



Environmental Health
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SUBJECT: Comments to Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification

Thank you for the opportunity to submit comments regarding the implementation document titled *Underground Storage Tank Local Oversight Program Procedures and Criteria for Certification*, dated December 20, 2012. Our staff members have studied the document and attended the recent round table event.

The Humboldt County Local Oversight Program (LOP) notes several proposed changes to the current oversight, including:

- LOPs must have a total caseload of 70 facilities as of August 17, 2012.
- LOPs must, as of July 1, 2012, be “qualified” to become certified based on six qualifying criteria.
- LOPs must have had a closure rate of 9% in either the last 1, 3 or 5 year period.
- When LOP caseloads fall below 70, the remaining cases are transferred to the appropriate Regional Water Board.

The decision to implement AB 1701 in the manner proposed will cause unnecessary hardship to stakeholders in the program, Responsible Parties (RPs), local and regional agencies and consultants, not to mention harm to human and natural environments we are charged to protect. This harm comes in the form of potentially premature closures in some cases, and reduced interaction between RPs and regulatory agencies in others. Once LOPs are dissolved, regional agencies will adopt significantly increased caseloads and cannot realistically maintain the quality of service currently provided.

We believe that a more measured implementation plan would provide additional time and resources for LOPs to prepare for the changes desired by your agency. Such a plan might include:

1. A one year program evaluation period prior to implementation of the guidelines.



2. Adherence to US EPA target closure rate of seven percent, rather than the under-justified nine percent figure cited.
3. A program status report for each LOP detailing the current and projected caseloads as well as a projected dissolution date for the LOP.
4. Provide each LOP with a template closure plan for completion to address projected timeframes and orderly program termination events.
5. As per Section III, A, i. Cost effective workload. We recommend the LOPs be required to have a minimum of 35 open-active cases program-wide in Geotracker as of August 17, 2012. Alternatively, set a minimum caseload per worker and LOPs can adjust staffing accordingly until caseloads fall below that value.

The Humboldt County LOP has an additional suggestion related to our remote location, as follows:

Implement an exemption for rural areas of the state. Our location is over 200 miles north of the office of Regional Water Quality Control Board, Region One. This distance makes it ineffective for RWQCB staff to be responsible for Humboldt County sites. Travel time for each site visit is a minimum of eight hours, round trip.

In summary, we believe that a more measured implementation plan would serve the public and provide better service to enrollees of the program.

Sincerely,



Melissa Martel, Director

