

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
JUNE 3, 2008**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT LEAKING UNDERGROUND STORAGE TANK TRUST FUNDS FOR LEAK PREVENTION FROM AND EXECUTE A COOPERATIVE AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 9 (U.S. EPA)

**DISCUSSION**

The U.S. EPA is offering up to \$1,500,000 to the State Water Resources Control Board (State Water Board) in Leaking Underground Storage Tank (LUST) Trust funds for leak prevention for Fiscal Year 2008-09. These trust funds are intended to be used for implementation of underground storage tank provisions of the Energy Policy Act of 2005. The major activities that these trust funds will support include:

Promotion of compliance at government-owned UST facilities through facility inspections, evaluations, outreach, and enforcement actions;

Implementation of the public record provisions of the Energy Policy Act; and

Collection of UST facility and tank information for storage in an electronic database.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director to apply for and accept the LUST grant, and any subsequent amendments or fund augmentations, from U.S. EPA?

**FISCAL IMPACT**

The State Water Board and the California Regional Water Quality Control Boards' staff work associated with or resulting from this action can be accomplished within budgeted resources. An amount not to exceed \$1,500,000 in Federal LUST funds will be made available over the next fiscal year. There is a 25 percent state match requirement that will be funded out of the Unified Program Account.

**REGIONAL BOARD IMPACT**

None

**STAFF RECOMMENDATION**

That the State Water Board adopts the proposed resolution authorizing the Executive Director to apply for and accept the LUST grants and any subsequent amendments or fund augmentations, from U.S. EPA.

# **D R A F T**

## **STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT LEAKING UNDERGROUND STORAGE TANK TRUST FUNDS FOR LEAK PREVENTION FROM AND EXECUTE A COOPERATIVE AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 9 (U.S. EPA)**

### **WHEREAS:**

1. The United States Environmental Protection Agency, Region 9 (U.S. EPA) is offering the State Water Resources Control Board (State Water Board) a grant of up to \$1,500,000 in Leaking Underground Storage Tank Trust Funds for fiscal year 2008-09 to fund implementation of the 2005 Energy Act provisions related to the Underground Storage Tank (UST) leak prevention program; and
2. The funds will supplement other State sources of funding for the State UST Program.

### **THEREFORE BE IT RESOLVED:**

That the State Water Board:

1. Authorizes the Executive Director to apply for and accept the LUST Trust funds for leak prevention not to exceed \$1,500,000 in fiscal year 2008-09; and
2. Authorizes the Executive Director to execute a Cooperative Agreement with U.S. EPA, Region 9.

### **CERTIFICATION**

The undersigned 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 June 3, 2008.

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Jeanine Townsend  
Clerk to the Board