



State Water Resources Control Board

1001 I Street • Sacramento, California 95814

Phone: (916) 341-5254 Fax: (916) 341-5252

Web site: <http://www.waterboards.ca.gov> • Email: info@waterboards.ca.gov



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Contact: Kathie Smith

916-341-5263

Judgment Entered Against Franzen-Hill Corporation for Unlicensed Work at Gas Stations

SACRAMENTO – The State Water Resources Control Board (State Water Board), in conjunction with the California Attorney General's Office, has obtained a \$40,000 judgment against Franzen-Hill Corporation (Franzen-Hill) and its service technicians, David L. Martin and Exequiel Sinco, for performing integrity tests on underground storage tank (UST) systems without a State Water Board issued tank tester's license.

Franzen-Hill is a family owned and operated business in the city of Tulare, which has been in business in Central California since 1971. Franzen-Hill provides design, construction, maintenance, and testing services to gas stations. The judgment settles allegations that unlicensed Franzen-Hill technicians performed 30 integrity tests in Kern, Kings, Merced, and Tulare Counties between June 2005 and March 2008.

This \$40,000 liability is the highest penalty imposed by the State Water Board for unlicensed tank tester violations, and acts to negate the potential unfair business advantage that Franzen-Hill received by not licensing their technicians.

Integrity tests assess the structural integrity of the tank or product piping, and can detect a leak of 0.1 gallons per hour or greater. To ensure that the tests are performed correctly, it is essential that tank integrity tests are performed by licensed and trained individuals. Integrity tests are critical in protecting the public's health and safety from discharges of hazardous substances to the environment from underground storage tanks and piping.

"This enforcement case represents the State Water Board's commitment to protect public health and safety from a potential discharge of hazardous substances to the environment by ensuring that tank integrity tests are performed by qualified individuals that are properly licensed and trained," said Reed Sato, Director of the State Water Board's Office of Enforcement. California statute allows for civil penalties up to \$2,500 per violation.

Under the terms of the stipulated judgment, Franzen-Hill will pay \$21,400 in penalties to the State Water Board. Franzen-Hill will also pay \$8,600 in reimbursement of investigation and enforcement costs to the Environmental Health Departments in Kern, Tulare, Kings and Merced Counties, and to the Western States Project. The settlement suspends an additional \$10,000 in penalties for three years, provided that Franzen-Hill or its service technicians do not perform tank integrity testing without either a State Water Board issued tank tester's license or the appropriate manufacturer's training certificate.

The State Water Board's investigation was the result of the cooperation and information received by Kern, Kings, Merced and Tulare County Certified Unified Program Agencies (CUPA) and the Western States Project. Each county CUPA dedicated staff resources to assist in the development of the investigation.

The State Water Board was represented by the California Attorney General's Office in this enforcement case. A copy of the complete judgment, which was entered by the Fresno County Superior Court, can be found on the State Water Board's website at: http://www.waterboards.ca.gov/water_issues/programs/enforcement.