000 the SWRCB published a notice of proposed rulemaking to implement, interpret, and clarify the recent amendments to chapter 6.7, and on July 18, 2000 held a public hearing regarding the proposed regulations.
6. The SWRCB received several written and/or oral comments and, based on the accepted comments and on SWRCB initiated changes, the proposed regulations were revised and re-noticed to commenters for further comments for 15 days. Additional comments were received during the 15-day notice, and the SWRCB revised the regulations in response to these comments and re-noticed the changes. This process was repeated for a third and final 15-day notice. Although additional comments were received during the last 15-day comment period, the SWRCB rejected all of these comments and no further revisions were made to the proposed regulations. prior to the January 31, 2001 SWRCB board workshop.

However, at the SWRCB board workshop on January 31, 2001 the board directed SWRCB staff to make non-substantial changes to subdivision 2637(a)(2), in response to oral comments presented at the workshop. Staff have made these changes as directed.

7. The SWRCB has determined that it is appropriate and desirable to amend the Underground Storage Tank regulations identified in the notice of proposed rulemaking, the 15-day notice of change of text, and the final statement of reasons, and that no revisions to the amendments are necessary in light of the final public comments received.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the proposed amendments to the Underground Storage Tank regulations to implement, interpret, and make specific chapter 6.7 of the Health and Safety Code, which will become effective as provided by the California Administrative Procedure Act upon approval by the Office of Administrative Law and filing with the Secretary of State, and directs the Executive Director to submit the proposed amendments to the Office of Administrative Law for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 15, 2001.

/s/

Maureen Marché

Administrative Assistant to the Board

For the Regulations: <http://www.swrcb.ca.gov/cwphome/ust/legal/caustreg.html>