

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
JUNE 3, 2008**

ITEM 4

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT LEAKING UNDERGROUND STORAGE TANK TRUST FUND GRANTS FROM AND EXECUTE A COOPERATIVE AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 9 (U.S. EPA)

DISCUSSION

The U.S. EPA is offering up to \$17,100,000 to the State Water Resources Control Board (State Water Board) in Leaking Underground Storage Tank (LUST) Trust Fund grants over the next three years, beginning in Fiscal Year 2008-09. The major activities that these trust funds will support include:

Oversight and enforcement of cleanup of leaking petroleum underground storage tanks;

Corrective action training for local agencies and State Water Board/Regional Water Board staff; and

Technical and database assistance to improve the case closure and reporting processes for LUST sites.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to apply for and accept the LUST grant, and any subsequent amendments or fund augmentations, from U.S. EPA?

FISCAL IMPACT

The State Water Board and the California Regional Water Quality Control Boards' staff work associated with or resulting from this action can be accomplished within budgeted resources. An amount not to exceed \$17,100,000 in Federal LUST funds will be made available over the next three fiscal years. There is a 10 percent state match requirement that will be funded out of the Underground Storage Tank Cleanup Fund.

REGIONAL BOARD IMPACT

Yes. All Regional Water Boards

STAFF RECOMMENDATION

That the State Water Board adopts the proposed resolution authorizing the Executive Director to apply for and accept the LUST grants and any subsequent amendments or fund augmentations, from U.S. EPA.

D R A F T

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT LEAKING UNDERGROUND STORAGE TANK TRUST FUND GRANTS FROM AND EXECUTE A COOPERATIVE AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 9 (U.S. EPA)

WHEREAS:

1. The United States Environmental Protection Agency, Region 9 (U.S. EPA) is offering the State Water Resources Control Board (State Water Board) up to \$17,100,000 in Leaking Underground Storage Tank (LUST) Trust Fund grants for the next three years, beginning in fiscal year 2008-09, to fund implementation of the Leaking Underground Storage Tank (LUST) Program; and
2. The Federal funds will supplement other State sources of funding for the State LUST Program.

THEREFORE BE IT RESOLVED:

That the State Water Board:

1. Authorizes the Executive Director to apply for and accept the LUST Trust Fund grants not to exceed \$17,100,000 for FY 2008-09 through FY 2010-11; and
2. Authorizes the Executive Director to execute a Cooperative Agreement with U.S. EPA, Region 9.

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 June 3, 2008.

Jeanine Townsend
Clerk to the Board