

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

**Certification of Cities and Counties to Implement a Local Oversight Program
Pursuant to Health and Safety Code Section 25297.01**

BY THE EXECUTIVE DIRECTOR:

The Executive Director certifies the cities, counties, or city and county (local agencies) listed below as qualified to implement a local oversight program (LOP) for the abatement of, and oversight of the abatement of, unauthorized releases of hazardous substances from underground storage tanks (UST).

**Alameda County
Orange County**

I. STATUTORY BACKGROUND AND BASIS FOR THE CERTIFICATION

Pursuant to Health and Safety Code section 25297.01, the State Water Resources Control Board (State Water Board) adopted Resolution No. 2013-0001, which approved the Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification, establishing State Water Board LOP procedures and certification criteria to evaluate whether a local agency is qualified to oversee or perform the abatement of unauthorized releases of hazardous substances from USTs.

State Water Board [Resolution No. 2013-0001](#) directs the Executive Director, or designee, to:

- a) Certify the local agencies that he or she has determined to be qualified to implement the LOP consistent with the Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification, and inform the State Water Board of this action and of any subsequent determination to certify, deny certification for, or withdraw certification for a local agency.

- b) Notify the appropriate Regional Water Quality Control Board (Regional Water Board) before certifying, denying certification, or withdrawing certification of an agency and consider any comments received from the Regional Water Board.

State Water Board staff has completed a review of the "LOP Agency Application" submittals for those agencies identified above, notified the appropriate Regional Water Board and considered the comments received, and recommended certification of the agencies identified above. Based upon the facts and circumstances particular to each applicant and consistent with the certification criteria, I have determined that the listed local agencies are qualified to implement a LOP for the abatement of, and oversight of the abatement of, unauthorized releases of hazardous substances from underground storage tanks.

II. CONCLUSION

IT IS THEREFORE DETERMINED that:

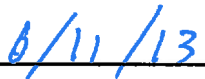
- A. Except for the minimum closure rate criterion, local agencies identified above meet all remaining criteria established in the Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification. The minimum closure rate criterion may be waived if the local agency has made adequate progress in implementing State Water Board Resolution No. 2012-0062, it is cost effective to certify the local agency, and the local agency has submitted an adequate plan specifying how the agency will raise their average case closure rate to at least 10% for fiscal year 2013-2014. Certification of the local agencies identified above has been determined to be cost effective; the local agencies have made adequate progress in implementing State Water Board Resolution No. 2012-0062, and have submitted adequate plans specifying how the agencies will raise their average case closure rates to at least 10% for fiscal year 2013-2014. The identified agencies are thereby certified to implement a LOP for the abatement of, and oversight of the abatement of, unauthorized releases of hazardous substances from underground storage tanks.

- B. The certification for the local agencies identified above will automatically expire on June 30, 2014, if the agency does not achieve an average case closure rate of at least 10% in fiscal year 2013-2014.

- C. The State Water Board Executive Director, or designee, will review, at least every three years, the ability of the LOP agency to implement the LOP, including meeting the performance measures required by State Water Board Resolution No. 2012-0062. The State Water Board Executive Director, or designee, will consider, as criteria for determining the ability of the LOP agency to implement the LOP, all of the factors described in criteria A through F in Section III of the Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification. The State Water Board Executive Director, or designee, reserves the right to review progress made by Alameda County and Orange County in meeting these factors at any time during the period this certification is in effect and to amend or revoke this certification as appropriate based on that review.
- D. The certified local agencies shall perform LOP roles and responsibilities in compliance with applicable statutes, regulations, State Water Board precedential decisions, policies, plans, resolutions, and LOP procedures.



Executive Director



Date