

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2007-0060 - CORRECTED***

A RESOLUTION ADOPTING AMENDMENTS TO REGULATIONS REGARDING
UNDERGROUND STORAGE TANKS AND DIRECTING
THE EXECUTIVE DIRECTOR TO SUBMIT AMENDED REGULATIONS TO THE
OFFICE OF ADMINISTRATIVE LAW FOR APPROVAL

WHEREAS:

1. Underground storage tanks (UST) used for the storage of hazardous substances are potential sources of soil and surface and groundwater pollution, and unauthorized releases may pose other dangers to public health and the environment.
2. The State Water Resources Control Board (State Water Board) oversees implementation of the UST Program element of the Unified Program, and local agencies administer the program through UST permitting, compliance inspection, and enforcement.
3. Health and Safety Code Section 25299.3 of Chapter 6.7 authorizes the State Water Board to adopt regulations to implement Chapter 6.7.
4. On May 18, 2007, the Office of Administrative Law, through its California Regulatory Notice Register, published the State Water Board's notice of proposed rulemaking to adopt amendments to the UST regulations set forth in Chapter 16 of Division 3 of Title 23 of the California Code of Regulations.
5. On July 16, 2007, the State Water Board held a public hearing, pursuant to Government Code section 11346.8, regarding the proposed regulations and closed the public comment period. During the comment period and public hearing, the State Water Board did not receive any written or oral comments on the proposed regulations. The State Water Board did not make any revisions to the proposed text of the regulations as originally made available to the public.
6. The State Water Board has determined that it is appropriate and desirable to adopt the proposed amendments to the UST regulations identified in the notice of proposed rulemaking.

* Corrected to remove a duplicate "3" in the citation of whereas #3.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the proposed amendments to the Underground Storage Tank regulations contained in Chapter 16 of Division 3 of Title 23 of the California Code of Regulations, 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 Acting Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 2, 2007.

AYE: Tam M. Doduc
Gary Wolff, P.E., Ph.D.
Arthur G. Baggett, Jr.
Frances Spivy-Weber
Charles R. Hoppin

NO: None

ABSTAIN: None

ABSENT: None



Jeanine Townsend
Acting Clerk to the Board

****Corrected and re-signed on October 22, 2007.**