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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2022-

AMENDMENTS TO THE REPLACING, REMOVING, OR UPGRADING PETROLEUM UNDERGROUND STORAGE TANKS GRANT AND LOAN REGULATIONS

WHEREAS:

1. The State Water Resources Control Board (State Water Board) has proposed amendments to the regulations for the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Grant and Loan Program located in article 2 of chapter 24 of division 3 of title 23 of the California Code of Regulations to update the RUST Regulations to make them more specific and consistent with current operational practices.
2. The State Water Board also proposes amendments to the RUST Regulations to implement changes to the Health and Safety Code enacted by Chapter 296, Statutes of 2020 and those changes to the Health and Safety Code enacted by Chapter 69, Statutes of 2009, Chapter 649, Statutes of 2009, Chapter 640, Statutes of 2013, and Chapter 547, Statutes of 2014 that still are in effect.
3. The State Water Board further proposes amendments to the RUST Regulations to make the requirements for grants and loans similar, where appropriate, making it easier for those applicants who are applying for both a RUST grant and a RUST loan for their project and streamlining the State Water Board's eligibility review.
4. The State Water Board published and distributed a Notice of Proposed Regulatory Action on June 17, 2022. The 45-day comment period ended on August 2, 2022. The State Water Board did not receive any written comments and did not receive a request for a hearing.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts the amendments to the California Code of Regulations, title 23, division 3, chapter 24, article 2 (Attachment A);
2. The State Water Board authorizes the Executive Director or designee to transmit the regulations to the Office of Administrative Law for approval and filing with the Secretary of State; and

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3. The State Water Board authorizes the Executive Director or designee to make any non-substantive revisions to the regulations to address any concerns of the Office of Administrative Law.

CERTIFICATION

The undersigned Clerk 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 December 6, 2022.

Jeanine Townsend
Clerk to the Board