

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-41

AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A STANDARD AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY FOR MONITORING AT DIABLO CANYON NUCLEAR POWER PLANT AND TO AMEND AND AUGMENT INTERAGENCY AGREEMENT NO. 2-053-225-0 WITH THE DEPARTMENT OF FISH AND GAME

WHEREAS:


1. The State Board is funding a program operated by the Department of Fish and Game, known as the State Mussel Watch, to monitor toxic pollutants along California's coast.
2. The State Mussel Watch has demonstrated the ability over the past five years to effectively monitor toxic pollutants along California's coast.
3. The Central Coast Regional Water Quality Control Board has requested the assistance of the State Board's State Mussel Watch to monitor the discharge of once through cooling water from the Diablo Canyon Nuclear Power Plant.
4. NPDES Permit No. CA0003751, Regional Board Order No. 82-24, as amended by Order No. 82-54, for the Pacific Gas and Electric Company's Diablo Canyon Power Plant requires discharger self-monitoring using in-situ bioassay, e.g., "Mussel Watch", techniques.
5. The discharger, Pacific Gas and Electric Company, is willing to utilize and compensate for the monitoring services provided by the State Mussel Watch.
6. The State Board currently has nine petitions pending for review of Regional Board Order No. 82-24, as amended. Several of the petitions seek a prohibition against discharge of wastes from the Diablo Canyon Plant by Pacific Gas & Electric Company. The State Board, in authorizing the execution of a standard agreement with Pacific Gas & Electric Company for monitoring at the Diablo Canyon Nuclear Power Plant, takes no position on the merits of the pending petitions. If the petitioners are successful in prohibiting the discharge of wastes from the plant, the State Board will take immediate steps to terminate its contractual agreement with Pacific Gas & Electric Company and to modify the interagency agreement with the Department of Fish and Game.

THEREFORE BE IT RESOLVED.

1. That the State Board authorizes the Executive Director to negotiate and execute a standard agreement with Pacific Gas and Electric Company for monitoring at Diabole Canyon Nuclear Power Plant for an amount not to exceed \$70,000 and to amend and augment Interagency Agreement No. 2-053-225-0 with the Department of Fish and Game for an amount not to exceed \$65,000.
2. That in authorizing the execution of such standard agreement with Pacific Gas and Electric Company and modification of the interagency agreement with the Department of Fish and Game, the State Board takes no position on the merits of the petitions pending before the State Board for review of Regional Board Order No. 82-24, as amended.
3. That, if the petitioners are successful in prohibiting the discharge of wastes from the Diablo Canyon Plant, the State Board will take immediate steps to terminate its agreement with Pacific Gas and Electric Company and to modify the interagency agreement with the Department of Fish and Game.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control 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 on September 16, 1982.



Clint Whitney
Executive Director