



MAILING ADDRESS:
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF FINANCIAL ASSISTANCE
UST CLEANUP FUND
P.O. BOX 944212
SACRAMENTO, CA 94244-2120

PHYSICAL ADDRESS:
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF FINANCIAL ASSISTANCE
UST CLEANUP FUND
1001 I STREET
SACRAMENTO, CA 95814

PERMIT WAIVER REQUEST FORM FOR CLAIMS FILED ON AND AFTER JANUARY 1, 2008

	CLAIM NO.:
CLAIMANT NAME:	
SITE ADDRESS:	

Access to the Underground Storage Tank Cleanup (Fund) requires permit compliance. Permit compliance is satisfied if the claimant obtains a UST permit under Health and Safety Code (H&SC) section 25284 when the claimant became subject to UST permitting requirements or when the applicable local agency began issuing UST permits, whichever is later. If a Fund claimant acquires real property where a UST is situated, and despite reasonable diligence, the claimant was unaware of the UST at the time the real property was acquired, the claimant can demonstrate permit compliance if the claimant obtains a UST permit within a reasonable period of time, not to exceed one year, from when the claimant should have become aware of the UST or when the local agency began issuing UST permits, whichever occurs later.

Claimants who are subject to the permit requirement but failed to comply as explained above can request the State Water Resources Control Board (State Water Board) to waive the requirement as a condition for eligibility. Where the State Water Board grants the waiver, the deductible (level of required financial responsibility) is increased and the amount of the increased deductible depends upon when the claimant complied with UST permitting requirements or UST closure requirements for the UST that is the subject of the claim. Claimants who complied with UST permitting requirements or closure requirements before December 22, 1998, must pay twice the amount of deductible that would otherwise apply to the claim. Claimants who comply after December 22, 1998, must pay a deductible that is four times the amount that would otherwise apply to the claim.

I, _____, HEREBY REQUEST THE STATE WATER BOARD TO GRANT A PERMIT WAIVER. TO QUALIFY FOR THIS WAIVER, I AM SUBMITTING DOCUMENTATION SHOWING THAT THE FOLLOWING FOUR PERMIT WAIVER REQUIREMENTS HAVE BEEN MET:

1. The claimant was unaware of the requirement to obtain a permit under H&SC section 25284, and upon becoming aware of the permit requirement, the claimant complied with H&SC section 25284 (UST permitting requirements) or H&SC section 25298 (UST closure requirements) within a reasonable period, not to exceed one year, from when the claimant became aware of the permit requirement.

DOCUMENTATION: Provide a brief history of the UST(s) and an explanation as to why the claimant did not obtain UST permits when the claimant became subject to permitting requirements (when the claimant became the owner and/or operator of the USTs or when the local regulatory agency began issuing UST permits, whichever occurred later). Explain when and how the claimant became aware of the requirement to obtain a permit to own or operate the UST(s) and when the claimant obtained a UST permit under H&SC section 25284 or closed the UST under H&SC section 25298.

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2. Prior to filing a claim, the claimant has complied with the financial responsibility requirements of section 25299.31 of the H&SC.

DOCUMENTATION: **Attach** a copy of the Certificate of Financial Responsibility that is on file with the local regulatory agency.

3. The claimant has obtained and paid for all currently required permits.

DOCUMENTATION: If you owned or operated the UST(s) at the time of submitting the claim application, **attach** a copy of the permit to own or operate the UST(s) and verification that permit fees are paid or a copy of the application to the local agency for a permit indicating that you are diligently pursuing the acquisition of a permit. If the UST(s) were removed prior to submitting your claim application, **attach** evidence that the UST(s) were removed, and the local regulatory agency notified, and a copy of the removal permit.

4. The claimant has paid all UST fees imposed by section 25299.41 of the H&SC, due on and after January 1, 1991 for the USTs that are the subject of this claim.

DOCUMENTATION: If any of the USTs owned or operated had product placed in them on or after January 1, 1991, provide proof of payment of fees. (For additional information regarding this fee, visit the Board of Equalization's website at www.boe.ca.gov or call 1-800-400-7115.)

CLAIMANT NAME: _____

CLAIMANT SIGNATURE: _____ DATE: _____

JOINT CLAIMANT NAME: _____

JOINT CLAIMANT SIGNATURE: _____ DATE: _____