
State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND OPPORTUNITY FOR TRIBAL CONSULTATION

**PROPOSED UNDERGROUND STORAGE TANK CASE CLOSURE
PURSUANT TO HEALTH AND SAFETY CODE SECTION 25296.10 AND
THE STATE WATER RESOURCES CONTROL BOARD
LOW-THREAT UNDERGROUND STORAGE TANK CASE CLOSURE POLICY
WAYNE PERRY, INC. (RESPONSIBLE PARTY)
WAYNE PERRY INC., 8301 COMMONWEALTH AVENUE, BUENA PARK,
ORANGE 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 Orange County Public Health Agency Local Oversight Program, case number 18UT003 (Site).

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 or Chief Deputy 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.

GeoTracker Case Record: <http://geotracker.waterboards.ca.gov/?gid=T10000011691>

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.

OPPORTUNITY FOR TRIBAL CONSULTATION

Meaningful engagement with California Native American Tribes is fundamental to the mission of the State Water Board. This project being undertaken by the State Water Board is the proposed closure of a UST release case and, if approved to move forward, may involve the destruction of wells used for monitoring and remediation to protect groundwater.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

The requirements of Public Resources Code § 21080.3.1 (Stats. 2014, ch. 532 (AB 52)), do not apply to the proposed UST case closure. However, in accordance with Governor's Executive Order B-10-11, as a best practice the State Water Board hereby notifies California Native American Tribes that are traditionally and culturally affiliated with the geographic location of the Site of a consultation opportunity regarding this proposed UST case closure. The Site is located at 8301 Commonwealth Avenue, Buena Park, Orange County. The geographic location of the Site can be viewed on the GeoTracker Case Record webpage for this case (see link above).

Consultation may be requested up until the close of the comment period (**12:00 noon on Friday, November 18, 2022**). To request consultation, please contact Matthew Cohen, in writing, at Matthew.Cohen@waterboards.ca.gov or Attention: Matthew Cohen, Division of Water Quality, State Water Resources Control Board, P.O. Box 2231, Sacramento, CA 95812.

DOCUMENT AVAILABILITY

A Case Closure Summary has been prepared that contains information about the UST case that forms the basis for the UST Cleanup Unit staff's recommendation to the Chief Deputy Director for the UST case closure. A draft order has been prepared that describes the proposed requirements for case closure. Both documents are available to view or download on the State Water Board's [website](https://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.html):
https://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.html

Paper copies of the Case Closure Summary and the draft order are available upon request by writing to Matthew Cohen, Division of Water Quality, State Water Resources Control Board, P.O. Box 2231, Sacramento, CA 95812; by calling Matthew Cohen at (916) 341-5751; or by email at: Matthew.Cohen@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 – Wayne Perry Inc., Proposed UST Case Closure.**" Written comments may also be mailed to:

Underground Storage Tank Program, 15th Floor
State Water Resources Control Board
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

In order to be fully considered, written comments must be received by:
12:00 noon on Friday, November 18, 2022.

Please direct questions about this notice to Matthew Cohen at (916) 341-5751 or Matthew.Cohen@waterboards.ca.gov; or Merswind Reyer (Attorney) at (916) 323-1669 or Merswind.Reyer@waterboards.ca.gov.



Matthew Cohen, P.G.
Senior Engineering Geologist
Division of Water Quality

9/19/2022
Date

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR