

## DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

### SUMMARY

Data Element	Data
Site	Laboratory for Energy Related Health Research
Agreement Name	Federal Facility Agreement for the Laboratory for Energy-Related Health Research
State	California
Agreement Type	Federal Facility Agreement
Legal Driver(s)	CERCLA/RCRA
Scope Summary	Establish a procedural framework and schedule for developing, implementing and monitoring appropriate response actions at LEHR
Parties	DOE; USEPA; California Department of Toxic Substances Control; Central Valley Regional Water Quality Control Board; California Department of Health Services
Date	12/8/1999

### SCOPE

- Ensure that the environmental impacts associated with past activities at LEHR/Old Campus Landfill are thoroughly investigated.
- Establish a procedural framework and schedule for developing, implementing and monitoring appropriate response actions at LEHR.
- Ensure adequate assessment of potential injury to natural resources, the prompt notification, cooperation, and coordination with the Federal and State Natural Resources Trustees.

### ESTABLISHING MILESTONES

- Beginning with the month following the effective date of this Agreement, and approximately monthly thereafter, DOE shall submit Remedial Project Managers (RPM) monthly meeting minutes.

- Deadlines for the submittal of primary documents by DOE are set forth in Attachment 1 of this Agreement.
- Timetables, deadlines and schedules shall be extended when good cause exists and a timely request is submitted.

## **FUNDING**

- It is the expectation of the Parties to this Agreement that all obligations under this Agreement will be fully funded through Congressional appropriations.
- The Parties shall communicate and exchange information about funding concerns.
- EPA, DOE, DHS, DTSC and RWQCP RPMs shall meet periodically throughout each Fiscal Year to discuss the current fiscal budget, the status of projects, and events causing significant changes to target dates or requirements under this Agreement.
- EPA, DHS, DTSC, and the RWQCB may comment annually on DOE Oakland Operations Office cost estimates for activities under this Agreement.
- In or about June of each year, DOE shall provide EPA, DHS, DTSC, and the RWQCB with current Project Baseline Summary cost estimates based upon any revisions to DOE's Paths to Closure document.
- DOE will provide to EPA, DHS, DTSC, and the RWQCB a copy of the President's Budget Request to Congress and pertinent sections of the DOE Congressional Budget Request. DOE shall notify the above parties of any differences between the estimates and actual dollars.
- No provision shall be interpreted to require violation of the Anti-Deficiency Act.

## **PENALTIES**

- In the event that DOE fails to comply with a term or condition of this Agreement including the failure to submit a primary document listed in Attachment 1 (Deadlines), a stipulated penalty may be assessed in an amount not to exceed \$5,000 for the first week (or part thereof), and \$10,000 for each additional week (or part thereof).
- Disputes shall be resolved according to the terms set forth in this Agreement.