

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004 - 0021

AUTHORIZING A RESOLUTION ADOPTING REGULATIONS FOR
ELECTRONIC SUBMITTAL OF INFORMATION FOR
GROUNDWATER CLEANUP PROGRAMS

WHEREAS:


1. The State Water Resources Control Board (SWRCB), along with Regional Boards and local agencies, administer programs for subsurface investigation or remediation of: (1) an unauthorized release of a hazardous substance or (2) a discharge of waste to land subject to Division 2 of Title 27 or Division 3, Chapter 15 of Title 23 of the California Code of Regulations;
2. In September 2000, the Legislature enacted Assembly Bill 2886 (Stats. 2000, Ch.727), which authorized the SWRCB to establish electronic formats for reporting compliance data, and mandates the adoption of a single standard for electronic reporting of analytical data from certified analytical laboratories;
3. On April 26, 2001, the SWRCB adopted emergency regulations to implement Assembly Bill 2886, adding Article 12 to Chapter 16, Title 23, of the California Code of Regulations (CCR). This article requires electronic submittal to the SWRCB's database of laboratory reports containing soil or water analysis data as well as the locational and survey information. The Office of Administrative Law (OAL) approved the emergency regulations on May 30, 2001;
4. On April 25, 2003 OAL published a notice of proposed rulemaking to implement requirements for electronic submittal of information for groundwater cleanup sites. On June 16, 2003, the SWRCB held a public hearing regarding the proposed regulations;
5. The SWRCB received several written and oral comments. Based on the accepted comments and on SWRCB-initiated changes, the SWRCB revised the proposed regulations and sent them to commenters for further comments during a 15-day comment period. Only nonsubstantial changes were made in response to comments received during this period. Following the close of the comments periods, the SWRCB initiated several nonsubstantial changes to the regulations; and
6. The SWRCB has determined that it is appropriate and desirable to adopt the regulations as contained in the final proposed text, and that no revisions to the final proposed text are necessary in light of the final public comments received.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the proposed regulations in Chapter 30, Division 3 of Title 23 of California Code of Regulations (CCR) and in Division 3 of Title 27 of CCR, which will become effective as provided by the California Administrative Procedures Act upon approval by the Office of Administrative Law and filing with the Secretary of State, and directs the Executive Director to submit the proposed regulations to the Office of Administrative Law for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of the resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 22, 2004.


Debbie Irvin
Clerk to the Board