

## Independent Review Panel Recommendations for DTSC As of September 11, 2017

Recommendation	Date of Request	Due Date	Date Fulfilled
<b>Permitting</b>			
Publish draft SB 673 regulations.	1/28/2016	1/1/2017	
Adopt SB 673 regulations.	1/28/2016	1/1/2018	
Adopt guidance or publish draft regulations on Violation Scoring Procedure (VSP).	1/28/2016	1/1/2017	
Using CalEnviroScreen, post clear and concise data on socioeconomic indicators of communities in proximity to permitted hazardous waste facilities on the DTSC website.	4/21/2016	1/1/2017	
Post clear and concise information on DTSC website that lists all DTSC-permitted sites with contamination, status of cleanup, and amount of financial assurances for cleanup.	4/21/2016	1/1/2017	
Post all formal responses and permit processing documentation in EnviroStor to improve transparency and community understanding of permit application status.	4/21/2016	1/1/2017	
Create a guidance document on the relationship between the VSP, AB 1075, the California hazardous waste violation classification system, and the federal hazardous waste violation classification system.	4/21/2016	1/1/2017	
<b>Enforcement</b>			
Adopt an AB 1071-compliant Supplemental Environmental Projects Policy.	1/28/2016	5/1/2016	
Adopt "Improving Enforcement Performance Initiative" Workplan.	1/28/2016	1/1/2017	
Evaluate the number of positions and vacancy levels in OCI and EERD to determine if they are sufficient to meet all inspection and enforcement goals	7/26/2016	N/A	
Evaluate participation in state and local task forces that investigate environmental crimes to determine if DTSC is collaborating with the groups, when necessary, as well as the perceptions and opinions of other environmental enforcement partners about collaboration with the department.	7/26/2016	N/A	
Evaluate whether to include environmental, occupational, and other violations in the VSP.	7/26/2016	N/A	
Upload all public inspection reports, settlements, and summaries of violation into EnviroStor on a timely basis and evaluate additional technologies to enhance public accessibility.	7/26/2016	N/A	

Prior to inspection of a permitted hazardous waste facility, the inspection team should communicate with site mitigation staff members to verify that the facility operator has provided any required financial assurances for corrective action.	7/26/2016	N/A	
<b>Public Outreach</b>			
Start to implement the UC Davis public participation work plan.	1/28/2016	1/1/2017	
Continue practice of bi-monthly environmental justice accountability calls or an equivalent mechanism designed to increase the communication between the DTSC and the community.	1/28/2016	N/A	
Publish all CEQA notices on one tab on the DTSC website.	1/28/2016	N/A	
Publish all Hazardous Waste Facility Permits on one tab on the DTSC website.	1/28/2016	N/A	
Publish all public enforcement actions (orders, settlements) in one tab on the DTSC website.	1/28/2016	N/A	
Assign staff, immediately, charged with independent review, to revisit all cases in past five years of "No Further Action" that involve William Bosan or Theo Johnson, and report to the public on the findings.	1/28/2016	6/1/2016	
Improve EnviroStor's user-friendliness, accuracy, completeness, and regular updating of material. Provide technical support/assistance to public stakeholders on how to navigate the website.	10/24/2016	N/A	
Finalize the Public Engagement Workplan and the Public Participation Manual update by December 31, 2017.	10/24/2016	12/31/2017	
Building on what is learned from the Exide cleanup, establish long-term relationships between public outreach staff members and communities surrounding hazardous waste facilities as well as brownfields and environmental restoration sites. Encourage the hiring of bilingual public outreach staff members who are from those communities or live in or near them.	10/24/2016	N/A	
Offer DTSC's risk communication workshops to employees of other CalEPA entities to improve collaboration, training, communication, and consistency.	10/24/2016	N/A	
Establish a permanent, crisis management team within the Public Participation Program for emergencies involving toxic materials.	10/24/2016	N/A	
<b>Fiscal Management</b>			
DTSC should provide timely Health & Safety Code Section 57007 Biennial Report and tie report to DTSC "Fixing the Foundation," including documenting compliance with <u>all</u> goals and objectives therein.	1/28/2016	1/1/2017	

Continue to reduce and report the status of the 211 sites from the historic backlog of sites with unreimbursed response costs that had not yet been the subject of all possible action as of November 16, 2016.	1/20/2017	N/A	
Finish all departmental procedure memorandum updates and drafting of new departmental procedure memorandums called for in DTSC work plans by January 2018.	1/20/2017	1/31/2018	
Provide responsible parties with a clear and understandable explanation of indirect costs, and periodically evaluate the percentage of direct to indirect costs against other state agencies to ensure consistent accounting.	1/20/2017	N/A	
Make sure fees charged are adequate, and recommend increases to the Governor and Legislature if they are determined to be inadequate.	1/20/2017	N/A	
Closely monitor the development of the new billing system that will replace DTSC's current archaic and unsupported system.	1/20/2017	N/A	
<b>Site Mitigation</b>			
Publish a strategy on how, in appropriate cases, DTSC will work with CalEPA and its boards, departments, and offices, as well as with local air districts, to require fence line/aerial deposition monitoring during site mitigation in situations where there are adjacent sensitive receptors.	4/21/2016	7/1/2017	
Publish on DTSC's website an easy-to-read matrix of cleanup standards, cleanup schedules, and sampling levels to enhance transparency of mitigation at particular sites that are subject to public concern and inquiry.	4/21/2016	N/A	
Provide Level 4 data packages for site mitigation analyses and decisions to the public upon request.	4/21/2016	N/A	
Develop written procedures to give stakeholders the opportunity to be informed and participate during the implementation of remedy decision documents.	4/21/2017	N/A	
Approve and certify the Remedial Action Plan and Environmental Impact Report for cleaning up the lead-impacted soil in residential neighborhoods near the closed Exide Technologies facility.	4/21/2017	7/1/2017	

Submit proposed regulation specifying the toxic criteria for human health risk-based screening levels, action levels, and remediation goals to the Office of Administrative Law by December 31, 2017.	4/21/2017	12/31/2017	
Adopt the final rule for proposed regulation specifying the toxic criteria for human health risk-based screening levels, action levels, and remediation goals.	4/21/2017	Spring 2018	
Compile written lessons learned from the DTSC cleanup activities at Riverside Agricultural Park and release them to the public.	4/21/2017	12/31/2017	
On a timely basis, submit report to the Legislature with an estimate of the money needed to fund direct site remediation costs at State Orphan sites and meet the state's obligation to pay for site remediation costs at federal Superfund Orphan sites, as required by Health & Safety Code section 25173.7(c).	4/21/2017	N/A	
Regularly update "frequently asked questions" and other website information on specific site mitigation projects and indicate date of last update on website page.	4/21/2017	N/A	
Develop appropriate performance goals and metrics for site mitigation, including goals and metrics on timeliness, community satisfaction, cost, and protection of health and the environment.	4/21/2017	3/31/2018	
<b>Consumer Products Program</b>			
<b>Source Reduction Program</b>			