

Independent Review Panel

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Gideon Kracov, J.D., *Chair*
Mike Vizzier, *Vice Chair*
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Edmund G. Brown Jr.
Governor

Results of Independent Review Panel August 2016 Survey of Selected Individuals on Their Recommendations to Improve DTSC Programs

September 7, 2016

At its April 7, 2016 meeting, the DTSC Independent Review Panel decided to survey a small cohort of stakeholders about the performance of DTSC as well as recommendations to improve performance. Vice Chair Mike Vizzier volunteered to work with IRP support staff on a draft survey instrument at that meeting. Vice Chair Vizzier and IRP Program Analyst Larry Rohlfes submitted the draft questionnaire to the Panel at its next public meeting on May 12, 2016. The IRP approved the draft as submitted.

Survey Instrument

The questionnaire asked the survey respondents to rate the performance of six DTSC programs and provide suggestions to improve each of them. The six programs correspond with those the Panel will review based on its [IRP Work Plan for 2016-17 \(March 30, 2016\)](#). The focused areas are as follows:

- (1) Permitting;
- (2) Enforcement;
- (3) Public Outreach;
- (4) Fiscal Management;
- (5) Site Mitigation (Brownfields and Environmental Restoration); and
- (6) Source Reduction and Consumer Products Programs.

The questionnaire also asked the survey respondents to tell the IRP what they thought DTSC's biggest challenge is and what solutions they recommended to overcome it. In addition, the respondents were asked to provide any other comments, questions, or concerns they had. Finally, the questionnaire asked respondents to identify themselves by interest group or background. The questionnaire gave respondents the opportunity to provide optional name and contact information.

Because of the wide scope of the subject matter and the extensive knowledge that the members of the target group were assumed to have, the questionnaire made extensive use of open-ended questions.

The survey questions are presented in Appendix 1.

Survey Group

Chair Gideon Kracov suggested the majority of the 63 contacts who were sent the survey, although the other two Panel members were invited to add their contacts to this target group. Among the individuals on the contact list were DTSC past and present employees, owners or employees of regulated facilities, representatives of regulated facilities, residents and representatives of communities impacted by a regulated facility, and non-DTSC public officials.

Invitation to Participate in Online Survey

IRP support staff put the questionnaire on SurveyMonkey, an online service, and sent an email message to the targeted individuals on August 2, 2016, inviting them to participate in the online survey by August 22, 2016. The invitation assured the targeted individuals that their responses would not be personally identifiable to the IRP unless they provided their name and contact information, and that if they chose to provide that optional information, their names would not be associated with any of the individual responses that would be shared with DTSC or the public. IRP support staff emailed a reminder invitation to participate in the survey to the target group on August 12, 2016.

Survey Results and Analysis of Results

Thirty-six of the 63 contacts responded to the survey, a response rate of 57 percent.

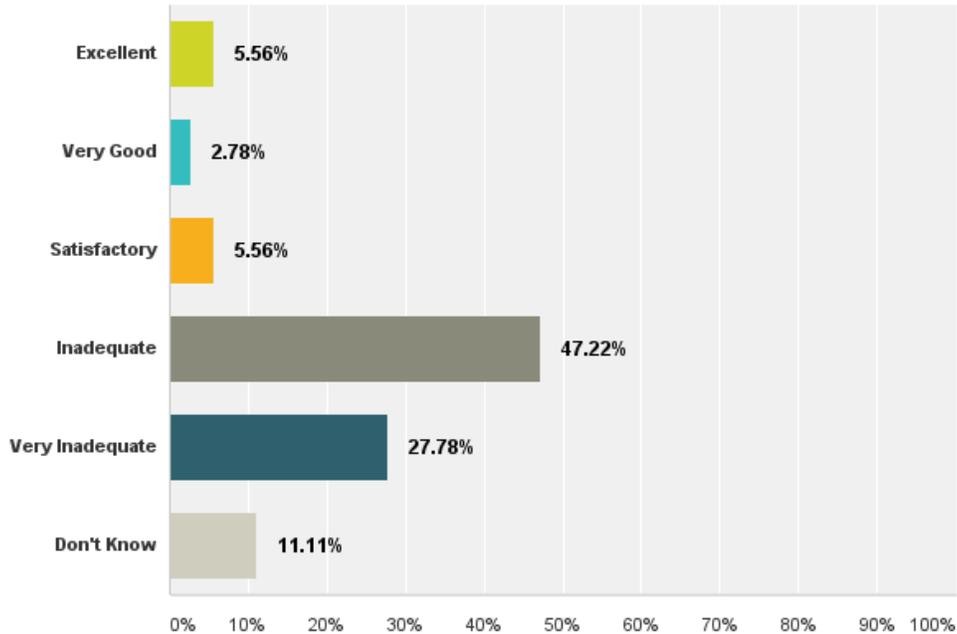
At the August 10, 2016 IRP meeting, Panel Member Arezoo Campbell volunteered to work with Panel support staff on a survey report.

Rohlfes and IRP Office Technician Mike Singh analyzed the open-ended responses by using a bucketing technique. Categories were created from response trends, and responses were placed in categories with like responses. In cases where an individual comment included multiple ideas, the responses were placed in multiple categories. Once the responses were categorized, an effort was made to combine categories if, in the subjective judgement of IRP support staff, doing so did not oversimplify the ideas. Responses that could not be combined with others were placed in an "Other" category. In several cases it was judged impossible to combine any of the responses to a specific question. In those cases the responses were grouped into a single "Other" category. Appendix 2 contains all of the open-ended responses to preserve their accuracy and transparency.

The following summary does not draw any conclusions from the survey results. Instead, this report leaves that task to the IRP.

Permitting

How would you rate the performance of DTSC's Permitting Program?



Please help us understand the reason or reasons for your Permitting Program performance rating:

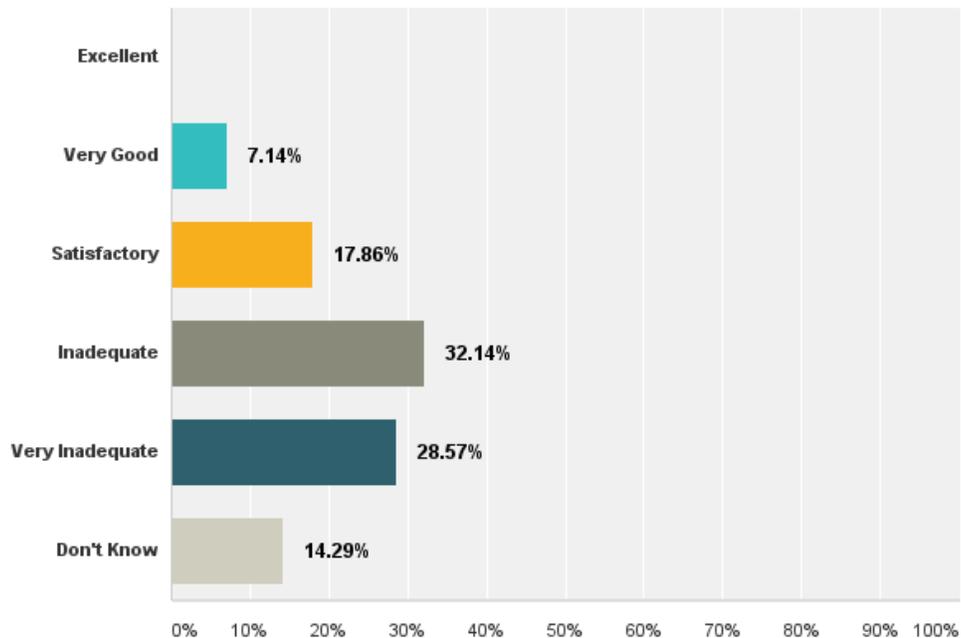
Slow, backlogged permitting process	12
Allowing facilities to operate with expired or lapsed permit	3
Inadequate financial assurances	2
Failure to comply with laws, regulations, etc.	2
Lack of clear permitting standards	2
Cumulative burdens on nearby residents	2
Failure to consider early public input	2
Other	20

Please give us your suggestion or suggestions to improve the DTSC Permitting Program:

Staff training	3
Financial assurances and corrective action	3
Create governing board with oversight over permitting decisions	2
Increase/optimize staffing	2
Involve public early in permitting process	2
Better cooperation between permitting and other HWMP staff	2
Address serial polluters	2
Develop accountability procedures for how long permit applications should take	2
Meaningful staff performance reviews	2
Other	35

Enforcement

How would you rate the performance of DTSC's Enforcement Program?



Please help us understand the reason or reasons for your Enforcement Program performance rating:

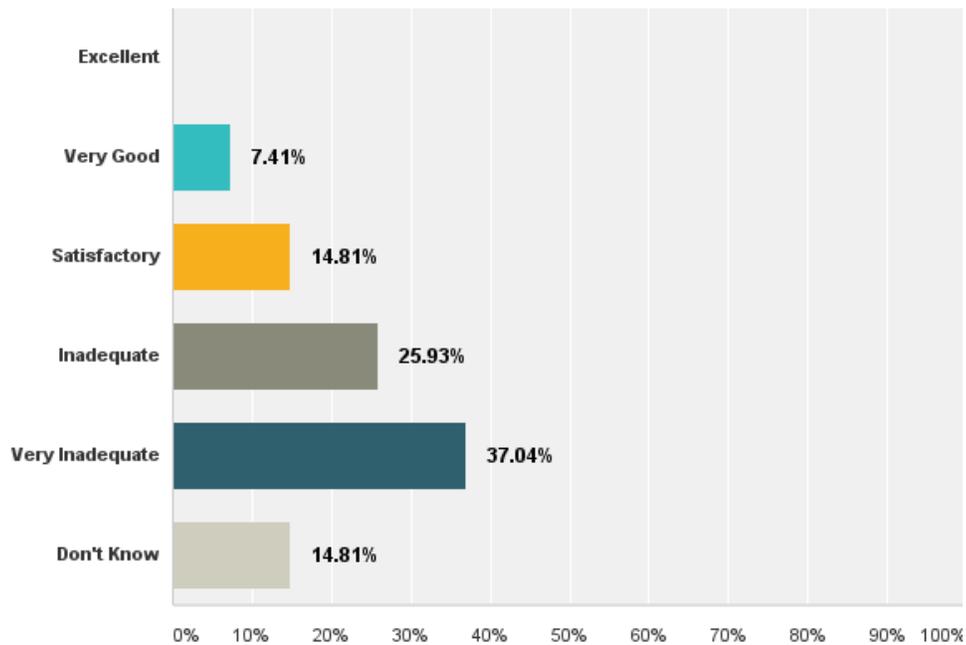
Inspectors are inexperienced	2
Few enforcement actions	2
Failure to conduct sufficient number of inspections	2
Staff lacks urgency/initiative or is not working hard	2
No transparency	2
Only minor enforcement actions; few criminal prosecutions	2
Public complaints, violations not addressed in timely fashion	2
Permits not denied or allowed to expire	2
Other	20

Please give us your suggestion or suggestions to improve the DTSC Permitting Program:

More staff training	4
Create separate OCI division or move OCI to CalEPA	2
More transparency	2
Create oversight board	2
Prioritize	2
More aggressive enforcement program	2
Fully fund operations	2
Other	22

Public Outreach

How would you rate the performance of DTSC's Public Outreach Program?



Please help us understand the reason or reasons for your Public Outreach performance rating:

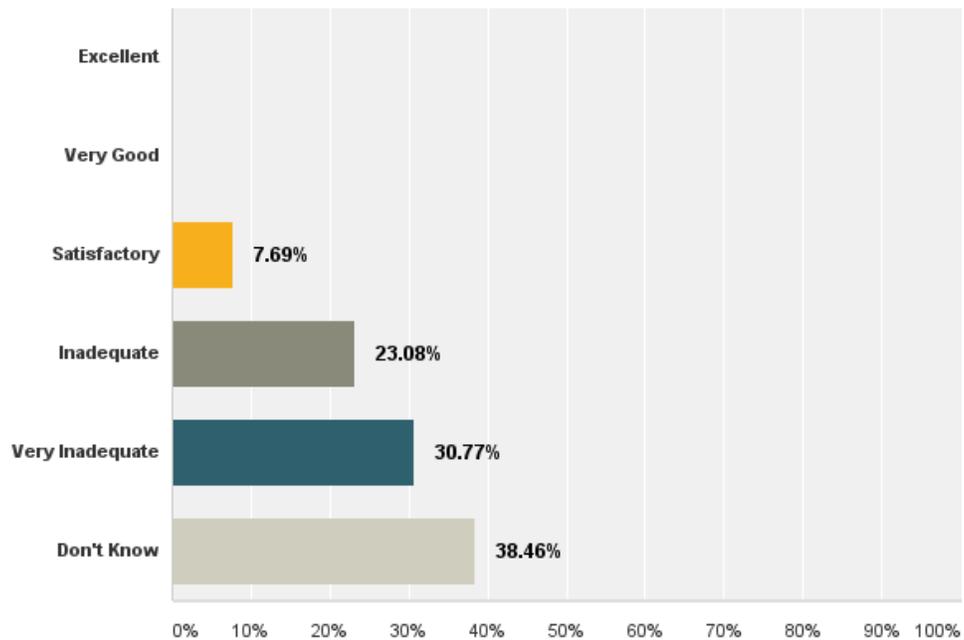
Communities/public don't trust/support DTSC	2
One-way communication process	2
Other	17

Please give us your suggestion or suggestions to improve the DTSC Public Outreach Program:

Transparent process	2
Include stakeholders as meaningful participants	2
Better communication between department units/programs	2
Frequent communication, outreach	2
Other	22

Fiscal Management

How would you rate the performance of DTSC's Fiscal Management Program?



Please help us understand the reason or reasons for your Fiscal Management performance rating:

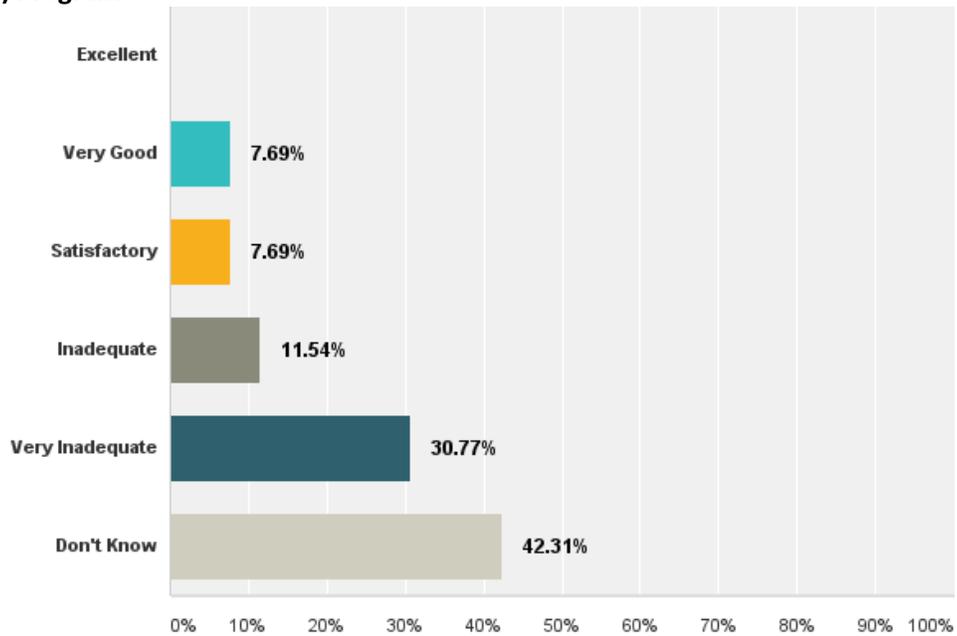
Not collecting money from polluters	3
Not enough funding	2
Inadequate reporting on billing, accounting	2
Other	8

Please give us your suggestion or suggestions to improve the DTSC Fiscal Management Program:

Other (See Appendix 2 for responses.)	10
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Site Mitigation (Brownfields and Environmental Restoration)

How would you rate the performance of DTSC's Site Mitigation (Brownfields and Environmental Restoration) Program?



Please help us understand the reason or reasons for your Site Mitigation (Brownfields and Environmental Restoration) Program performance rating:

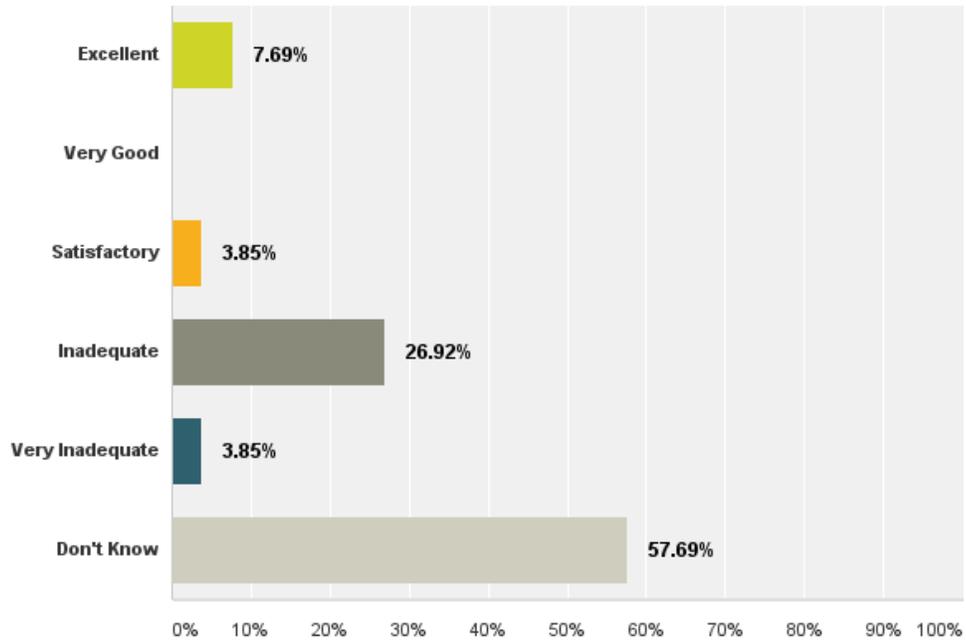
Other (See Appendix 2 for responses.) 16

Please give us your suggestion or suggestions to improve the DTSC Site Mitigation (Brownfields and Environmental Restoration) Program:

Other (See Appendix 2 for responses.) 18

Source Reduction and Consumer Products Programs

How would you rate the performance of DTSC’s Public Outreach Source Reduction and Consumer Products Programs?



Please help us understand the reason or reasons for your DTSC Source Reduction and Consumer Products Programs performance rating:

DTSC dismantled source reduction program	3
Insufficient funding	3
Safer Consumer Products process is too long/slow	3
Program is too small	2
Good work/systematic approach	2
Not enough updates/information on program	2
Other	3

Please give us your suggestion or suggestions to improve the DTSC’s Source Reduction and Consumer Products Programs

Fully fund or provide more resources for program	4
Involve EJ or stakeholder communities	2
Other	10

Biggest Challenge

What do you think is the DTSC's biggest challenge?

Regaining trust	3
Lack of management continuity	3
Incompetence	2
History of pollution	2
Lack of leadership	2
Engagement with communities	2
Other	23

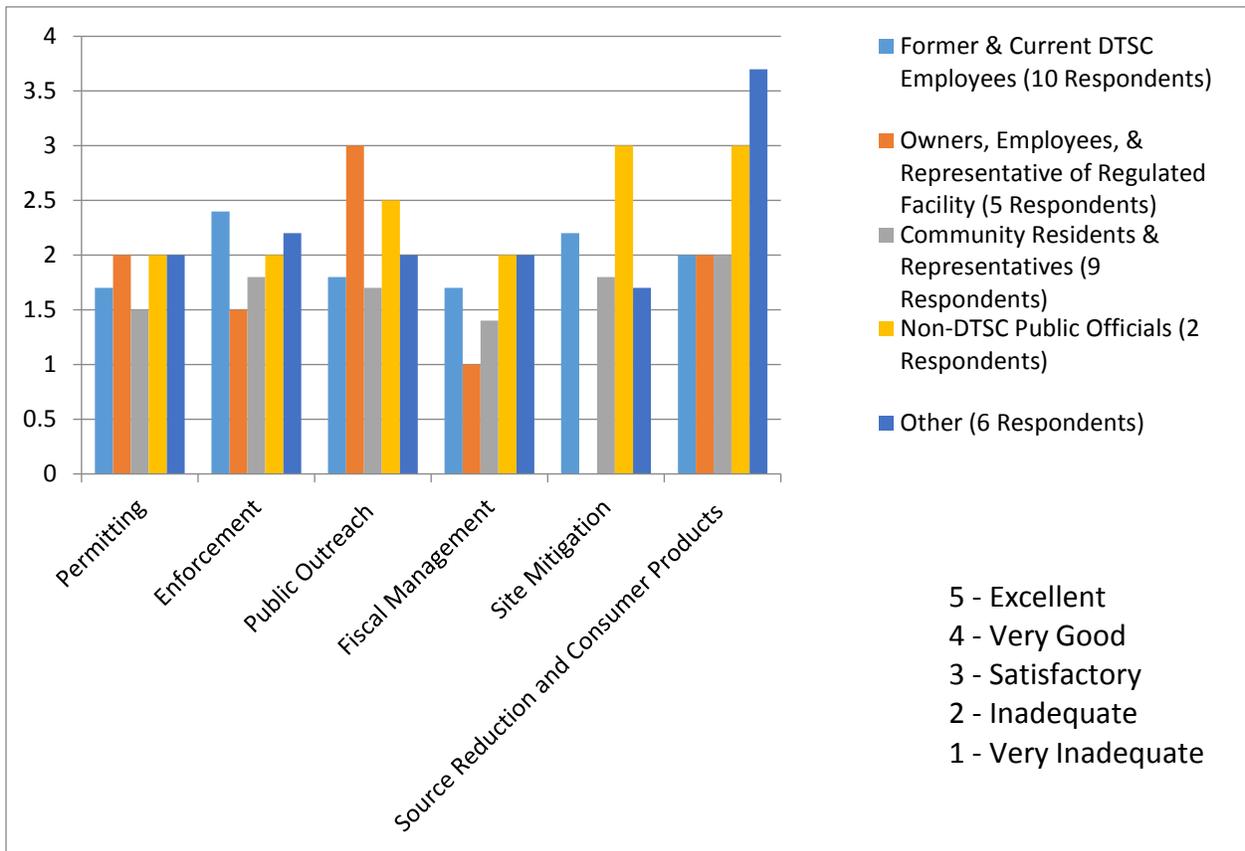
What solutions do you recommend to overcome DTSC's biggest challenge?

Hire, train, and retain good staff	5
Better management, managers	4
Reorganize DTSC, perhaps with different governance structure	3
Require good job performance; improve evaluation of job performance	2
More resources/funding	2
Other	20

Other Comments, Questions, and Concerns

Other (See Appendix 2 for responses.)	19
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Performance Ratings by Interest Group Background



Note: None of the individuals who identified themselves as owners or employees of regulated facilities or representatives of regulated facilities rated DTSC performance on site mitigation. Therefore, there is no site mitigation performance rating for this group in the above chart.

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Appendix 1

Independent Review Panel Survey on DTSC Challenges and How to Overcome Them

Note: Survey allows respondents as much space as needed for open-ended questions.

Note: Respondents must answer questions marked with an asterisk in order to continue with survey.

1. How would you rate the performance of DTSC's Permitting Program? *

- Excellent
- Very Good
- Satisfactory
- Inadequate
- Very inadequate
- Don't know

If respondent checks any of the first five boxes, he or she is directed to Question 2. If respondent checks the "Don't know" box, he or she is directed to Question 3.

2. Please help us understand the reason or reasons for your Permitting Program performance rating.

3. Do you have a suggestion or suggestions to improve the Permitting Program? *

- Yes
- No

If respondent checks the box for "Yes," he or she is directed to Question 4. If respondent checks the box for "No," he or she is directed to Question 5.

4. Please give us your suggestion or suggestions to improve the DTSC Permitting Program.

5. How would you rate the performance of DTSC's Enforcement Program? *

- Excellent
- Very Good
- Satisfactory
- Inadequate
- Very inadequate
- Don't know

If respondent checks any of the first five boxes, he or she is directed to Question 6. If respondent checks the "Don't know" box, he or she is directed to Question 7.

6. Please help us understand the reason or reasons for your Enforcement Program performance rating.

7. Do you have a suggestion or suggestions to improve the DTSC Enforcement Program? *

- Yes
 No

If respondent checks the box for "Yes," he or she is directed to Question 8. If respondent checks the box for "No," he or she is directed to Question 9.

8. Please give us your suggestion or suggestions to improve the DTSC Enforcement Program.

9. How would you rate the performance of DTSC's Public Outreach Program? *

- Excellent
 Very Good
 Satisfactory
 Inadequate
 Very inadequate
 Don't know

If respondent checks any of the first five boxes, he or she is directed to Question 10. If respondent checks the "Don't know" box, he or she is directed to Question 11.

10. Please help us understand the reason or reasons for your Public Outreach Program performance rating.

11. Do you have a suggestion or suggestions to improve the DTSC Public Outreach Program? *

- Yes
 No

If respondent checks the box for "Yes," he or she is directed to Question 12. If respondent checks the box for "No," he or she is directed to Question 13.

12. Please give us your suggestion or suggestions to improve the DTSC Pubic Outreach Program.

13. How would you rate the performance of DTSC’s Fiscal Management? *

- Excellent
- Very Good
- Satisfactory
- Inadequate
- Very inadequate
- Don’t know

If respondent checks any of the first five boxes, he or she is directed to Question 14. If respondent checks the “Don’t know” box, he or she is directed to Question 15.

14. Please help us understand the reason or reasons for your Fiscal Management performance rating.

15. Do you have a suggestion or suggestions to improve DTSC’s Fiscal Management? *

- Yes
- No

If respondent checks the box for “Yes,” he or she is directed to Question 16. If respondent checks the box for “No,” he or she is directed to Question 17.

16. Please give us your suggestion or suggestions to improve the DTSC’s Fiscal Management Program.

17. How would you rate the performance of DTSC’s Site Mitigation, Brownfields and Environmental Restoration Program? *

- Excellent
- Very Good
- Satisfactory
- Inadequate
- Very inadequate
- Don’t know

If respondent checks any of the first five boxes, he or she is directed to Question 18. If respondent checks the “Don’t know” box, he or she is directed to Question 19.

18. Please help us understand the reason or reasons for your Site Mitigation, Brownfields and Environmental Restoration Program performance rating.

19. Do you have a suggestion or suggestions to improve DTSC's Site Mitigation, Brownfields and Environmental Restoration Program? *

- Yes
- No

If respondent checks the box for "Yes," he or she is directed to Question 20. If respondent checks the box for "No," he or she is directed to Question 21.

20. Please give us your suggestion or suggestions to improve the DTSC's Site Mitigation, Brownfields and Environmental Restoration Program.

21. How would you rate the performance of DTSC's Source Reduction and Consumer Products Programs? *

- Excellent
- Very Good
- Satisfactory
- Inadequate
- Very inadequate
- Don't know

If respondent checks any of the first five boxes, he or she is directed to Question 22. If respondent checks the "Don't know" box, he or she is directed to Question 23.

22. Please help us understand the reason or reasons for your DTSC's Source Reduction and Consumer Products Programs performance rating.

23. Do you have a suggestion or suggestions to improve DTSC's Source Reduction and Consumer Products Programs? *

- Yes
- No

If respondent checks the box for "Yes," he or she is directed to Question 24. If respondent checks the box for "No," he or she is directed to Question 25.

24. Please give us your suggestion or suggestions to improve the DTSC's Source Reduction and Consumer Products Programs.

25. What do you think is the DTSC's biggest challenge?

26. What solutions do you recommend to overcome DTSC's biggest challenge?

27. Do you have any other comments, questions, or concerns?

28. Please check as many of the following as apply to you: *

- DTSC employee
- Former DTSC employee
- Owner or employee of regulated facility
- Representative of regulated facility
- Member of community impacted by regulated facility
- Representative of community impacted by regulated facility
- Elected public official
- Non-elected, non-DTSC public official
- Other

29. Optional contact information:

Name _____
Company/Agency _____
Address _____
City _____
US State _____
ZIP _____
Phone _____
Email address _____

Thank you for providing the IRP with important information. For more information on the IRP and its work to date, visit the Panel's website at:

<https://www.dtsc.ca.gov/GetInvolved/ReviewPanel/Independent-Review-Panel.cfm>

Appendix 2

Responses to Open-Ended Questions

Question 2:

Please help us understand the reason or reasons for your Permitting Program performance rating.

1. The DTSC has a long history of ignoring cumulative health impacts in communities already overburdened by high levels of toxic emissions and spills. When fugitive emissions and/or spills occur they often seep/spill into neighboring communities and contaminate various environmental media -- air, groundwater, and soil. Compounding matters is the fact that the DTSC employs a backward practice of permitting facilities without financial assurances, so the cost of fugitive emissions and accidental spills is often paid by taxpayers and communities across the state with their health, lives and personal finances. Taxpayers almost always end up footing the bill for clean up, unknowingly, but only after community members spend years of their lives and personal finances fighting to get the contamination cleaned up, and after thousands and thousands of personal dollars are spent on medical bills for treatment of devastating acute and chronic illness(es). For these reasons I think the permitting program is severely deficient.
2. Lengthy process for review and approval
3. Neighbors Against Phibro Tech (NAPT) is a group of concerned residents of Los Nietos and Santa Fe Springs, and a member of the People's Senate.

NAPT has previously requested that the Department of Toxic Substances Control (DTSC) deny the Hazardous Waste Facility Permit for Phibro-Tech, Inc. (PTI). The request is based on the historic and ongoing failure of PTI to comply with laws, regulations, and policies governing hazardous materials and hazardous waste.

It is a matter of public record that for approximately 25 years, federal, state and local authorities have attempted, unsuccessfully, to resolve this problem. It is also a matter of public record, that as a result of PTI's failure to comply, ground water and soil (and in our opinion, the air as well) have become contaminated with heavy metals, halogenated volatile organic compounds (VOCs), aromatic VOCs and chlorides, which are dangerous to human health and / or cause harm to the environment.

For example, in 1997, the EPA traced a carcinogen, hexavalent chromium, in the groundwater ""directly back to Phibro-Tech"" at concentrations nearly 3 million times the state public health goal.

It is our opinion that, as a result of the Department of Toxic Substances Control's failure, our community is at great risk, both human and environmental. Consequently, our community suffers from the occurrence of a greater-than-expected number of serious illnesses and diseases, including a "CANCER CLUSTER".

The laws of the State of California require the Department of Toxic Substances Control to protect the health, safety and welfare of the public from the dangers of toxic substances.

Despite this language, the DTSC continues to fail in its "Mission, Vision, and Public Participation", by allowing "serial polluters", such as PTI, to operate with an expired permit, while ignoring the law and also the concerns of residents.

This failure on the part of the DTSC has resulted in the total lack of public trust in the agency. Moreover, the unreasonable level of malfeasance and incompetence on the part of the DTSC has contributed to unregulated contamination throughout California (see CalEnviroScreen 2.0, at State of California, Office of Environmental Health Hazard Assessment). Undeniably, this evidence speaks for itself!

The residents of Los Nietos and Santa Fe Springs continue to request the following:

1. That DTSC deny the "Hazardous Waste Facility Permit" until PTI is in full compliance with the law.
2. That DTSC enforce the law against PTI and compel the clean-up its existing toxic contamination.

3. That DTSC conduct an “Environmental Impact Report” to determine the probable dangers to the surrounding community.
4. That DTSC conduct a “Health Risk Assessment” to determine the degree of risk to human health.
5. That DTSC conduct “Public Hearings” that allow residents to express their concerns.
6. That should PTI “fail to comply” within a predetermined and reasonable period of time, that DTSC implement the “Existing Facility Closure Plan”, pursuant to the established remedy provided by law.

The PTI facility has historical and ongoing compliance obligations related to groundwater and soil contamination.

In summary, the original Corrective Action Consent Order (CACO), became effective July 29, 1991. As discussed supra, the parties included the USEPA, the DTSC, and PTI. The CACO was memorialized in Docket No. HWCA P4-11/12-003, which cited Health and Safety Code (H&S) section 25187 as the applicable statutory authority.

Jurisdiction of the CACO, under H&S section 25187, authorized the DTSC to issue an order to require corrective action regarding hazardous waste from PTI.

Thereafter, PTI entered into the Consent Order to avoid litigation.

The COCA acknowledged the following facts:

Toxic contaminants were numerous;

Media of contamination was groundwater and soil;

Exposure pathways were groundwater, soil, ingestion and dermal;

Groundwater was 52 ft. below ground surface;

3 aquifers existed below the PTI facility, specifically, Hollydale, Jefferson, and Gage;

Current use of the aquifers was as a source of drinking water;

In 1985, at the request of the Los Angeles Regional Water Quality Control Board and State of California Department of Health Services, PTI installed 7 wells and began groundwater monitoring;

Regarding water, the “Selected Remedy” was to pump and treat the aquifers;

Regarding soil, the “Selected Remedy” was a bioventing, soil vapor extraction system; and

“Additional Remedies” provided for the implementation of the “Existing Facility Closure Plan”.

The original permit, supra, (issued by USEPA and DTSC, effective July 29, 1991), was modified effective August 2, 1995. The Corrective Action Permit Modification (CAPM) was based on the terms defined in California Code of Regulations, Title 22, section 66260.10. The CAPM also removed the threat of pending litigation.

The remedy selected and approved by DTSC regarding the CAPM became effective August 2, 1995. After the effective date of the Consent Order, the parties agreed that the more stringent requirements “shall govern the corrective action required”. Consequently, PTI was compelled to conduct corrective action “within one year”.

The record clearly shows that from July 29, 1991 to the present, almost a quarter of a century later, PTI has failed to comply with the Corrective Action Consent Order.

(SOURCE: DTSC records)

Clearly, the DTSC has failed to fulfil its mandate, and no rational person can question the dilemma we now face, that is, continue the course and deal with the consequences at the point of crisis, or address the causes and provide viable alternatives, coupled with responsible government intervention.

As members of the People's Senate, Neighbors Against Phibro Tech believes it is extremely important, for the health, safety and wellbeing of all Californians, both present and future, that the DTSC fulfill its mission and protect our communities against "serial polluters" such as Phibro Tech.

Therefore, as the Independent Review Panel of the DTSC, we call upon you to support the implementation the "Agency Reforms" proposed by the People's Senate. It is hoped that you take these matters into careful consideration and recognize the reasonableness of their value.

It is also important to note that this action is recognized as both visionary and objective. As a result, your actions serve to restore the public's faith and confidence in the ability to resolve the outstanding hurdles, both internally and externally, faced by the DTSC.

In the spirit of cooperation, the Neighbors Against Phibro Tech and the People's Senate look forward to a long and meaningful relationship with the Independent Review Panel.

[Name of respondent deleted]

4. Permits are not written in way that avoids toxic pollution. The law is there, but not applied. The best way to regulate companies is to prevent them from polluting in the first place. DTSC does not demand enough financial assurance up front in case of closure--by many millions of dollars. And it stubbornly refuses to demand financial assurance for corrective action. Yet the law provides for that. It can be handled simply. Each time there is an order for corrective action, a company's permit should be modified to include both the corrective action and an amount of financial assurance to complete it. Without that, companies have no skin in the game.
5. staff has been slow to process permits (taking years), and conditions of approval are vague and therefore open to different interpretation by enforcement staff later, conditions also sometimes conflict with applicable regulations
6. Lack of clarity in permitting standards; long overdue decisions; failure to have any long term planning for California's hazardous waste disposal needs; failure to factor in other adjacent land uses and the cumulative burdens placed on nearby residents; failure to consider public input early enough to impact outcome; no ongoing communication and outreach with residents near hazardous waste facilities
7. DTSC issues permits to companies that serially violate hazardous waste laws.
8. My experience with the permitting program is roughly three years 'old'. I rated it satisfactory mainly because the processing time was lengthy then. It may have improved significantly since then. I hope so.
9. Takes too long for DTSC to process; long gaps of "nothingness" between DTSC communications/follow-up with permit applicants; lack of continuity with DTSC permit staff; no accountability in place to hold DTSC's "feet to the fire" on getting permits processed in a timely and complete manner, etc.
10. The process seems to take forever
11. awesome
12. I refer to past practices- not those under the current Director. The issuance of permits was much too long - sometimes years.
13. permits lack all of the needed enforceable terms.
14. Since the 1990's to the present, 2 lean sigma projects, DTSC giving out Superior Accomplishment awards to the Permitting team and touting them as the team, they continue to be backlogged in issuing permits. They have

a huge backlog of permits in the next few years. They are using the wrong classification for their permit writers and the process is still flawed.

15. There are some good productive people working in Permitting, but there are also others that don't seem to understand the regulations and often difficult to get a hold of when working with them on projects.
16. "Inefficient"
17. The permitting program is neither timely or effective. Permits have lingered that has left communities at an unacceptable risk.
18. They still do not have a plan to ensure that all permits are renewed on time. Public's main complaint about permitting has not been resolved.
19. History of allowing permits to lapse. Lack of oversight. Passing the buck and not holding polluters responsible for paying fines.
20. First, it isn't the people trying to do the work. Second, permitting a hazardous waste treatment and storage facility is not a popular task, communities don't want these facilities. Third, DTSC is permitting old antiquated facilities, some from World War II. I worked on an effort in the late 80's to attempt to identify the facilities needed and create opportunities for developing those facilities. New Technologies, new treatment processes, less polluting. Many would shake their heads and say it isn't possible but I think there is no other choice. Car batteries are a major waste stream, they aren't going away. Shouldn't work be done to encourage the development of batteries that can be safely recycled, facilities that can safely recycle them etc. California is always on the cutting edge. Isn't time to step forward and find better ways? The current permit process is cumbersome. Often it doesn't result in a permit that is enforceable or relevant. Obviously companies that don't follow the laws and regulations should not be allowed to operate. It is critical to work with other environmental regulatory agencies on permits. Finally, I think the fee for service element of permitting may result in unacceptable compromise.
21. Permits went unapproved or on interim status for decades. There does not seem to be a prioritization process and after all these years, it is still based on following a prescriptive methodology. Permitting should be based on meeting performance objectives rather than following a prescriptive methodology.
22. Very slow. DTSC often requests information, the permit applicant provides that information, and DTSC goes dark for months.
23. 1. They are slow. 2. They veer wildly between refusing to grant permits that should be easy to grant and granting permits that should never be granted; i.e. they are inconsistent. 3. They ignore the fundamentals of CEQA, e.g. not updating contact lists for public outreach. 4. They ignore the chance to get corrective action built into renewals. The list goes on.
24. Process is too slow, not because of the Permitting staff but because of CEQA delays. Public Participation has been brought in late in the process, but lately there is an effort being done to bring the PPS in early on in the process.
25. Dtscc entered into a remediation plan to clean up toxic site in Beverly Hills then did not enforce remediation nor sanction company that violated toxic regulations
26. The agency struggles with decision-making. At times it is incapable of making decisions. There is no organized public input process (contrast with Water Boards). All decisions fall onto one person - the Director, who is in a simply impossible position. Staff and management suffer negative consequences for any decision - and virtually no consequences for inaction.

Question 4

Please give us your suggestion or suggestions to improve the DTSC Permitting Program.

1. Prior to issuance of a permit, require facility's commitment to correct problems timely, financial assurances for clean up should fugitive emissions and/or spills occur, incentives for good behavior.
2. 1. Deny the Hazardous Waste Permit until the permittee is in full compliance with the law. 2. Enforce the law against serial polluters, and compel the clean-up of existing toxic contamination. 3. Require the DTSC / permittee to conduct an environmental impact report in order to determine the probable dangers to the surrounding community. 4. Require the DTSC / permittee to conduct a health risk assessment, which includes community input, in order to determine the degree of risk to human health. 5. Require the DTSC to conduct Public Hearings in order to allow residents to express their concerns. 6. Require the DTSC to implement the ""Existing Facility Closure Plan"" for serial polluters, such as Phibro-Tech, Inc.
3. See what I just wrote. Modify permits to include the corrective action and stop using consent agreements that they never get enforced.
4. require mandatory training and continuing education on what the statutes and regulations require already; dedicate resources to meaningful staff review and comment on CEQA lead agency environmental documents to ensure they cover the concerns of the Department and so that additional review is not required later; support staff, when they make a tough call with management input they should be supported; adopt accountability procedures and timelines for how long certain permits should take absent unusual circumstances
5. Develop a CAG-like program for stakeholders near hazardous waste facilities; develop a statewide hazardous waste management plan as required by Cal. Health & Safety Code; develop clear standards for permitting decisions that include numerical values on past compliance history and an analysis of cumulative burdens and social vulnerability of nearby residents; re-design permitting process so that public comment is received at a time when true flexibility remains; development of a governing board with authority and oversight over permitting decisions
6. I was the consultant who put together the permit process business review, and my recommendations were in that report. Documenting the Technical Review steps were the primary issues, along with sufficient staffing.
7. Recommendation 3 (Page 6) on IRP's 2nd Report to Legislature/Governor. ""Require DTSC to respond within certain time periods to hazardous waste permit application submittals, require applicants to submit application information on a timely basis, and establish accountability mechanisms, such as deemed approval of the submitted information or the initiation of permit denial proceedings, if these event deadlines are not met by DTSC or the applicant.""

Additionally, efforts to ""improve DTSC Permitting Program"" needs to be discussed and pursued, if deemed necessary, within the context of DTSC's other responsibilities, i.e. enforcement, public outreach, fiscal management, organizational structure, staff training/education, et al. Pursuing ""reform"" in any of these individual categories should not be pursued in a ""piecemeal"" or isolated fashion. All of these aspects are interconnected and, as such, should be looked and discussed in a comprehensive and ""holistic"" fashion. Otherwise, we're just collectively adding additional layers and/or pushing the dial in one direction without having a complete understanding as to how that action might affect or not affect other interconnected aspects of DTSC's and permittee's responsibilities towards each other.

8. Set manageable goals and deal with those first that have languished for a long time.
9. Require permit writers visit facility that they are writing a permit.
10. 1) State Audits needs to review. 2) The classification needs to be changed to auditors; all ranks/mangers. 3) The modifications/review processes need to be posted for public comment. 4) The final permits needs to be linked to HWTS.
11. Staff need training on a regular basis (including supervisors). Also, independent annual performance appraisals - the internal DTSC appraisals do not work.
12. include stakeholders in process improvement efforts.

Look at span of control at each level of the organization.

Optimize staffing and organizational structure to reduce top-heaviness.

Look at where the unnecessary steps and steps with most variation in times are in the process.

Look at design for throughput...not as an assembly line with pieces running down a conveyor to workstations.

Each permit should be "built" as a one off project, with tracking and direct management of progress to completion.

Permitting should be run and managed as a portfolio of individual projects, not as a hopper feeding an assembly line.

CEQA needs to be integrated, not separate silo.

Legal needs to be integrated, not separate silo.

Technical review must be focal point for optimization with everything else aligned/integrated, not vice versa.

13. The more 1) timely and 2) aggressive permitting would correct the failure of the permitting system.
14. Stop treating a permit renewal like a new permit application every ten years. Most operations do. OT change a great deal. Focus only on material changes to waste streams or treatment standards. In a typical ten year period, facilities will be inspected several times. Schedule thorough CEI inspections just as permit renewals start. Let inspectors serve as decision makers for all the plan, records, schedules etc that form the 90% of a permit application since they are deciding if those parts of the Operations Plan comply with regulations. Let the permitting engineers focus on technical issues like tank safety, containment systems etc. remember, inspectors review dozens of operating plans during their careers while permit writers may do one or two every five years. Gross misuse of talent within the hazardous waste management division. Even though different sides of the same coin, it's like neither knows the other exists.
15. DTSC should conduct in-service training and review newly adopted practices during the year. Employees with more than 5 years of on-the-job should be first ones to receive training
16. Recently I attended a meeting at the Los Angeles Department of Public Works. The meeting brought the private sector and government officials together to discuss new and better ways to handle municipal trash. I'm so glad I could participate in that meeting to hear about new technologies for handling municipal trash. Could DTSC begin conversations regarding better ways to handle California's major hazardous waste streams? It might result in progress. I know work is underway to reduce waste going to landfills. This is one element. I think much more could be done. This work would involve the company sectors creating the waste, the academic community and government. New technologies, new products, new ways of doing business are needed to solve our environmental problems.
17. Prioritize based on past performance and degree of threat or risk and base success on meeting performance goals.
18. More power needs to be vested with the locals, similar to the construct under the Surface Mining and Reclamation Act. The state should not be fully responsible for a permit program of this size, but should rather be responsible for overseeing it and ensuring it is implemented properly.
19. 1. Have strong management supervision with managers who know the regulatory requirements, CEQA, and the corrective action program. 2. Have a separate CEQA unit in the Department again. 3. Have strong public outreach that assures outreach to everyone. 4. Have timelines and output required of each employee.
20. PPS should be brought in on the pre-application phase and CEQA needs to make an effort to not delay the process.

21. Divisions beyond the permitting has no knowledge about what goes on in the division although they are under the same umbrella of the Hazardous Waste Management program. It is my recommendation that the process improvement activities that were implemented be re-evaluate for their effectiveness. By doing so, the IRP has substantive data to show the legislative office that the time and resources spent is sustained.
22. improve operating oversight of permitted facilities.
23. DTSC needs a board, with a team of independent officials to make its decisions through a public process that's independent of the staff, like other agencies with Boards. It takes more than one person to hear and understand the complex issues around permitting. It takes a public process to drive an agency to make decisions. It removes the incentives for delays/

Question 6

Please help us understand the reason or reasons for your Enforcement Program performance rating.

1. The program needs to be sufficiently staffed and independent of DTSC so it can freely investigate without influence or obstacles or oppression.
2. It is our opinion that, as a result of the Department of Toxic Substances Control's failure, our community is at great risk, both human and environmental. Consequently, our community suffers from the occurrence of a greater-than-expected number of serious illnesses and diseases, including a "CANCER CLUSTER".

The laws of the State of California require the Department of Toxic Substances Control to protect the health, safety and welfare of the public from the dangers of toxic substances.

Despite this language, the DTSC continues to fail in its "Mission, Vision, and Public Participation", by allowing "serial polluters", such as PTI, to operate with an expired permit, while ignoring the law and also the concerns of residents.

3. As long as DTSC continues to decimate its office of criminal investigations and refuses to look at enforcement from the point of view of multimedia investigations, it will continue to be a toothless victim of regulatory capture. Moreover, as long as it avoids taking responsibility for protecting communities by regulating hazardous waste accumulating in neighborhoods via airborne toxics, and allows the biggest metal shredders to get away with murder while the little guys have to follow the rules, it is abetting perpetrators instead of protecting people. Yes, we need recyclers, but we don't need recyclers who pollute with impunity. Apply the rules--demand financial assurance and deny permits to serial polluters. It's the broken windows theory. You patch up a window and the vandals get the hint.
4. Very low fines which do not create a disincentive to violate; over-reliance on consent decrees; long periods of time between finding of violation and return to compliance; DTSC's desire to keep sufficient hazardous waste capacity leads to low fines and low enforcement; public complaints not addressed in a timely fashion or not at all; very little criminal enforcement or use of OCI; over-reliance on self-reporting from industry; very little prosecution
5. Same issues as with permitting
6. ok
7. Obviously the prime example is the Battery Facility in Los Angeles but the new Director has taken better action.
8. Lack of experienced inspectors. DTSC's enforcement process is complicated and results in few enforcement actions. DTSC fails to conduct an adequate amount of generator inspections to oversee CUPAs or to find cradle to grave hazardous waste problems.
9. No metrics, misclassifications, sups and mangers with very little enforcement field experience.

10. Haven't had much interaction with Enforcement staff, but I have noticed over the years that some of them do not look all that busy, and for some, time attendance at the office is questionable.
11. Virtually no field presence
- very few enforcement action
 - incredibly inefficient
 - top heavy management structure
 - overly bureaucratic processes
 - lack of empowerment of inspectors
 - lack of full ""continuum"" of enforcement tools
 - lack of meaningful CUPA participation
 - no field or desk order capability (toxi-tickets)
 - use of ""Draft"" enforcement orders
 - lack of clear enforcement priorities
 - no public participation/EJ community involvement in setting enforcement priorities
 - lack of transparency on multi-media enforcement history
 - lack of enforcement of manifest, disclosure statement provisions
 - Historic favors granted to specific industries establishes unfair playing field - auto shredders, metal recyclers
12. The permitting, enforcement and cleanup programs appear disjointed with only minor enforcement actions.
13. They consistently plan hundreds of inspections each year, and complete almost all of them. they have standards for thoroughness of their work which is solid and is followed. Good infrastructure and processes to determine. Isolation, and take appropriate action.
- But the data they let the public see is not complete enough to truly gauge the efficiency of their enforcement actions. Make data available to public that shows their performance in consistently meeting their statutory limit of 65 days to complete an inspection report, and their administrative goal of taking formal enforcement within 240 days of the inspection for Class 1 violations. It isn't rocket science, we did it for many years, the data system contains everything needed to run reports.
- I can't figure out if they are hiding something since all their written submissions to the Panel plus verbal testimony is not clear and direct. Lots of techno talk and misdirection and trying to take the panel down spurious little issues.
14. Enforcement program does not enforce rules or regulations, nor does it follow-through with violations and/or imposing adequate fines
15. I managed the Los Angeles enforcement program for many years. This is what I learned. Being an inspector is a tough job. The inspectors need to understand the companies they are inspecting, what the company does and how they do it. This is not an easy job. It takes time to prepare for an inspection, a critical first step. I don't think inspectors should ever do the work alone. I think more than one inspector is always needed. This because it is potentially dangerous work. It is also complicated. I worked as an inspector. I supervised inspectors. I learned that companies always attempt or are successful in hiding the things they don't want you to know. We had company owners attempt to hit inspectors with a truck. We had a company owner who took an inspector hostage. I know this seems unbelievable but it happened. It is critical for the enforcement

program to have strong legal support. The legal office must work closely with the enforcement program. Management support is vital. I found the effort to work with the criminal investigators difficult. They were often arrogant. I placed a priority on citizen complaints. I think I might have been the only person who thought this was important. Also, working with the CUPA's. More work is needed there. Some of the CUPA's do outstanding work, some don't. I concluded that hiring from the same lists, same job titles as the permitting and clean up programs was part of the problem. Perhaps a new job classification focusing on the skills needed to for good inspectors, hiring people who want to do that work would bring about improvement.

16. Unclear standards
17. DTSC enforcement tends to emphasize (a) permitted facilities, when unpermitted ones are the worst; (b) facilities near offices, so as to minimize travel time, which has nothing to do with enforcement priorities. DTSC needs sector initiatives, e.g. to go after all the fly by night scrap steel recyclers who pollute soil, water, and air; or to go after refineries. Of course the delays and timidity at Exide are emblematic of DTSC failures. But all too often DTSC focuses enforcement on TSDFs, when refineries, metal-working facilities, etc. can be a major source of community pollution.
18. The program lately has undertaken several initiatives/approaches that will further enhance the enforcement program. Some examples are: including supervisors in the program management meetings, adopting Lean six Sigma, tracking of inspections and enforcement through project tracking, etc.
19. It is important to cross-train staffs beyond enforcement division (i.e. OJT) to help them understand challenges faced by the team and encourage collaboration between divisions.

The Enforcement division has weak data collection system. Improvement to the data collection is important to help the rest of the division make educated and fact-based policy decision.
20. Enforcement has a delayed reaction to violations and orders are either delayed or not even given at times. Unless under pressure from elected officials or the public, violations or Orders are not being served. RP are in violations for years and no one is doing anything about it.
21. They lack a sense of urgency or initiative if no money is available. We continually hear from DTSC that they do not have money to pursue RP's. Even in cases where we have spent education dollars to identify the RP.
22. In Beverly hills 196 city owned trees were removed by private company in violation of dtsc regulations and dtsc did NOTHING
23. Insufficient inspections. Insufficient ability to enforce. Knots in the law requiring difficult showings to actually enforce. Lack of transparency to the public - all the action is between the regulated entities and inspectors, with all the pressure on the inspectors being to reduce or eliminate enforcement.

Question 8

Please give us your suggestion or suggestions to improve the DTSC Enforcement Program.

1. Remove it from under DTSC branch. Should be a stand alone agency under EPA, not CalEPA, nor under Gov. Brown. At the very least, it should be independent from DTSC!
2. Support the implementation the "Agency Reforms" proposed by the People's Senate.
3. Create a separate, independent enforcement/OCI division that regulates the biggest RCRA permittees and works with their permit writers directly to ensure permits are properly written. This system would include the idea of a "master permit" whereby a polluter would get an air, water, and DTSC permit at the same time. No playing one regulator off of another. Financial assurance would be required in the permit and handled by a special unit of expert bean counters who know hazardous waste. They would be consulted on corrective action estimates written into the permit.

4. my understanding is that oftentimes the interpretation of permit conditions can change such that one generation of enforcement staff are agreeable to reporting requirements, but then others are not. Consistency is important so this goes back to writing clear permit conditions
5. Establish mandatory minimums for categories and severity levels of violations; adopt a multiplier if violations unremedied for a certain amount of time; move OCI to Cal/EPA; establish better protocols for responding to public complaints, including more transparency on pending complaints; establish better protocols for reliance on consent decrees, including determinations when their use is not appropriate.
6. Take quick action when you become aware of a problem. Don't let it be put on hold.
7. External independent staff/management performance appraisals. Turn the IRP into a permanent oversight Board.
8. DTSC should invest in inspector training. Overhaul enforcement program. Focus on the entire cradle to grave hazardous waste program to prioritize the most important human health and environmental problems.
9. Needs to be audited by a professional auditing group that has experience with State government.
10. Include public stakeholders in establishing enforcement priorities.

streamline enforcement process.

streamline/flatten enforcement organizational structure

empower field staff/inspectors

restore field order capability (field/desk orders, with penalties).

eliminate practice of issuing ""draft"" enforcement orders

provide similar tools to CUPAs.

require dTSC to return incomplete, incorrect or illegible manifests for correction AMD collect fees/impose penalties.

Mandate increased penalties for repeat/recalcitrant violators

Include field staff in enforcement policy decisions

require multi-media consideration and history of compliance beyond just hazardous waste control law when making enforcement and permit decisions, setting penalties, etc."

11. A more aggressive enforcement program tied to actual permits and specific civil and criminal enforcement actions.
12. A couple of monthly reports which the public would see on the Internet. On report should track by month, cumulatively by fiscal year, how many planned inspections were done, and calculate percent done.

Another report should track all inspections that revealed Class 1 violations.using the actual date of the inspection, and plotting out 65 and 240 days from the actual inspection tion, record for each one the date of the inspection tion report and the date formal enforcement actio was taken. Compute which percentage were done on time for each measure. With the actual dates of inspection report and enforcement action, you will know how many days late any of them were.

The public's request for greater accountability can be easily met.

13. Strong legal support is essential.

14. Priorities must be set by potential environmental harm, not by the RCRA grant. Need strong management. Need better lawyers.
15. 1. The branch chiefs in enforcement program are good and knowledgeable managers but many of them leadership qualities; especially dealing with staff. 2. Enforcement program should have an ongoing comprehensive staff training and development program. 3. Staff should be hired based on their merits and capabilities only.
16. Fully fund their operations so that they can focus on their mission instead of worrying about funding. Then fully fund their general counsel office to focus on recovering from responsible parties.
17. 1. Improve data collection system for educated and data-driven decision
2. Encourage cross-train between departments to bring different perspectives to the inspectors as well as help other employees understand Enforcement perspectives
18. Either regulations need get tougher or legislation needs to be changed to give enforcement or DTSC the power to serve consequences to violators.
19. Better trained personnel, more aggressive enforcement. Better review of individual field offices.
20. More funds, more inspections, more highly skilled inspectors (better training), more public transparency on inspections and enforcement. DTSC needs a board to take that pressure from industry to avoid penalties - that simply can't be addressed by staff.

Question 10

Please help us understand the reason or reasons for your Public Outreach Program performance rating.

1. I think the DTSC has work to do to connect better with communities. Lack of transparency is still a very huge issue. I see some steps re: Public Outreach in the right direction.
2. Only just satisfactory - while they are fairly good about distribution of notices, etc. via email listserves, there is not great communication and transparency as activities are being planned and developed. Stakeholders are often not given the opportunity to help shape issues up front rather than being heard about the issue, having DTSC go into quiet mode and coming out at the back end with a proposal. More up front and ongoing communication and transparency would be a better way to approach things and help build additional trust with stakeholders.
3. This failure on the part of the DTSC has resulted in the total lack of public trust in the agency. Moreover, the unreasonable level of malfeasance and incompetence on the part of the DTSC has contributed to unregulated contamination throughout California (see CalEnviroScreen 2.0, at State of California, Office of Environmental Health Hazard Assessment). Undeniably, this evidence speaks for itself!
4. Communities are disgusted. They are patronized, talked down to, and broken into little groups for dog and pony shows when they want to ask questions collectively. Talk to them about it.
5. DTSC's website has been up to date and all the relevant environmental documents uploaded and easy to find, public hearing notices have also been translated into Spanish and distributed widely
6. DTSC does not regularly communicate with residents impacted by toxic sites; residents are left in the dark about ongoing activities, especially if there is no formal public comment period triggered; if contamination is suspected, residents not alerted until confirmation finding is made which can typically take many years of investigation; public not notified of monitoring results; website and envirostor difficult to use; most documents are in English-only; rampant distrust of the agency due to poor relationships between staff and impacted residents; history of certain DTSC staff using derogatory language about engaged community groups and residents

7. Intelligent and responsive staff making every effort to notify and involved the public.
8. ok
9. A very marked improvement from the previous administration.
10. Many reason the public outreach program is under performing. Implement suggestions from the UC Davis Extension Jan 13, 2016 report. Get technical management decision-making away from deciding on public outreach strategy. Turn the IRP into a permanent oversight Board.
11. Many communities do not trust DTSC. This is because DTSC tends to overcommit or fails to follow through on their commitments and as a result gets community members expectation up. Several significant community meetings have not been well run including a failure to give community adequate notice.
12. The amount of negative press has increased due to poor decisions making from the Deputy Director. They hired several Sac Bee employees so they would stop writing negatively. They need tech/media design savvy public relations staffers and the new deputy director.
13. DTSC consistently does the minimum necessary and uses the same old tried and failed approaches.

When the going gets tough, we punt to UC Davis and try to distance ourselves from the process, if possible.

We continue to use 30 year old models for public meetings, where we talk at people with no regard for the needs of our audience, then we let them have a couple minutes each at the mike and call it a day.

No meaningful dialog, no real participation.

The public are mere bystanders, and we dispense with them and blithely go on our way as expeditiously as possible."

14. Outreach should not be confused public participation. The current program has not resulted in community support for DTSC actions.
15. The Public Outreach Program is saddled with employees who clearly do not see the benefits of engaging with the public. It's unfair to have a handful of new employees carry the burden of public outreach while those that have worked in the division for a number of years create additional roadblocks and challenges.
16. First, public outreach implies a one way communication process. Possibly a public relations process. I think public participation is much more difficult. This requires a culture change in the organization. All the staff involved in the project have to understand that involving the public, having a willingness to understand their concerns and address them is part of their job. I think of Exide. The people living in the communities around Exide thought it was dangerous, it was polluting their communities. The staff at DTSC didn't think this was likely, it was in an industrial area. Now we know the community was right. All the work DTSC does is tested by the communities served by DTSC. Of course it is difficult to manage the work when you have to take community concerns seriously and modify the work to accommodate those concerns. But that is what is required. Making the information understandable, being willing to be truthful. Giving up thinking you know the right thing to do. Taking the time to do the work. Finding the best way to communicate. All of this is difficult. Government employees are public servants.
17. Public outreach follows a prescriptive approach developed decades ago. The public has access to much more data and are in general more sophisticated that they were before. EJ communities are way more engaged than before. the old PPS approach simply does not fit anymore. Its not based on public participation (engagement and sharing), its one sided, and is largely based on telling the public what we are going to do. In short, its not public participation, its public listen
18. Inexperienced people. The public outreach folks used to see their role as intermediating between DTSC and the public. Now they are just hacks of the Department. We need them to be more independent.

19. Its not inadequate because of lack of hard work but because of lack of resources, and budget. Its not acceptable for a PPS to be without a desk phone line for almost four months after being hired. It is also unacceptable to have staff buy their own office supplies because they do not have it available. In order to do your job you need to have the resources needed. There is a culture of the "have" and the "have nots" - Sacramento VS Local ... Also there should be a PIO in Southern California, having all PIOs in Sacramento is not efficient. You have PPSs with workloads of 18+ projects and short deadlines, more staff is needed. Upper Management could care less to obtain more staff or at least request more staff. There is also no organization of project disbursement. a regional approach would make it easier and less costing. Also when meetings are hold there is no need bringing staff from Sacramento that is of no use. Those funds could be used for more staff. Also ordering mailing list to get the message out are taking up to three months to get...and there is so much more...
20. Non existent
21. I can't even begin to describe its inadequacies in this little box. Everything - wording, language, information provided, website, emails, paper mail, its all a mess.
22. Inability to respond concisely to major issues presented to the department.

Question 12

Please give us your suggestion or suggestions to improve the DTSC Pubic Outreach Program.

1. See previous answer.
2. As staff is determining its priorities and developing the details/regs/etc., they should not only do initial outreach, but frequent outreach throughout the process to keep stakeholders abreast of what they are contemplating and providing the stakeholders the opportunity to engage and provide feedback as issues/regs are developed rather on the back end.
3. Support the implementation the "Agency Reforms" proposed by the People's Senate.
4. more peer review of draft public notices to prevent mistakes may be warranted
5. Modernize CAG program, including efforts to publicize opportunity to eligible groups, ensure that CAG is representative of community and community-led, and allow stakeholders near permitted facilities to participate in program; develop protocols for continued community engagement outside of formal permitting or RAP adoption processes; develop protocol for informing community if contamination is suspected; review all decisions by Bill Bosen and Theo Johnson; have a transparent process for ensuring that decisions are free from racial or other bias; update envirostor to be more user-friendly, including better search feature and active links to all documents; provide trainings on using envirostor; translate key documents into Spanish, especially where impacted communities have a high percentage of Spanish-speakers; form a community taskforce to help liaison between community groups and DTSC and offer assistance on improving relationships between communities and DTSC. * (Public, not pubic)
6. I was the consultant who reviewed that program as well and my recommendations are in the report filed.
7. Follow recommendations in UC Davis outreach report.
8. Already mentioned.
9. Include public stakeholders as meaningful participants in the planning stages, not after the fact when decisions have been made,

Engage in real open process dialog based models for communication, group decision-making and priority setting.

Be transparent.

Stop outsourcing facilitation to others, especially UC Davis...develop internal capability and capacity...develop internal knowledge, empathy and sensitivity, and appreciation of public stakeholders' views and the value they can add to DTSC processes.

Stop doing the dysfunctional traditional public meeting model that so infuriates and disempowers our public stakeholders.

10. 1) enforcement, permits and cleanup actions can be tied more closely with public participation and public support.
2) DTSC leadership should be more reflective of the communities effected by environmental damage.
11. Hire individuals with experience and a track record of community engagement. Seems to me those in the public outreach program for more than 5 years have no interest in engaging with the public.
12. Take the time. Communicate with community representatives. Respect community members. Listen and respond.
13. Develop a participatory approach.
14. see previous answer.
15. 1. Regional appointment of projects
2. Available resources to do the job including official supplies, equipment, software, etc.
3. GIS Address software to do our own mailing addresses
4. We need an OT - Admin assistance is scarce and unwillingly
5. Better project tracking system
6. Less useless reporting
7. Better communication between units
8. a PPS is needed in San Diego to work on regional project in the most Southern part of California.
9. Rush of projects should not be assigned anytime later than February if they want a project to be completed by end of fiscal year.
10. One projector is not enough for a staff of 7 who often do presentations on the same day.
16. The Public Outreach Program gathered input from various internal stakeholders during program development stage. However, no progress update was ever received.
17. Develop strategic messages. Stress science over emotional arguments Defend staff decisions.
18. Too numerous to list.

Question 14

Please help us understand the reason or reasons for your Fiscal Management performance rating.

1. Too little money is spent cleaning up hazardous waste in our communities. More of it should be used to protect the citizens of this state from toxic substances through clean up and enforcement.
2. Seemingly a lack of efficiency in activities

3. The laws of the State of California require the Department of Toxic Substances Control to protect the health, safety and welfare of the public from the dangers of toxic substances.

Despite this language, the DTSC continues to fail in its "Mission, Vision, and Public Participation", by allowing "serial polluters", such as PTI, to operate with an expired permit, while ignoring the law and also the concerns of residents.

4. When an agency forgets or neglects to collect \$200 million from polluters, you know there is a major problem. DTSC needs an expert division of forensic accountants who know about liens and when to collect on them, who will charge interest when bills aren't paid, who will start charging bigger and bigger bucks for every time a polluter puts in an application for a permit that is inadequate, starting with the second permit. If after three times, they get notices of deficiency, they don't get a permit.
5. Failure to collect money owed; missed statute of limitations on collections; insufficient funds for orphan site clean-up, leading to competition among remediation sites for scarce resources and long delays.
6. It is deplorable that so many accounts receivable were never collected and probably only a minority will be received.
7. Very slow in reimbursing staff for TEC travel claims. Some staff don't earn that much and have to wait sometime up to a month to get reimbursed for work related travel expenses.
8. Contracts unit/ purchasing is beyond poor. Fiscal is blamed but since the Deputy Director arrived and brought over his management team with very little experience the fiscal area of DTSC is and will be in shambles. DTSC will not and has not been able to spend the money on a timely bases for Exide or other programs. It is taking 2-3 months for purchasing to be completed.
9. DTSC does not have an effective systematic leadership and governance approach. Organizational priorities for resources are systematically established and managed in a transparent and equitable fashion. DTSC's does not have coherent performance management system to align and reinforce long term and operational planning, accountability for results, and the performance measurement system completely fails to address efficiency, while barely addressing effectiveness.
10. Fiscal management has been internally weak and the long-term financing is in very questionable. We will need a substantial increase in funding.
11. I think it is better than we assume but no reports e its on exactly how well the department bills it's time on a regular schedule, and how much are they receiving against the billings. Are they aggressive pursuing the dead beats. Los and lots of reports about changes to their current operations, new state fiscal data system etc but please answer a simple question. How often do you Bill RPs, how much is billed, and how much is being collected. We simply don't know what their record is on billings and collections.
12. Those of us concerned with AOC 56, Elk Hills/Occidental have asked for transparency and an accounting of how much money has been spent on the clean-up of AOC 130. DTSC has no answers and continues to push this off on residents to complete Freedom of Information Act request.
13. I don't think government organizations are very good at finding the money. This really isn't my area of expertise but I think forensic accounts are needed.
14. Many reasons, PMs don't control a budget, only time. Time is based on quality but the quality of material we receive can be very poor, which means it takes longer to get things done. Budgets are usually underestimated and exceeded. Tracking/billing is improving but project management is still very weak. Historically we work on project with budgets and ignore those without a budget even if it presents a greater risk/threat. Future projects will require a new funding source and should be prioritized based on risk/threat. Financial assurance is grossly inadequate and will get worse. Delay drives cost up. Our future work
15. Everything is delayed because of FISCAL. If they see that this FISCAL system is not working why do they continue to use it. Ordering a mailing list is crucial to every project. waiting for a mailing list for 3 to 4 months is unacceptable and even a disrespect to the public and staff.

16. Clean up projects where the oversight by DTSC was 300%-400% the cost of the actual clean up. Invoices that charged a flat fee markup for overhead, and then have up to 12 different overhead employees direct charging. Failure to abide by a budget estimate, and then retorting ""we're the regulator"" when questioned.

Question 16

Please give us your suggestion or suggestions to improve the DTSC's Fiscal Management Program.

1. Decide the first priority is to protect the people. Strive to achieve the mission of the agency. Protect the people from toxic substances by trimming the fat, increase enforcement and inspections, collect fines, fine appropriate amount -- no discounts, fire employees who lack integrity, ensure financial assurances in place before permitting.
2. Clearly, the DTSC has failed to fulfil its mandate, and no rational person can question the dilemma we now face, that is, continue the course and deal with the consequences at the point of crisis, or address the causes and provide viable alternatives, coupled with responsible government intervention.
3. See what I just said.
4. Restructure funding restrictions so that more money is available for orphan site clean-up; inventory amount needed to pay for complete remediation of orphan sites to help develop a long-term plan to raise necessary funds
5. Again, when monies are due collect them rapidly. There should be no excuses here.
6. Turn the IRP into a permanent oversight Board.
7. Cal HR needs to audit purchasing and contracts.
8. Not enough time in one weekend to get into all of the penny wise pound foolish nonsense that DTSC's approach to fiscal management has devolved into.
9. Please see earlier comments on fiscal issues.
10. Please see response no. 12.
11. Encourage DTSC employees, managers to live in the most polluted areas of Kern Co in order to demonstrate knowledge of concerns voiced by residents. They don't live where they work.
12. We need to go beyond the "cost recovery" model to a "cost/impact reduction/prevention" model
13. Stop focusing on every unpaid oversight bill. Some are past the statute of limitations. Focus on the low-hanging fruit, where bills are within the statute and the party has the ability to pay.
14. If it doesn't work FIX IT!!!!
15. Follow the model used by city governments and DSA. An entity would submit a project (PRAP) along with submission would be a construction/mitigation estimate, and a fee upfront based on a percentage of construction costs. Eliminate DTSC oversight during construction activities. They are not qualified construction inspectors, nor does it deliver on their mission statement. Instead, require a DSA Class 1 construction inspector, or something similar. In the case of soil vapor, or ground water mitigation, All fees should be paid up front for the year, based on a standard model. At this point, the role should be evaluating laboratory data, not spending 8-10 hours a day looking at a passive soil vapor system onsite.

Question 18

Please help us understand the reason or reasons for your Site Mitigation (Brownfields and Environmental Restoration) Program performance rating.

1. I personally do not support the practice. Site mitigation may not be an option for persons with compromised immune function because concentrations of toxic substances will persist in the mitigated environment, albeit in smaller increments, but if taking into consideration the cumulative risk certain members of the population may still be excluded from these sites. All mitigated sites should include a public notice and disclaimer by DTSC warning the sensitive population of the "possible" ongoing cumulative risk posed therein that might impact a persons health..
2. Are there other opportunities to partner outside of DTSC and expedite mitigation?
3. The unreasonable level of malfeasance and incompetence on the part of the DTSC has contributed to unregulated contamination throughout California (see CalEnviroScreen 2.0, at State of California, Office of Environmental Health Hazard Assessment). Undeniably, this evidence speaks for itself!
4. My view is that DTSC avoids generating income that it could generate to cover cleanups such as orphan sites, if only it enforced the state's laws. Too often, sites are declared clean that are not clean. Why this happens is due to a combination of regulatory capture, lack of financial resources that DTSC could generate itself, and local corruption.
5. Site characterization often inadequate; DTSC has history of failing to fully characterize site, and later discovering that it missed dangerous contamination; signs off on development prior to full remediation; overly reliant on in situ treatment and land management tools (deed restrictions) to manage risk; fails to meet EPA standards for characterization and site clean-up; fails to use its authority to properly test public areas; slow to investigate potential contamination, leaving residents at risk for decades; slow to develop remediation plans once contamination is discovered, leaving residents at risk for decades; prioritizes least costly option even if not as protective to residents; gives too much power and authority to responsible parties in developing remediation plan.
6. Some good knowledgeable technical staff working in the program, but also got a number of people that don't seem to have much work, or can't seem to do the work.
7. They don't clean up. They mitigate/risk base.
8. Worst managed program at DTSC. Makes permitting and enforcement look like high performance organizations. Completely rudderless ship...total leadership vacuum. Management includes incompetent, corrupt and heavy handed individuals who are immune to consequences. Incredibly top-heavy, with little or no new work coming in and staff floundering with little direction, awful morale, and lack of confidence in the management structure they have been assembled to prop up on their backs.
9. It appears that cleanup programs, including brown fields are not progressing at a readable rate. Sites have be left for years with no real abatement if the hazards. This is especially true in low income urban area like South Central LA.
10. They continue to clean up sites, meet strict environmental and public safety standards, and deal with new contaminants and issues as they arise. Clean ups are technically sound, and protective of human health.
11. I wrote a letter regarding the voluntary clean up program. In the letter I outlined some of the roadblocks in the clean up program. The clean up program requires a number of diverse skills, geologists, toxicologists, public participation staff and strong leadership. The fee for service element of the program should be evaluated to eliminate conflict of interest issues. All of DTSC's programs need to work together. When I was a branch chief we had bi-monthly summit meetings. All the program managers in Southern California got together, as I recall bi-monthly and discussed their major projects. Sometimes it was difficult to take the time but good, useful information was always exchanged. I am the chair of the Del Amo Action Committee. We are struggling right now with a major question, where will the soil removed at ECI go? What will happen to that soil? This is a central concern in site clean up.
12. Just like before, prioritization is based on who can pay, rather than the threat/risk a site poses. Branch chiefs do not look for ways to save money or improve outcomes. We do not begin with the end in mind. Programs do not understand their authority or responsibility. We hire staff to maintain a structure rather than to fulfill a

critical function. Resources are not aligned with the work so we have staff working on projects in other regions.

13. Terrible sites in EJ neighborhoods (e.g. Zeneca in Richmond, several sites by the Ports of LA and Long Beach) don't get cleaned up because the Department won't act with vigor. Other sites get a disproportionate share of resources only because of local (non-EJ) political pressure. The Department could create jobs and tax base by targeting parties that can pay, in EJ communities, and really go after them. In addition, the staff is often both timid to enforce but also timid to allow activity of any sort. Paralysis by analysis applies in equal measures. We need strong management and consistent approaches.
14. Lack of cooperation and coordination between the brownfield and the schools group. Leaving constituents to have to force the two groups to work together.
15. Many good units with good staff.

Question 20

Please give us your suggestion or suggestions to improve the DTSC's Site Mitigation (Brownfields and Environmental Restoration) Program.

1. Site mitigation may not be an option for persons with compromised immune function because concentrations of toxic substances will persist in the mitigated environment, albeit in smaller increments, but if taking into consideration the cumulative risk certain members of the population may still be excluded from these sites. All mitigated sites should include a public notice and disclaimer by DTSC warning the sensitive population of the "possible" ongoing cumulative risk posed therein that might impact a persons health..
2. Require existing permittee's to provide funding for site mitigation.
3. Start with the Santa Susana Field Lab and follow what the agency already ordered--a FULL cleanup of Santa Susana.
4. Use precautionary principle to err on the side of caution and safety in face of scientific uncertainty; develop uniform standards to guide clean-up standards; clean-up standards should be more health protective in EJ communities to account for cumulative impacts; develop remediation plans independently and allow responsible parties the same level of input as members of the public receive during RAP adoption process; provide timing guidelines for site characterization, adopting RAP, and beginning clean-up activities; impacted stakeholders should be informed whenever contamination is suspected; DTSC should share the results of all site characterization investigations
5. Turn the IRP into a permanent elected member oversight Board.
6. First thing change there name to reflect what they do. And get a deputy director who is willing to remove the contamination instead of leaving it in place.
7. There is so much wrong in the management of this program that it is hard to find a place to begin.

A top to bottom perform audit, looking at actual workloads, indirect costs, and the sustainability of the program given the existing work, and lack of new work coming in should be the starting point.

The top-heaviness, lack of empowerment of staff, unbelievably inefficient and ineffective processes, and inordinate imposition of indirect costs on projects has been an embarrassment for decades.

8. Making clean-up a higher DTSC priority tied to stronger enforcement and more robust funding for immediate clean ups.
9. Please review the letter I wrote on this topic.

10. Stop structural backfilling. Align staff with the current work load and plan for the emerging work load. Phase out ineffective managers and supervisors and prepare a real succession management plan based on the future work environment and future workers.
11. see previous answer.
12. Like in the previous comment, DTSC needs better collaboration between units. Conflicts between School unit and Brownfield unit should not be left to the property owner to resolve. They work in silos.
13. Clear delegation of authority. Support from HQ.

Question 22

Please help us understand the reason or reasons for your DTSC's Source Reduction and Consumer Products Programs performance rating.

1. DTSC
2. Lack of transparency as they develop and implement the program; given it is groundbreaking, rather than being so focused on getting everything right, they should move forward and rely on stakeholders to help provide feedback, guidance and pilot the efforts until they get a few alternatives analyses under their belt.
3. DTSC has failed to develop a comprehensive pollution prevention program, pursuant to SB 1916 (Sher) Chapter 881, Statutes of 1998, to provide technical assistance and outreach to businesses and industries to reduce their generation of hazardous waste, resulting in unregulated contamination throughout California.
4. DTSC dismantled its source reduction program in 2012; moved to only voluntary source reduction reporting; ceased collecting data on source reduction activities from various industries; lost considerable amount of work completed previous to 2012; shifted funding to Safer Consumer Products program which shifts program beneficiaries from residents located near hazardous waste sites (primarily low-income residents of color) to consumers (more affluent residents); failed to adopt statewide hazardous waste management plan which would have allowed to state to plan long-term hazardous waste disposal needs and suitable locations; without any planning, we do not have long-term strategies to reduce burdens on low-income communities of color; without a long-term vision to reduce hazardous waste disposal needs, the state is simply shifting burdens from one vulnerable community to another; current source reduction pilot program is unfunded and too small; safer consumer products process is lengthy and politicized; political pressure from impacted industry reduces the effectiveness of the program
5. Systematic approach aligned with local enforcement agencies. I don't think the public fully appreciates the good work this unit is doing.
6. The process has been painstakingly slow. Speed it up.
7. Don't get any to no updates on what this program is doing. Have no involvement in this group.
8. DTSC completely wiped out the its world leading Source Reduction and Environmental Technology Certification program. Simultaneously, DTSC illegally shifted funds to spin up ""Green Business"" which ultimately became the Safer Consumer Products (SCP) program. The SCP has been around for almost ten years now, and shows no signs of ever having any impact of public safety or the environment. DTSC has taken a great concept and turned it into a fabulously costly bureaucratic dream world of never ending rulemaking and dithering that now occupies more high value technical staff than any of our other core programs.

Just the cost of the contracts to develop the ""scoping"" of an alternatives analysis system, not a system mind you, is running into the hundreds of thousands of dollars. To analyse what? A few chemical product combinations in the next few years? If we can't do that on flip charts with crayons we gave no business doing it at all. When DTSC was forced by the potential for SB-1330 (Perez) and Director Raphael's announcement of a Hazardous Waste reduction initiative, many thought that the Pollution Prevention (Source Reduction) Program might be revived. Not a chance. The SCP management wanted nothing to do with it and it was

jettisoned to the hazardous waste management program to languish as soon as Debbie left the building, and there it sits to this day.

9. The current program, including Green Chemistry, is very limited and has failed to either control existing chemicals or provide strong voluntary program to reduce chemical use or waste generation.
10. I don't have a clue who or what Source Reduction & Consumer Products might be...obviously if they were doing an adequate job I would have heard of them.
11. I think it is underfunded and weak and does not appear well integrated with allies in academia that can help.
12. New program with outstanding staff. High quality work. Only problem is that the resources/staffing are smaller than the scope of the law.

Question 24

Please give us your suggestion or suggestions to improve the DTSC's Source Reduction and Consumer Products Programs.

1. I understand these programs are a work in progress. However, I am concerned that source reduction which seeks to reduce generation sites will lead to leaving waste in place where it will continue to wreak havoc on the environment and health of communities. I have yet to hear of a viable method of treating waste in place sufficiently to protect the health of all persons in the population to include the immuno-compromised. Consumer products are definitely an issue that needs to be looked at to remove and/or replace cancer causing and endocrine disrupting chemicals immediately.. .
2. Provide more transparency and insight into staff's thinking and next steps so stakeholders may engage earlier in the effort. They should consider the first few rounds as "pilots" and start testing the process rather than holding back for fear of getting it right immediately out of the gate.
3. Involve the environmental justice community to participate directly in the development and implementation of the programs.
4. Reinstate DTSC's pollution prevention program; require industries to submit source reduction reports; develop a long-term strategy to reduce hazardous waste generation; develop a community stakeholder committee comprised of both representatives of communities near contaminated sites and permitted hazardous waste facilities to help develop a plan to reduce the "generation" of contaminated soils, the largest source of hazardous waste in California; ensure that pilot source reduction program is fully funded to allow the pilots to be implemented and expanded; develop strategies to limit industry influence on derailing safer consumer products; engage in an honest dialogue about the reduction potential of the safer consumer products program and assess whether it would be a better fit for OEHHA or another agency.
5. Probably more internal resources are needed.
6. Turn the IRP into a permanent elected member oversight Board.
7. Need to focus on more than a few chemicals per year.
8. Restore the program's funding, staff up and start rebuilding and in ten year's California might start to catch up with the other pollution prevention programs throughout the world that are modelled after what we used to be with SB-14, SB-1916 and Tech Cert.
9. I think looking at the life of a product from manufacturing to what happens at the end of the usefulness of the product is extremely important.
10. Resources to match the scope of the law. Program is being run on a shoestring.

Question 25

What do you think is the DTSC's biggest challenge?

1. 1) Industry
2) Politics
3) Governor
4) Inhumanity - no longer see people as fragile living breathing beings deserving of utmost respect and protection of this one life we've ALL been given..
2. Engaging and working with the EJ community, as all of the DTSC activities are personal. In this regard, DTSC will always be in a difficult position between doing what the science and best management practices support and pleasing the EJ communities who may have differing viewpoints and science.
3. The unreasonable level of malfeasance and incompetence on the part of the DTSC.
4. Owning up to the fact that we need to do something about historic pollution by metal shredders like Quemetco and demanding that they clean up to appropriate levels instead of letting them run the show, limit the range of sampling, exclude testing for lead solubility etc. etc. Demand major financial assurance from them for both closure and corrective action. Otherwise, deny them a new permit. Hiding our heads in the sand on the Quemetcos, and SSFLs, and Ag Parks is not the right thing to do. It is a huge challenge, and it should be faced head on. If we need to build a new hazardous waste landfill for low level radioactive waste, then we should--far from people, ditto for regular hazardous waste. This should be a conversation that the agency itself initiates. Come out and say that we have a lot of work to do. Things have changed. We know more now about the harm of lead, or radioactivity, and we need to address it. Put it all on the table and see what can be done to create a new system to regulate this vast problem.
5. consistency in leadership, being Director often seems like a thankless job so support from the Governor's office is important; staff accountability, training and support is also needed
6. Overcoming years of community distrust
7. Identifying, documenting and using the collective wisdom of staff to distill best possible business practices, and then implementing management systems that carry out those best practices.
8. Regaining the public's trust and bringing all permits up to date.
9. Entrenched soloed top-down management mindset. Very ridged.
10. Addressing inadequacy of its core functions and public image.
11. The experienced staff retiring or leaving the department and the lack of employees who want to focus on EJ issues. The latter is not teachable.
12. Lack of Leadership with Executive skillsets
13. Really doing performance management, and being to opaque to public concerns about their performance and accountability.
14. It's abysmal history of oversight and enforcement and lack of concern.
15. inbred management, lack of vision, no real strategic planning, short lived directors and a lack of continuity, political changes and no real plan to bridge the gap between science and emotion.
16. Permitting and a complex bureaucracy that makes it difficult to get things done in a timely fashion.
17. Leadership. The current director is scared of her shadow, doesn't know the program, and follows rather than leads.

18. Trust.
19. Positive engagement from employees is lacking due to:
 1. Institutional instability - program director turnover (shifting priorities often confuses the workforce)
 2. Lacks employee accountability (some employees uses deflecting or harassing techniques to get away from their responsibilities),
 3. lacks process structure (i.e. long-time employees can get away with messing around with new employees' work due to undefined responsibilities and process structure) and
 4. lacks emphasis on core values such as respectful (especially with employee in the position of power or long-time employee).
 5. Some employees are fearful of the differences with. race, professional background (between scientist and engineer), national origin and etc.
20. BUDGET CONTROLS and inadequate funding to hire staff and getting rid of staff that doesn't do the job.
21. Implementing consistent policy across programs.
22. Incompetent poorly trained personnel. Very weak enforcement , weak attorneys not capable of standing up to large law firms. No standards for enforcement action
23. Decision making

Question 26

What solutions do you recommend to overcome DTSC's biggest challenge?

1. 1) Permission from the Governor to truly protect the citizens of California to NOT put industry first, but to protect the health of the people. Legislators will follow.
 - 2) Remove Enforcement out from under DTSC
 - 3) Think of all citizens as if they were your own family you were protecting.
2. Transparency. More transparency.
3. Address the causes and provide viable alternatives, coupled with responsible government intervention.
4. Recreate DTSC on a different basis. One big problem at DTSC is game playing over the withholding of public information. Perhaps a different structure, such as creating a board, would help. Some of the recent hires at DTSC do not appear to have the backgrounds necessary to do their jobs correctly. Andrew Collada needs to leave and financial auditors/accountants who mean business should be hired.
5. stable leadership, require training, retain good people, especially those who are not afraid to make tough decisions to continue making progress on a site or permit
6. Develop close partnerships with advocates and residents engaged on hazardous waste issues and demonstrate a true willingness to be responsive to community requests; develop shared goals on outcomes, and achieve those outcomes.
7. Implementing and using quality practices and best known practices. Aligning expectations with available staffing.
8. Continued outreach and more internal resources.
9. Turn the IRP into a permanent elected member oversight Board.

10. Focus on core program (permitting, enforcement, clean-up).
11. Stop hiding there deficiencies. Managers and sups need to be redirected if they are not performing.
12. Probably has to wait for a new administration. Alternately, Exec must avail itself of outside expertise to help guide them, especially in regard to leadership systems, governance, stakeholder focus, workforce focus, Information and knowledge management, and work systems/process improvement.
13. Timely reporting of key performance measures to the public.
14. Require that all employees demonstrate ability to engage the public, provide service in a timely manner, and appreciate they are paid to do a job.
15. A real strategic plan, functional backfilling and realignment of resources with the work, discharging poor managers, eliminate delay as a corporate strategy and require action, a proactive funding source based on protecting clean resources and a new Mission/Vision.
16. See previous response re vesting more permitting authority to the locals, similar to the construct under SMARA.
17. We need good management from top to bottom.
18. DTSC must build trust among their stakeholders and their own staff.
19.
 1. Get leaders who have emphasis on core values to manage the group
 2. Improve employee training program
 3. Empower the department with the right and adequate resources to meet increased expectation
 4. Improve employee management program (i.e. performance evaluation)
 5. Improve managers leadership skills (i.e. Certain DTSC managers are notorious of using harassment technique to get what they want instead of using leadership skill to accomplish a goal together with their team).
 6. Acknowledge contribution of employees who are different (I have seen improvement in this area and I am looking forward for more)
 7. Establish process structure with clear roles and responsibilities (i.e. Some manager has chosen to disrespect branch chief due to the direct connection and power he/she has received from the supervisor of the branch chief)
20. NEW UPPER MANAGEMENT
21. More management oversite when violations occur. Regulations for appealing lack of enforcement with clear guidelines for challenging dtsc lack of action
22. Establish a board to replace the Director. The expectations of the Director are completely unrealistic. The agency's decision-making process is broken and cannot be solved with its current structure.

Question 27

Do you have any other comments, questions, or concerns?

1.
 - 1) I am concerned that while we sort this all out, communities all over our state are suffering the ravages of toxic exposure and they are still desperate in need of and waiting for help.
 - 2) I am concerned that facilities are not being inspected frequent enough to protect the public and that hazardous waste transport and disposal is not being monitored properly

- 3) I am concerned that upon permitting the DTSC is not ensuring sufficient financial resources are being set aside to protect communities and the environment
- 4) I am concerned that the excuse ""We don't have any more room in our landfills"" is being used to leave waste in place regardless of human health impacts. rather than removing and disposing of it safely. .
2. In developing new DTSC policies there should be an effort to incorporate existing requirements and practices so that there can be better interagency coordination and outreach efforts - rather than DTSC operating in a vacuum. Items like having early public hearings for input should be coordinated with CEQA NOP hearings or Tanner Act hearings that may also be required, for example.
3. No
4. The new Director is a breath of fresh air. Let her do her job!
5. That the IRP will timeout at the end of 2017 and that nothing will change.
6. The historic lack of consequences for failures of good behavior have created a culture on impunity among the management ranks and a complete lack of confidence among the worker bees (except for the newbs). Our stakeholders also sense the lack of integrity and DTSC's credibility is at an all time low, which further hurts the line staff.
7. The Panel is to be complimented on their diligence and depth of inquiry into various facets of DTSC. I wish the department had been more cooperative in privifings data and briefings.
8. This survey is an interesting way of casting a net and seeing what you catch. It's not useful to the consumer and I'm quite certain will not have an impact on DTSC employees.
9. The current Mission [To protect (future tense) California's people and environment] is unattainable when our funding source is based on a "Cost Recovery" (past tense). There is no way we can win. Plus our Mission creep has been huge and has not come with a budget to do it. This structure and funding model cannot protect the public and the environment from the unfunded sites that contaminate more of our resources daily or the unknown liabilities that are coming to light. Exide is the tip of the iceberg we must change our funding source to "protect"
10. I used to be proud of DTSC. Not any more. I no longer represent permitted facilities, just observe from the sideline. I did represent an EJ community, but frankly had to give up in frustration.
11. Competent staff must not be deprived of promotional opportunity because of some internal politics, favorite people, etc.
12. I expect the Legislative office and public to understand that in order to sustain any good work, it is important to also understand the power of positive re-enforcement. Don't forget to give compliment to the executive, managers and staffs if the department is doing a good job!
13. There is some great staff that are really dedicated and unfortunately many great staff that has left because of how this place is run...