

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**TENTATIVE RESOLUTION No. R2-2005-0xxx**

**RESOLUTION TO THE STATE BOARD REQUESTING AUTHORIZATION FOR THE  
EXECUTIVE DIRECTOR TO SIGN TWO NEW GRANT AGREEMENTS WITH THE  
U.S. DEPARTMENT OF ENERGY**

**WHEREAS:**

1. Threats to water quality exist at the four United States Department of Energy (DOE) sites within the San Francisco Bay Region. These sites include Lawrence Berkeley National Laboratory (LBNL), located in Berkeley, Alameda County the Stanford Linear Accelerator Center (SLAC), located in Menlo Park, San Mateo County; the Lawrence Livermore National Laboratory (LLNL) main facility, located in Livermore, Alameda County, and the Sandia National Laboratory (Sandia), also located in Livermore.
2. The United States Department of Energy has established an Environmental Restoration Program and Water Management Plan to bring its facilities into compliance with the letter and intent of State and Federal laws, regulations, and requirements.
3. A Federal grant program has been developed which funds Water Board staff oversight of environmental restoration and compliance activities at the subject facilities. Due to the recent reorganization of the DOE into the Office of Science and the National Nuclear Security Administration (NNSA) which are separately funded, the grant program for the subject DOE facilities requires a split into two grants, one for LBNL and SLAC, and the other for Sandia and LLNL.
4. State Water Board Resolution 94-103 approved the original DOE grant request providing financial resources of \$1,080,167 to the Water Board to fund oversight work from July 1, 1994 to June 30, 1999.
5. In 1999, the Federal government modified the grant term from five years to three years. That same year, at the end of the grant period, the State Water Board unilaterally passed Resolution No. 99-080 to provide an additional \$300,000, and extend the grant an additional 3 years (October 1, 1999 through September 30, 2002) reflecting new federal limitations to a 3-year grant period. The grant was later administratively extended from its September 2002 expiration date to March 21, 2003.
6. On January 22, 2003, the State Water Board passed Resolution 2003-0008, which provides the Executive Director authority to enter into and approve federal agreements.
7. On February 19, 2003, this Water Board adopted Resolution R2-2003-0020, which supported a proposed State Water Board resolution authorizing the Executive Director to

enter into a 3-year grant agreement with DOE. On March 19, 2003, the State Water Board approved Resolution 2003-020 supporting the grant agreement.

8. The Department of Energy has since amended the grant so as to conform to the normal calendar year and to minimize Fiscal Year end date conflicts between Federal and State Fiscal Years. Currently, the grant remains in effect until December 31, 2005.
9. Recently, Water Board staff completed filing of the application for the two grants. Under the authority of State Water Board Resolution 2003-0008 we are now asking this Water Board to adopt a resolution seeking the State Water Board's approval for the Executive Director to enter into the new federal grant agreements for the subject facilities for the period ending December 31, 2008.
10. Altogether, the grant applications request \$428,982 for three years of activities at the four facilities.
11. This Water Board, in a public meeting, heard and considered all comments pertaining to the proposed grant.

**BE IT THEREFORE RESOLVED**, that this Water Board supports the State Water Board authorizing the Executive Director to sign the new grant agreements with the United States Department of Energy for \$428,982 for the period ending December 31, 2008.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on *<date of adoption>*.

BRUCE H. WOLFE  
Executive Officer