

## UST Site Closure Petition Process

### *Underground Storage Tank Cleanup Program*

#### Background

Any underground storage tank (UST) or residential tank owner or operator or other responsible party (Responsible Party) who believes that corrective action at the site has been satisfactorily implemented, but who has not been granted closure of the site's UST cleanup case by the Cleanup Oversight Agency (COA) (either a Regional Water Quality Control Board (Regional Water Board) or Local Oversight Program agency (LOP)), may petition the State Water Resources Control Board (State Water Board) for review of the case. (Health & Saf. Code, § 25296.40(a); Cal. Code Regs., tit. 23, § 2814.6.).<sup>1</sup> These petitions for State Water Board review are only for review of UST case closure denial. Non-closure petitions seeking review of Regional Water Board action or inaction must be filed through the Water Quality Petition process described on the State Water Board webpage for Water Quality Petitions. (State Water Board, 2025a). Non-closure petitions seeking review of LOP action or inaction must be filed through the process set forth in State Water Board Resolution 88-23. (State Water Board, 1988).

The State Water Board in Resolution No. 2012-0016 (State Water Board, 2012a) adopted the "Low-Threat Underground Storage Tank Case Closure Policy" (Policy). (State Water Board, 2012b). This state policy is for water quality control and applies to petroleum UST cleanup cases. Cases that meet the criteria in the Policy do not require further corrective action and are appropriate for closure.

When a Responsible Party believes that the corrective action plan has been satisfactorily implemented and the site meets the criteria outlined in the Policy, the Responsible Party may request closure of the UST cleanup case. If the COA disagrees with the recommendation for closure, the COA will issue a closure denial. State Water Board Resolution 2012-0062 (State Water Board, 2012c) requires the State Water Board to review all cases that have been denied case closure under the Policy. The State Water Board will inform the Responsible Party of the results of the closure denial review. Denied Requests for Closure (State Water Board, 2025b) are tracked on GeoTracker.

The Responsible Party may petition the State Water Board for case closure at any point following the COA's closure denial and need not wait for the State Water Board's closure denial review to be completed. If the Responsible Party filed a request for

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<sup>1</sup> See list of references below for links to all references cited.

closure to the COA, and the COA neither acts on the request, nor informs the petitioner of when the COA will act, within 60 days of the date of the request for closure, the inaction of the regulatory agency will be deemed to constitute a denial of the request. (All closure requests must be uploaded to GeoTracker).

Prior to petitioning for case closure, the Responsible Party must do both of the following:

1. Remove free product to the maximum extent practicable; and
2. Request and be denied case closure from the COA that is overseeing corrective action at the site.

Requests for closure should be addressed to the appropriate Regional Water Board or Local Oversight Program agency.

### **How To File A Petition**

A petition to the State Water Board requesting review of a UST or residential tank cleanup case must include the following:

1. The name and address of the petitioner;
2. The address of the site;
3. The name and address of the current owner of the site and of the owners of adjacent properties, including properties that are across the street from the site;
4. The name, address, and telephone number of all responsible parties;
5. A copy of the decision denying case closure by the COA overseeing corrective action at the site, or a copy of the petitioner's request to the regulatory agency for closure accompanied by a statement that the regulatory agency failed to act within 60 days of the request; and
6. A statement of the reasons why the petitioner believes the case should be reviewed.

Note: Petitions should include the name and address of the current owner of any property affected by contaminant migration and any interested party.

While the case closure petition is pending, the Responsible Party may request that the COA either postpone or discontinue additional investigation and/or remediation until the closure petition is resolved but must continue ongoing groundwater monitoring at the site. If the COA denies the stay in investigation and/or remediation, the Responsible Party must continue to comply with their directives.

The State Water Board's petition review is based on site-specific information relevant to each particular case. Following review of the petition, the State Water Board may either close the case or dismiss the petition if corrective action has not been adequately completed per the Policy. For more information on the petition review process, please

refer to the State Water Board's UST Petition Process for Case Closure Flow Chart. (State Water Board, 2014).

Petitions may be filed with the State Water Board via email to [DWQ-USTCleanup@waterboards.ca.gov](mailto:DWQ-USTCleanup@waterboards.ca.gov). Hard copy petitions may be filed by mail or hand delivered to the following address:

State Water Resources Control Board  
Underground Storage Tank Program  
1001 "I" Street, 15th Floor  
Sacramento, CA 95814  
Attn: Dayna Cordano

If there are any questions regarding the petition process, please contact Dayna Cordano at (916) 341-5385 or [Dayna.Cordano@waterboards.ca.gov](mailto:Dayna.Cordano@waterboards.ca.gov).

## References

California Code of Regulations, Title 23, §2814.6.

[https://govt.westlaw.com/calregs/Document/ID09D697E5B6E11EC9451000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/ID09D697E5B6E11EC9451000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).

California Health & Safety Code, Division 20, Chapter 6.7, § 25296.40, subdivision (a).

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=25296.40](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=25296.40).

State Water Resources Control Board (1988). *Resolution No. 88-23 Adoption of the Policy Regarding the Underground Storage Tank Pilot Program.*

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/1988/rs1988\\_0023.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1988/rs1988_0023.pdf).

State Water Resources Control Board (2012a). *Resolution No. 2012-0016 Approve a Substitute Environmental Document and Adopt a Proposed Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closure.*

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016.pdf).

State Water Resources Control Board (2012b). *Low-Threat Underground Storage Tank Case Closure Policy.*

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016atta.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf).

State Water Resources Control Board (2012c). *Resolution No. 2012-0062 Directing Additional Actions to Improve the Underground Storage Tank Cleanup Program.*

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0062.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0062.pdf).

State Water Resources Control Board (2014). *State Water Board's UST Petition Process for Case Closure (Flow Chart).*

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/cleanup/docs/flowchart\\_ustpetcc.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/cleanup/docs/flowchart_ustpetcc.pdf).

State Water Resources Control Board (2025a). *Water Quality Petitions.*

[https://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/).

State Water Resources Control Board (2025b). *Denied Requests for Closure.*

[https://geotracker.waterboards.ca.gov/closure\\_denial\\_report.asp](https://geotracker.waterboards.ca.gov/closure_denial_report.asp).

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