

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
JANUARY 18, 2011**

**ITEM 6**

**SUBJECT**

CONSIDERATION OF A RESOLUTION AUTHORIZING ACCEPTANCE OF A FEDERAL GRANT TO CONTINUE OVERSIGHT AT THE DEPARTMENT OF ENERGY LABORATORY FOR ENERGY-RELATED HEALTH RESEARCH FACILITY

**DISCUSSION**

The U.S. Department of Energy (DOE), the United States Environmental Protection Agency (U.S. EPA), the Department of Toxic Substances Control (DTSC), and the Central Valley Regional Water Quality Control Board (Central Valley Water Board) signed a Federal Facilities Agreement (FFA) for State and Federal oversight activities at DOE's Laboratory for Energy-Related Health Research (LEHR) in 1996. The Central Valley Water Board has been providing water quality regulatory oversight for DOE's environmental restoration and waste management activities through a DOE grant and various grant amendments since 1996. The current grant amendment expired on September 30, 2010. The grant will provide approximately \$156,623 for Central Valley Water Board staff oversight through September 30, 2013.

The Site-Wide Final Record of Decision (ROD) was issued in December 2009. The remedy for the site, which includes long-term groundwater monitoring, soil management, and land use restrictions, is in progress.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director to accept up to \$160,000 in federal grant funds to continue regulatory oversight activities at the DOE LEHR facility?

**FISCAL IMPACT**

The proposed grant would continue to fund oversight activities at the DOE LEHR facility using federal grant funds. The State Water Board budget has adequate expenditure authority to expend these funds.

**REGIONAL WATER BOARD IMPACT**

Central Valley Water Board staff has had no funding for the DOE LEHR facility since September 30, 2010. Until this Resolution is approved, Central Valley Water Board staff cannot provide continued project oversight. If this grant is not approved, the Central Valley Water Board could be in violation of the FFA because the work required of the Central Valley Water Board would not be performed.

## **STAFF RECOMMENDATION**

That the State Water Board authorize the Executive Director to accept up to \$160,000 in federal grant funds to continue regulatory oversight activities at the DOE LEHR 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 and the cleanup of contamination.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2011-

### AUTHORIZING ACCEPTANCE OF A FEDERAL GRANT TO CONTINUE OVERSIGHT AT THE DEPARTMENT OF ENERGY LABORATORY FOR ENERGY-RELATED HEALTH RESEARCH 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 Laboratory for Energy-Related Health Research facility at the University of California at Davis as the DOE implements its Final Record of Decision.
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 regulatory oversight of DOE environmental restoration and compliance activities since 1996.
3. The proposed augmentation to the current grant from DOE of \$156,623 will fund the Central Valley Water Board's oversight through September 30, 2013.

#### THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director or designee to accept up to \$160,000 in federal grant funds to continue regulatory oversight activities at the DOE Laboratory for Energy-Related Health Research 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 January 18, 2011.

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Jeanine Townsend  
Clerk to the Board