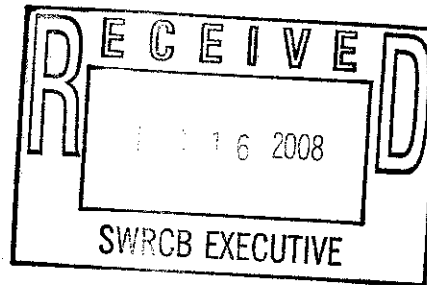




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December 16, 2008

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: State Antidegradation Policy as it applies to groundwater.

State Water Board Members:

The California Independent Oil Marketers Association (CIOMA) is concerned about the adequate coordination of water protection policy in this state. We understand the Board is addressing the state Antidegradation Policy without the benefit of looking at other relevant policies, such as Policy 88-63 (Sources of Drinking Water) and Policy 92-49 (Cleanups). We strongly believe that there must be a coordinated review of these policies to assure cross-coordination and harmonious application.

CIOMA urges the state Board to consider developing better guidance or other options that can lead to a more reasonable, cost-effective application of policy for groundwater remediation and for other groundwater uses. We also urge the Board to instigate a stakeholder process to assess policy options to make groundwater policy more rational, technically justifiable and sustainable and that results in cost-effective uniform statewide enforcement of the groundwater program. We understand a number of other stakeholders are requesting such coordination and we support their observations and comments.

CIOMA represents independent marketers who purchase gasoline and other petroleum products from refiners and sell the products to independent gasoline retailers, businesses, and government agencies, as well as representing branded "jobbers" who supply branded retail outlets, especially in rural areas. Our members are primarily small, family owned businesses who encounter unique difficulties in meeting California's complex and increasingly expensive environmental requirements. We represent approximately 400 members, about half of whom are actively engaged in the marketing and distribution of petroleum products and fuels.

Our members are experiencing a significant problem due to the restrictions being experienced by the state Underground Storage Tank Fund (USTF). Our membership is predominantly in the "C" claimant category which is being most adversely affected by USTF funding issues. Inability to close many sites (and thereby get them out of the USTF program) is directly attributable to problems dealing with coordinated understanding and interpretation of state water quality protection policies.

Please feel free to contact me if you have questions or need more information from our Association, or our membership.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay McKeeman". The signature is written in a cursive style with a large initial "J" and "M".

Jay McKeeman, Vice President of Government Relations & Communications