

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
NOVEMBER 2, 2010**

ITEM 4

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING ACCEPTANCE OF A FEDERAL GRANT TO CONTINUE OVERSIGHT AT THE LAWRENCE LIVERMORE NATIONAL LABORATORY SITE 300 FACILITY

DISCUSSION

The U.S. Department of Energy (DOE), the United States Environmental Protection Agency and the State of California signed a Federal Facilities Agreement for State and Federal oversight activities at DOE's Lawrence Livermore National Laboratory Site 300 (LLNL Site 300) on June 29, 1992. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has been providing oversight for DOE's environmental restoration and waste management activities through a DOE grant and three grant amendments since January 1993. The current grant amendment expired on June 30, 2010.

A final site-wide record of decision (ROD) was issued in July 2008. The cleanup levels in the final ROD address all operable units at Site 300 except one (Building 812). The Remedial Investigation and Feasibility Study for Building 812 is scheduled to be completed in 2013.

A grant proposal between the State Water Board and DOE provides \$462,543 to fund oversight work by the Central Valley Water Board from July 1, 2010 through June 30, 2013. The grant was issued to the State Water Board on August 20, 2010.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to accept up to \$500,000 in federal grant funds to continue oversight activities at the LLNL Site 300 facility?

FISCAL IMPACT

The proposed grant would continue the LLNL Site 300 oversight activities with federal grant funds. DOE must obligate the awarded funds by the end of their fiscal year, September 30, 2010. The State Water Board budget has adequate expenditure authority to expend these funds.

REGIONAL WATER BOARD IMPACT

Central Valley Water Board staff have had no funding for LLNL Site 300 since July 30, 2010. Until this Resolution is approved, Central Valley Water Board staff cannot provide continued project oversight.

STAFF RECOMMENDATION

That the State Water Board authorize the Executive Director to accept up to \$500,000 in federal grant funds to continue oversight activities at the LLNL Site 300 facility.

State Water Board action on this item will assist the Water Boards in implementing Priority 2 of the Strategic Plan Update: 2008-2012 to protect and restore groundwater quality. In particular, approval of this item will assist in fulfilling Objective 2.3 to ensure the viability of high quality groundwater basins the clean-up of contamination.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2010-

AUTHORIZING ACCEPTANCE OF A FEDERAL GRANT TO CONTINUE OVERSIGHT AT THE LAWRENCE LIVERMORE NATIONAL LABORATORY SITE 300 FACILITY

WHEREAS:

1. A Federal Facilities Agreement between U.S. Department of Energy (DOE) and the State of California authorizes funding for State oversight at DOE's Lawrence Livermore National Laboratory (LLNL) Site 300 facility as the DOE implements its Environmental Restoration and Waste Management Plan.
2. The Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) has provided assistance in implementing the program by performing water quality oversight of DOE environmental restoration and compliance activities since January 1993.
3. The proposed augmentation to the current grant from DOE of \$462,543 will fund the Central Valley Water Board's oversight for the period from July 1, 2010 to June 30, 2013.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director or designee to accept up to \$500,000 in federal grant funds to continue regulatory oversight activities at the DOE LLNL Site 300 facility.

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 November 2, 2010.

Jeanine Townsend
Clerk to the Board