

## DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

### SUMMARY

Data Element	Data
Site	Lawrence Livermore National Laboratory (Site 300)
Agreement Name	Lawrence Livermore National Laboratory Federal Facility Agreement Under CERCLA Section 120, June 29, 1992
State	California
Agreement Type	Federal Facility Agreement
Legal Driver(s)	CERCLA
Scope Summary	Establish a procedural framework and schedule for developing, implementing, and monitoring appropriate response actions at the Site
Parties	DOE; USEPA; California Department of Toxic Substances Control; Central Valley Regional Water Quality Control Board
Date	6/29/1992

### SCOPE

- Establish a procedural framework and schedule for developing, implementing, and monitoring appropriate response actions at the Site.
- Identify operable units (OUs) which are appropriate at the Site prior to the implementation of final remedial action(s).
- Establish requirements for the performance of a Remedial Investigation (RI).
- Identify the nature, objective, and schedule of response actions to be taken at the Site.

### ESTABLISHING MILESTONES

- All deadlines agreed upon before the effective date of this Agreement shall be incorporated into Appendix A.

- Within 21 days of the effective date of this Agreement or 15 days of the signing of the ROD (depending on the nature of the primary document, specified within this Agreement), DOE shall propose deadlines for completion of certain draft primary documents.

## **FUNDING**

- EPA, DOE, DTSC and RWQCB Remedial Project Managers shall meet periodically throughout each Fiscal Year to discuss the current FY activities.
- EPA, DTSC, and the RWQCB may comment annually on DOE-SAN cost estimates for each budget year. DOE-SAN will consider any comments received and include those comments along with these cost estimates in submittals sent from DOE-SAN to DOE-HQ for the relevant budget year.
- DOE will provide to EPA, DTSC, and the RWQCB a copy of the President's Budget Request to Congress and sections of the DOE congressional Budget Request pertaining to the Environmental Restoration and Waste Management Program. After the President has submitted the budget to Congress, DOE shall notify EPA, DTSC, and the RWQCB of any differences between the estimates and the actual dollars in the President's budget.
- DOE agrees to request funding and reimburse DTSC and the RWQCB for reasonable costs they incur in providing services in direct support of DOE's environmental restoration activities pursuant to this Agreement at the Site.
- Insufficient availability of appropriated funds may constitute force majeure.

## **PENALTIES**

- 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).
- EPA may assess a stipulated penalty in the event that DOE fails to submit a primary document pursuant to the appropriate timetable, or fails to comply with a term or condition of this Agreement. DTSC or the RWQCB may also assess a stipulated penalty against DOE.
- Deadlines may be extended upon receipt of a timely request for extension and when good cause exists for the extension, pursuant to Section 9 (Extensions).

- Disputes shall be resolved according to the terms specified in this Agreement (Section 12: Dispute Resolution).