



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

PROPOSED UNDERGROUND STORAGE TANK CASE CLOSURE PURSUANT TO HEALTH AND SAFETY CODE SECTION 25296.40 AND THE STATE WATER RESOURCES CONTROL BOARD LOW-THREAT UNDERGROUND STORAGE TANK CASE CLOSURE POLICY:

**MR. ROBERT CAVA (PETITIONER)
MR. ANDY SABERI (RESPONSIBLE PARTY)**

**SABEK GAS STATION
16270 MONTEREY ROAD, MORGAN HILL, SANTA CLARA COUNTY**

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 San Clara County Department of Environmental Health case number 12-053.

Health and Safety Code section 25296.40 allows for an owner or operator, or responsible party, who has a UST case, who believes that the corrective action plan has been satisfactory implemented, and where closure has not been granted, to petition the State Water Board for review of their case. Upon review of the case, the State Water Board may close or require the closure of any UST case if it is determined that corrective action has been completed in accordance with Health and Safety Code section 25296.10. 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 (Policy) adopted by State Water Board Resolution No. 2012-0016.

State Water Board UST Cleanup staff has completed a review of the case identified above, determined that the case meets the general and media-specific criteria of the Policy, and made a recommendation to the Executive Director for UST case closure. The recommendation is based upon the facts and circumstances of this particular UST case. The UST case record that is the basis for determining compliance with the Policy is available on the State Water Board's GeoTracker database.

URL: http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0608578682

A copy of this notice has been provided to the responsible party, owner/operator, environmental consultant on record, the applicable Regional Water Quality Control Board and local agency that has been overseeing corrective action, agencies with authority to issue building permits, owners and occupants of the impacted property, owners and occupants of all parcels adjacent to impacted properties, the water replenishment district, the local water purveyor, the municipal water district, county water district, and special act district with groundwater management authority.

DOCUMENT AVAILABILITY

The draft Order is available to view or download on the State Water Board's Web site at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.shtml.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

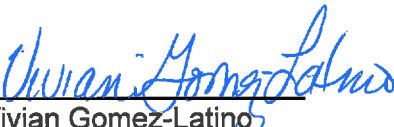
Paper copies of the draft Order are available upon request by writing to Ben Heningburg, Division of Water Quality, State Water Resources Control Board, P.O. Box 2231, Sacramento, CA 95812; by calling Mr. Heningburg at (916) 341-5749; or by e-mail at: benjamin.heningburg@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS

Interested persons are encouraged to submit their comments, evidence, and other material electronically. Comment letters can be submitted by e-mail to: USTClosuresComments@waterboards.ca.gov (if less than 10 megabytes in total size) or by fax at (916) 341-5808 with the subject "Comment Letter – Sabek Gas Station Proposed Case Closure." In order to be fully considered, written comments must be received by **12:00 noon on Friday, December 27, 2013**. Written comments may also be delivered via mail:

Vivian Gomez-Latino
State Water Resources Control Board
1001 I Street, P.O. Box 2231, Sacramento, CA 95812
or hand-delivered to the following address:
State Water Resources Control Board
1001 I Street, 15th Floor, Sacramento, CA 95814

Please direct questions about this notice to Ben Heningburg, UST Cleanup Unit III, at (916) 341-5749 (benjamin.heningburg@waterboards.ca.gov) or Nathan Jacobsen, Staff Counsel at (916) 341-5181 (nathan.jacobsen@waterboards.ca.gov).


Vivian Gomez-Latino
Office Technician
Division of Water Quality



Date