

State Water Resources Control Board

Date

Facility Name
Facility Address
City, State Zipcode

CERTIFIED MAIL No:
XXXX XXXX XXXX XXXX

SUBJECT: NOTICE OF NONCOMPLIANCE WITH ENHANCED LEAK DETECTION TESTING FOR FACILITY NAME, FACILITY ADDRESS

State Water Resources Control Board (State Water Board), Underground Storage Tank (UST) Program, in conjunction with the local Certified Unified Program Agency (CUPA), is issuing this Notice of Noncompliance for failure to conduct enhanced leak detection testing (ELD), or obtain an approved Request for Reconsideration. (Health & Saf. Code §§ 25292.4 & 25292.5; Cal. Code of Regs, tit. 23, § 2640, subd. (e).)

Our records show State Water Board originally notified the former UST facility owner of the requirement to conduct ELD testing due to the proximity of public drinking water wells on **DATE OF ORIGINAL NOTICE**. Attached please find the original notification, showing the testing requirement for this facility is now significantly past due. The former UST facility owner had 60 days from the original notification to perform ELD or submit a Request of Reconsideration of the ELD requirement, but did not do so.

As the current owner of the UST facility, you must take appropriate steps to bring your UST system into compliance by either conducting the required ELD test, provide documentation that the ELD testing has been completed, or if appropriate submit a formal Request for Reconsideration to the State Water Board. (Health & Saf. Code §§ 25292.4 & 25292.5; Cal. Code of Regs, tit. 23, § 2640, subd. (e).) The CUPA is the enforcing agency for this requirement and your failure to comply could lead to administrative or other formal enforcement measures. **As the current UST facility owner, you have 60 days from receipt of this notice to comply.**

If you meet certain criteria, you may be eligible for the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program to help you pay for testing. This program is administered through the State Water Board Division of Financial Assistance. Please contact Ms. Janice Clemons at (916) 341-5657 or janice.clemons@waterboards.ca.gov to see if you qualify. Information on the RUST Program can be found at the following web link: http://www.waterboards.ca.gov/water_issues/programs/ustcf/rust.shtml

If you have conducted ELD testing or possess records of ELD testing, send the results to this office and to your local CUPA immediately. If you possess information that demonstrates the

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UST system in question is not subject to the ELD testing requirement, please submit such information to this office immediately for review. Otherwise, make an appointment today to conduct this important test. A list of qualified testers can be found in LG 161-5 located at the following web link:

http://waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/161_5.pdf

The Request for Reconsideration Form and instructions for requesting reconsideration of the ELD requirement can be found at the following web link:

<http://waterboards.ca.gov/ust/eld/index.shtml>

If you have any questions regarding this letter, please contact Ms. Lisa Jensen with the State Water Board at (916) 319-0742, lisa.jensen@waterboards.ca.gov, or your local CUPA Manager, CUPA Program Manager and contact information.

Sincerely,

Daniel Newton, P.E.
UST & Site Cleanup Program Manager

Enclosure: Original Notification Letter

cc: [via email only]

CUPA Program Manager
CUPA Manager Title
CUPA Agency Name

Julie M. Osborn, Attorney III
Office of Chief Counsel
State Water Resources Control Board