

1 STEPHAN C. VOLKER (CSB #63093)
JOSHUA A. H. HARRIS (CSB #226898)
2 DANIEL P. GARRETT-STEINMAN (CSB #269146)
LAW OFFICES OF STEPHAN C. VOLKER
3 436 14th Street, Suite 1300
Oakland, California 94612
4 Tel: 510/496-0600
Fax: 510/496-1366

5 Attorneys for Plaintiff
6 SAVE STRAWBERRY CANYON,
a non-profit California public benefit corporation
7
8

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12 SAVE STRAWBERRY CANYON, a non-profit)
California public benefit corporation,)

14 Plaintiff,)

15 v.)
16)

17 STEVEN CHU, Secretary of the United States)
Department of Energy; AUNDRA RICHARDS,)
18 Site Office Manager, United States Department)
of Energy Berkeley Site Office; and UNITED)
19 STATES DEPARTMENT OF ENERGY, a)
federal agency,)
20)

21 Defendants.)
22)
23)
24)
25)
26)
27)
28)

Civ. No. CV 10-00797 VRW

**DECLARATION OF STEPHAN C.
VOLKER IN SUPPORT OF PLAINTIFF'S
REPLY IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

Honorable Vaughn R. Walker

Date: December 9, 2010
Time: 10 a.m.
Courtroom: 6

1 I, Stephan C. Volker, hereby declare:

2 1. I am counsel of record for plaintiff SAVE STRAWBERRY CANYON in the above-
3 captioned matter.

4 2. I have personal knowledge of the facts stated below and would be able to testify competently
5 thereto if called as a witness.

6 3. This declaration is made in support of plaintiff's reply in support of motion for summary
7 judgment.

8 4. True and correct copies of the Cover and Figure 2-13 from the Lawrence Berkeley National
9 Laboratory's 1996 Site Environmental Report (September 1997) are attached hereto as Exhibit 1.

10 I declare under penalty of perjury under the laws of the State of California that the foregoing is
11 true and correct. Executer this 29th day of October, 2010, in Oakland, California.

12
13 /s/ Stephan C. Volker
STEPHAN C. VOLKER

EXHIBIT 1

UC-600

Volume I

m9 805623



ERNEST ORLANDO LAWRENCE BERKELEY NATIONAL LABORATORY

1996 Site Environmental Report Volume I

**Environment, Health and
Safety Division**

September 1997

**RECEIVED
OCT 16 1997
OSTI**



2-Introduction

proximately 7.5 on the Richter scale. Traces of the Wildcat Fault, also part of the San Andreas system, traverse the site on the east, but analysis indicates no evidence that the fault is active in this area. Shorter, apparently inactive, subsidiary faults also transect the Laboratory.

The San Andreas Fault zone, which has potential for a magnitude 8.3 earthquake, lies about 32 kilometers (20 miles) west of Berkeley Lab, offshore beyond the Golden Gate. The Calaveras Fault, another branch of the San Andreas, lies about 24 kilometers (15 miles) east of the site. For an earthquake of any given

magnitude, the Hayward Fault would produce the most intense ground shaking at Berkeley Lab because of its proximity. No buildings or building additions are sited across the fault.

To reduce the potential for damage from seismic activity, the Laboratory has carried out a comprehensive earthquake safety program since 1971. All new facilities have been designed and constructed to resist the maximum credible earthquake estimated for the site. All existing buildings have been reviewed, and many have been strengthened to meet current risk criteria.

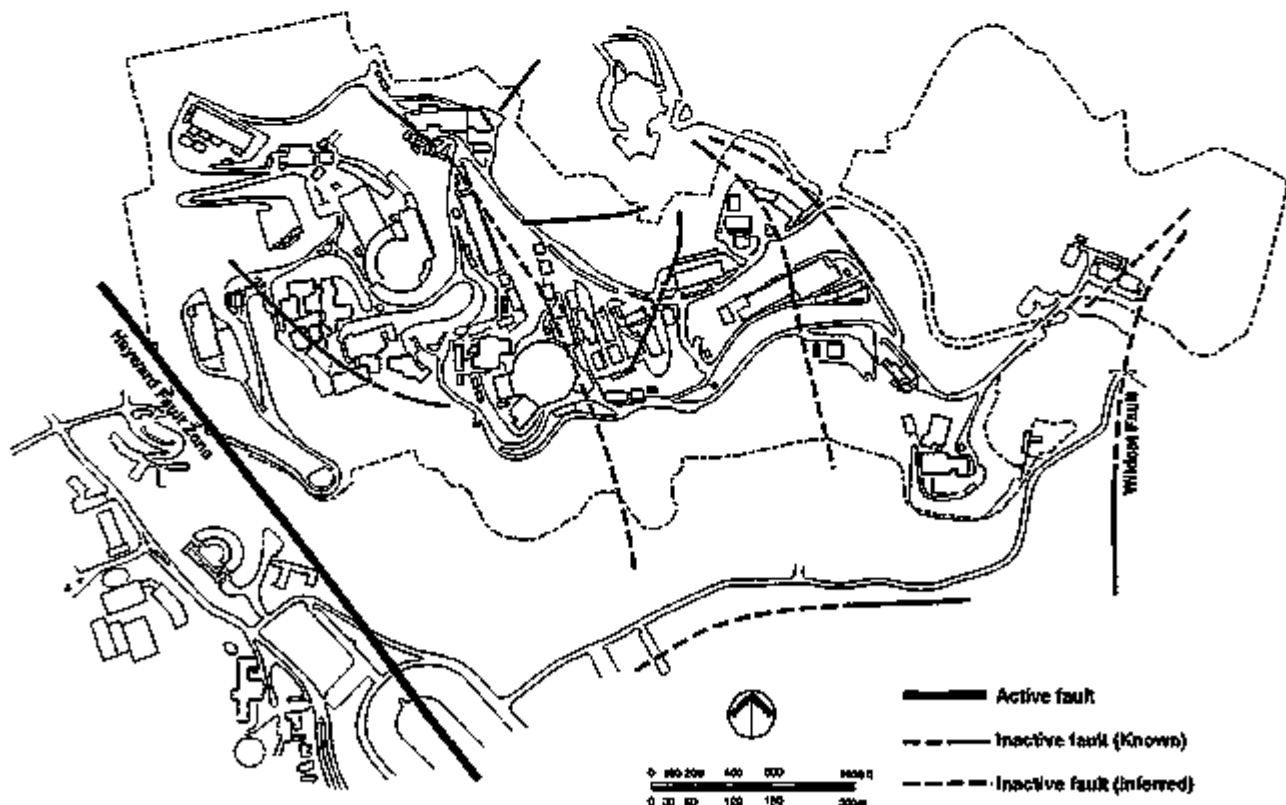


Figure 2-13. Mapped Seismic Faults