

The DTSC Independent Review Panel

IRP Meeting Presentation
State Capitol
November 16, 2016



Department of Toxic Substances Control



Senate Bill 83

- SB 83 (Chapter 24, Statutes of 2015) added section 57014 to the Health & Safety (HSC) Code
 - *“There is within the Department of Toxic Substances Control an independent review panel, comprising three members, to review and make recommendations regarding improvements to the department’s permitting, enforcement, public outreach, and fiscal management.”*



The Panel

- The Independent Review Panel is comprised of 3 members:
 - Panelist with scientific experience related to toxic materials (appointed by the Speaker of the Assembly)
 - Panelist who is a community representative (appointed by the Senate Committee on Rules)
 - Panelist who is a local government management expert (appointed by the Governor)



The Panel Members

- Dr. Arezoo Campbell
- Mr. Gideon Kracov, J.D.
- Mr. Mike Vizzier

* All Panel members were appointed by October 31, 2015. ... The IRP began its work that day!



CA.GOV California Department of Toxic Substances Control

HOME CLEANING UP CONTAMINATION MANAGING HAZARDOUS WASTE PROTECTING CONSUMERS

Independent Review Panel

- IRP Home
- Members
- IRP Governance Documents
- Agendas and Notices
- Meetings
- Approved Minutes
- Supporting Materials
- IRP Correspondence
- Documents and Communications Submitted by the Public
- Meeting Webcasts
- IRP Reports
- Join the IRP E-list

Independent Review Panel Members



Arezoo Campbell



Gideon Kracov
Chairman



Mike Vizzier

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What does the Panel do?

- The Independent Review Panel:
 - May advise DTSC on issues related to DTSC's reporting obligations
 - Shall make recommendations for improving DTSC's programs
 - Shall advise DTSC on compliance with HSC section 57007



Reporting Requirements

- The Independent Review Panel shall report to the Governor and the Legislature 90 days after the Panel is initially appointed and every 90 days thereafter on DTSC's progress in:
 - Reducing permitting and enforcement backlogs
 - Improving public outreach
 - Improving fiscal management



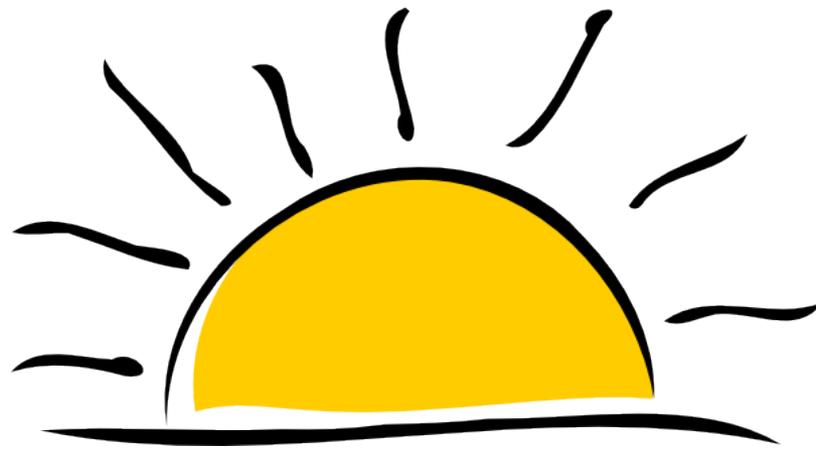
Panel Recommendations

- The Panel shall submit its recommendations to the Legislature and the Governor:
 - At the time of the submission of the Governor's 2016-17 annual budget to the Legislature
 - At the time of each submission of the Governor's annual budget thereafter



Panel Sunset Date

- HSC section 57014(i) authorizes the existence of the IRP until January 1, 2018



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Report Deadlines

- Jan. 10, 2016 Annual Report ✓
- Jan. 28, 2016 Progress Report ✓
- April 27, 2016 Progress Report ✓
- July 26, 2016 Progress Report ✓
- Oct. 24, 2016 Progress Report ✓
- Jan. 10, 2017 Annual Report
- Jan. 22, 2017 Progress Report
- April 21, 2017 Progress Report
- July 20, 2017 Progress Report
- Oct. 18, 2017 Progress Report
- Dec. 31, 2017 Annual Report



IRP Work Plan for 2016-2017

- Jan. 2016 Initial Recommendations
- Feb. – April 2016 Permitting
- April – July 2016 Enforcement
- July – Oct. 2016 Public Outreach
- Nov. 2016 – Jan. 2017 Annual Recommendations
- Oct. 2016 – Jan. 2017 Fiscal Management
- Jan. – April 2017 Site Mitigation
- April – July 2017 Source Reduction & Consumer Products
- June – Oct. 2017 Evaluation of Metrics
- Oct. – Dec. 2017 Final Recommendations



Contents of Typical IRP Report

- Description of DTSC program or programs
- Information requests of DTSC
- Recommendations for Governor and Legislature
- Recommendations for DTSC
- Recommended performance metrics for DTSC



January 10, 2017 Annual Report



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The following are several
representative
IRP recommendations
for the Governor & Legislature
to date



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“Require hazardous waste facilities to set aside adequate financial assurances for corrective action in addition to closure and post-closure to ensure that DTSC does not issue permits to facilities that lack appropriate financial assurances to clean up existing contamination at or around the facilities.”



“Consider whether to create a permit appeals board to decide all hazardous waste facility permits that DTSC does not timely process within three years of permit expiration.”



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“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.”



“Give hazardous waste facility permit applicants a reasonable assurance of application costs and include some mechanism to hold DTSC accountable for those assurances, even in fee-for-service scenarios.”



“Include inspection frequencies for permitted hazardous waste treatment, storage, and disposal facilities and hazardous waste generators in statute. The frequencies should be based on facility compliance history, quantity of waste, toxicity risk, and proximity to sensitive habitats and populations at risk, including disadvantaged communities.”



“Create an oversight board or consider other structural changes at DTSC to improve accountability and transparency.”



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“Create a statewide lead taskforce to make recommendations on the sharing of information, leveraging of resources, and establishing of a comprehensive surveillance program on lead toxicity.”



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IRP Website

- <https://www.dtsc.ca.gov/GetInvolved/ReviewPanel/Independent-Review-Panel.cfm>
- Or go to the DTSC website at <https://www.dtsc.ca.gov/>, click on Government, and scroll down to the Independent Review Panel.



IRP Website Pages

- Home page
- Panel member information
- IRP governance documents
- Agendas and notices
- Public meetings
- Approved minutes
- Supporting materials



IRP Website Pages, continued

- IRP correspondence
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Join the IRP Elist!

- Click on Elist link from IRP website to subscribe for updates on Panel activities



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Reaching Across Language Barriers

- Spanish version of meeting notices/agendas
- Spontaneous translation to Spanish available at meetings by advance request



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How to Participate in a Panel Meeting from a Remote Location

- Many IRP meetings are webcasted
- Webcast meeting portal:
<http://www.calepa.ca.gov/broadcast/>
- Email address for submitting public comments from offsite during meeting:
dtscpublicmeeting@dtsc.ca.gov



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