

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND) CASE CLOSURE
RECOMMENDATION PURSUANT TO HEALTH AND SAFETY CODE SECTION
25299.39.2 AND THE STATE WATER RESOURCES CONTROL BOARD
LOW-THREAT UNDERGROUND STORAGE TANK CASE CLOSURE POLICY
CLAIM NUMBER: 12690, SITE ADDRESS: 796 WEST 5TH STREET,
SAN BERNARDINO, CA 92410

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will accept comments on the proposed underground storage tank (UST) case closure for Santa Ana Regional Water Quality Control Board (Regional Water Board) case number 83601874T, 796 West 5th Street, San Bernardino, CA 92410. This matter will be presented to the Executive Director of the State Water Board for consideration. Written comments may be submitted as described below.

Health & Safety Code section 25299.39.2, subdivision (a)(1) requires the Fund Manager to notify UST owners or operators who have a Letter of Commitment (LOC) that has been in active status for five or more years and to review the case history of these sites on an annual basis unless otherwise notified by the UST owner or operator. This process is called the "5-Year Review." Effective January 1, 2013, Health & Safety Code section 25299.39.2, subdivision (a)(1)(A), provides that the Fund Manager's determination that closure of the tank case is appropriate shall be documented in a review summary report provided to the regulatory agency. In addition, Health & Safety Code section 25299.39.2 further states that the Fund Manager, with approval of the UST owner or operator, may recommend regulatory case closure to the State Water Board. The State Water Board may close or require the closure of any UST case. The above-referenced case may be closed by the Executive Director of the State Water Board. Pursuant to State Water Board Resolution No. 2012-0061, the Executive Director of the State Water Board may close or require closure of cases that meet the criteria specified in the State Water Board's Low Threat Underground Storage Tank Case Closure Policy (Low-Threat Closure Policy) adopted by State Water Board Resolution No. 2012-0016.

Having obtained the owner/operator's approval, and pursuant to Health & Safety Code section 25299.39.2, subdivision (a)(1), the Fund Manager recommends closure of the above-referenced UST Case. Enclosed is a copy of the UST Case Closure Review Summary Report for the UST case. The Case Closure Review Summary Report contains information about the UST case and forms the basis for the UST Cleanup Fund Manager's determination that case closure is appropriate and recommendation to the State Water Board for UST case closure. A copy of the Case Closure Review

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER