

## State Water Resources Control Board

# NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

**PROPOSED UNDERGROUND STORAGE TANK CASE CLOSURE PURSUANT TO  
HEALTH AND SAFETY CODE SECTION 25296.40 AND  
HEALTH AND SAFETY CODE SECTION 25296.10  
ULTRAMAR INC. (PETITIONER)  
FORMER BEACON STATION NO. 439  
2112 LINCOLN AVENUE, SAN JOSE, SANTA CLARA 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 Santa Clara County Department of Environmental Health UST case number 07S1E29L01f.

Health and Safety Code (H&SC) section 25296.40 allows for an owner or operator, or responsible party, who has a UST case, who believes that the corrective action plan has been satisfactory implemented, and where closure has not been granted, to petition the State Water Board for review of their case. 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 H&SC section 25296.10.

Pursuant to H&SC section 25296.40, the State Water Board will be considering, at a future board meeting, this UST case closure Order. You will separately receive an agenda for this meeting.

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.

### DOCUMENT AVAILABILITY

The proposed UST case closure Order and Case Closure Summary are available to view or download on the State Water Board's Web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/prop\\_closure\\_cases.shtml](http://www.waterboards.ca.gov/water_issues/programs/ustcf/prop_closure_cases.shtml)

Paper copies of the proposed UST case closure Order and Case Closure Summary are available upon request by writing to Ben Heningburg, Division of Water Quality, State Water Resources Control Board, P.O. Box 2231, Sacramento, CA 95812; by calling Mr. Heningburg at (916) 341-5749; or by e-mail at: [benjamin.heningburg@waterboards.ca.gov](mailto:benjamin.heningburg@waterboards.ca.gov).

**SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept written comments evidence, and other material electronically. Written comments must be received by **12:00 noon on Friday, December 20, 2013** and addressed to:

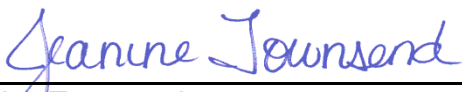
Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Comment letters may be submitted electronically, in pdf text format (if less than 15 megabytes in total size), to the Clerk to the Board via e-mail at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov). If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. Please indicate the subject line: **“Comment Letter – Former Beacon Station No. 439 Proposed UST Case Closure”**

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Jeanine Townsend at (916) 341-5600.

Please direct questions about this notice to Ben Heningburg, UST Unit III, at (916) 341-5749 [benjamin.heningburg@waterboards.ca.gov](mailto:benjamin.heningburg@waterboards.ca.gov) or Nathan Jacobsen, Staff Counsel, at (916) 341-5181 [nathan.jacobsen@waterboards.ca.gov](mailto:nathan.jacobsen@waterboards.ca.gov).

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October 17, 2013  
Date

  
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Jeanine Townsend  
Clerk to the Board