April 12, 2019

*(Via email and Certified Mail)*
**CERTIFIED MAIL**
**NO. 7018 0680 0000 1017 6809**

Mr. MJ Brent
Chief Engineer
Robert E. Coyle United States Courthouse
2500 Tulare Street, Suite S-220
Fresno, California 93721
fresno_pm@kcorptechnology.net

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM LOCATED AT ROBERT E. COYLE COURTHOUSE, 2500 TULARE STREET, FRESNO**

Dear Mr. Brent:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on March 28, 2019, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|---|---|---|---|---|---|
| 1 | **Failure to Perform Secondary Containment Testing –** Secondary Containment Testing was attempted on March 8, 2019, and was not completed. | Diesel | March 28, 2019 | Ongoing | 23 CCR 2637(a) |
| 2 | **Failure to Inspect Overfill Prevention Equipment –** The Overfill Prevention Equipment Inspection was due on October 13, 2018. | Diesel | October 13, 2018 | Ongoing | 23 CCR 2637.2(a)(1) |
| 3 | **Failure to Continuously Monitor Emergency Generator Double-Walled Pressurized Piping –** By October 13, 2018, all underground pressurized piping connected to an emergency generator tank system shall be retrofitted with an automatic line leak detector. | Diesel | October 13, 2018 | Ongoing | 23 CCR 2636(f)(5)(A) |

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|---|---|---|---|---|---|
| 4 | **Failure to Maintain Site Map/Plot Plan –** The Site Map at the facility does not show the piping layout for the UST system. | Diesel | March 28, 2019 | Ongoing | 23 CCR 2711(a)(8) |
| 6 | **Failure to Update Response Plan –** The responsible person(s) and owner/operator listed in the Response Plan are no longer at this facility. | Diesel | March 28, 2019 | April 3, 2019 | 23 CCR 2632(d)(2) |
| 7 | **Failure to Maintain Designated Operator (DO) Identification Form –** The DO UST Identification Form shall be submitted upon any change in owner or operator no later than 30 days after the change. | Diesel | March 28, 2019 | April 3, 2019 | 23 CCR 2715(a) |
| 8 | **Failure to Maintain Owner/Operator Statement of Understanding and Compliance –** The tank owner listed on the Statement of Understanding and Compliance Form is no longer at this facility. This form shall be submitted upon any change in owner or operator no later than 30 days after the change. | Diesel | March 28, 2019 | April 3, 2019 | 23 CCR 2715(a) |

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Fresno County Department of Public Health within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**
Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

**Local CUPA**
Mr. Vincent Mendes
Supervising Environmental Health Specialist
Fresno County Department of Public Health
200 W Pontiac Way, Building 3
Clovis, California 93612
vmendes@co.fresno.ca.us

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of $500 to $5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 323-0600, or by email at brian.taylor@waterboards.ca.gov.

Sincerely,

Brian Taylor
Senior Engineering Geologist (Supv.)
UST Enforcement Unit
**Office of Enforcement**

cc: *(via email only)*

Mr. Mike Bains
Environmental Health Specialist
Fresno County Department of Public Health
Environmental Health Division
mbains@co.fresno.ca.us

Mr. Vincent Mendes
Supervising Environmental Health Specialist
Fresno County Department of Public Health
Environmental Health Division
vmendes@co.fresno.ca.us

Mr. Harry Yee
Supervising Environmental Health Specialist
Fresno County Department of Public Health
Environmental Health Division
hyee@co.fresno.ca.us