

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING – DIVISION OF WATER QUALITY
NOVEMBER 16, 2005

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE TWO GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF ENERGY FOR REGULATORY OVERSIGHT AT FOUR SITES IN SAN FRANCISCO BAY REGION

DISCUSSION

Threats to water quality exist at the four Department of Energy (DOE) sites within the San Francisco Bay Regional Water Quality Control Board's (San Francisco Bay Water Board) jurisdiction. These sites are: Stanford Linear Accelerator Center, located in Menlo Park, San Mateo County; Lawrence Berkeley National Laboratory, located in Berkeley, Alameda County; Lawrence Livermore National Laboratory Livermore Site and Sandia National Laboratory, both located in Livermore, Alameda County.

The DOE has established an Environmental Restoration and Waste Management Plan to bring its facilities into compliance with State and federal environmental laws, regulations, and requirements.

The State Water Resources Control Board (State Water Board) has entered into grants with DOE starting in 1994 to provide regulatory oversight at the four DOE sites in the San Francisco Bay Region. The grant history and grant proposal are summarized in the following table and text.

State Water Board Resolution	Grant Amount	Grant End Date	Extended End Date
DOE Grant History:			
94-103	\$1,080,167	June 30, 1999	
99-080	\$ 300,000	September 30, 2002	March 21, 2003
03-020	\$ 310,614	September 30, 2005	December 31, 2005
DOE Grant Proposal:			
05-xxx	\$ 449,455	December 31, 2008	

State Water Board Resolution No. 94-103 approved the initial DOE grant request providing financial resources of \$1,080,167 to the State Water Board and San Francisco Bay Water Board to fund oversight work through June 30, 1999. State Water Board Resolution No. 99-080 added \$300,000 and extended the grant an additional three years through September 30, 2002. The grant was later administratively extended to March 21, 2003. State Water Board Resolution No. 03-020 authorized the Executive Director to execute an amended grant with the DOE for \$310,614 for the period ending September 30, 2005. Currently, the grant will remain in effect until December 31, 2005.

Recently, the DOE reorganized into the Office of Science and the National Nuclear Security Administration (NNSA), requiring the preparation of two grants due to different funding sources. One is under the Office of Science, which addresses work at the Lawrence Berkeley National Lab and the Stanford Linear Accelerator Center. The other grant, under the NNSA, addresses environmental work for the Lawrence Livermore National Lab and the Sandia National Laboratory. The two grants provide an additional \$449,455 to fund oversight for work from January 1, 2006 to December 31, 2008, plus any carryover from DOE's initial award.

On September 21, 2005, the San Francisco Bay Water Board passed Resolution No. R2-2005-0044 supporting authorization of the Executive Director by the State Water Board to enter into the two grant agreements with the DOE for the period ending December 31, 2008.

The two grants between the State Water Board and DOE have been drafted which provides funds to the State Water Board and San Francisco Bay Water Board and represent the ongoing commitment by the San Francisco Bay Water Board to conduct oversight of DOE environmental restoration and compliance activities at the subject DOE facilities on a timely, constructive and fiscally sound basis.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to execute two new grants with the DOE for \$449,455 to fund oversight for work from January 1, 2006 to December 31, 2008, plus any carryover from DOE's initial award?

FISCAL IMPACT

Continues funding of San Francisco Bay Water Board staff at a slightly higher level that is absorbable within existing budget authority.

REGIONAL WATER BOARD IMPACT

San Francisco Bay Water Board.

STAFF RECOMMENDATION

The State Water Board authorizes the Executive Director to execute two grants and any amendments thereto with a total amount of \$449,455 with the DOE for State regulatory oversight of the four DOE facilities within the San Francisco Bay Region.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2005 –

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE TWO GRANT
AGREEMENTS WITH THE U.S. DEPARTMENT OF ENERGY FOR REGULATORY
OVERSIGHT AT FOUR SITES IN SAN FRANCISCO BAY REGION

WHEREAS:

1. Threats to water quality exist at the four Department of Energy (DOE) sites within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board). These sites are: Stanford Linear Accelerator Center, located in Menlo Park, San Mateo County; Lawrence Berkeley National Laboratory, located in Berkeley, Alameda County; Lawrence Livermore National Laboratory Livermore Site and Sandia National Laboratory, both located in Livermore, Alameda County.
2. The State Water Resources Control Board (State Water Board) has entered into grants with DOE starting in 1994 to provide regulatory oversight at the four DOE sites in the San Francisco Bay Region. The current grant ends December 31, 2005.
3. Recent DOE reorganization requires the preparation of two new grants due to different funding sources. One grant addresses work at the Lawrence Berkeley National Lab and the Stanford Linear Accelerator Center. The other grant addresses work for the Lawrence Livermore National Lab and the Sandia National Laboratory. The two proposed grants provide an additional total of \$449,455 to fund oversight for work from January 1, 2006 to December 31, 2008, plus any carryover from DOE's initial award.
4. On September 21, 2005, the San Francisco Bay Water Board passed Resolution No. R2-2005-0044 supporting State Water Board authorization of the Executive Director to enter into the two grant agreements.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to execute two grants and any amendments thereto with a total amount of \$449,455 with the DOE for State regulatory oversight of the four DOE facilities within the San Francisco Bay Region.

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 16, 2005.

Selica Potter
Acting Clerk to the Board