



Department of Toxic Substances Control  
**2014-2018 Strategic Plan**  
Fixing the Foundation – Building a Path Forward



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## A Message from the Director

# Fixing the Foundation – Building a Path Forward



I am pleased to present the 2014-2018 Strategic Plan for the Department of Toxic Substances Control (DTSC). This plan is the product of hundreds of hours of input and collaboration by DTSC staff, government agencies, regulated entities, and communities and their advocates. The end product provides DTSC with a clear and meaningful picture of what we want DTSC to be and how we intend to accomplish these goals.

DTSC has one of the most far-reaching mandates of any state agency. We are charged with restoring communities whose environment has been degraded by past activities. We safeguard communities against possible hazards associated with businesses that generate or manage hazardous waste, and help businesses to minimize their generation of hazardous waste. We protect future generations by encouraging and helping businesses to reduce the use of toxic chemicals in products.

The task of protecting California's people and communities rests, in part, on having a fair and efficient cleanup program, a robust hazardous waste enforcement and regulatory program, and a forward-looking pollution prevention program with the safer consumer products program as its centerpiece. It also requires a deep organizational commitment to active and meaningful public engagement so that those we serve and those we regulate have the opportunity and ability to participate in DTSC's work and decisions that affect their lives and their environment.

For quite some time, DTSC's efforts to carry out its mission have sometimes been compromised by deficiencies in administrative and technical processes and practices, which together form the necessary foundation for organizational success. Thus, DTSC's Strategic Plan for 2014-2018 recognizes that basic elements of how we operate as a department need to be addressed in order to ensure the success of future initiatives, hence the title of this plan, "Fixing the Foundation, Building a Path Forward."

So what exactly does "Fixing the Foundation" mean? When I was first appointed as Director of DTSC, I recognized that we were blessed with talented staff who tirelessly perform work that impacts the lives and livelihoods of millions of Californians. I also recognized that the success of DTSC was at times hamstrung by insufficient coordination between programs, personnel practices that harmed our effectiveness, and a chronic budget deficit that threatened our future viability. In other words, important elements of the success of any organization were broken, which adversely impacted DTSC's efficiency, effectiveness, and credibility. Throughout this plan you will find goals and objectives that address basic aspects about how DTSC operates as a department.

Addressing the basic aspects of how we operate as an organization is not deterring us from aggressively addressing the health and safety issues that personally impact Californians and the business climate that is central to the success of California. This desire constitutes the second part of the title of this plan – "Building a Path Forward." Some of these initiatives have been in the making for years and are now coming to fruition. Others are comparatively new. Either way,

## A Message from the Director

# Fixing the Foundation – Building a Path Forward

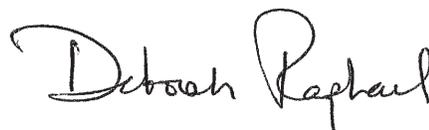
these initiatives will define DTSC and what we represent for years to come. Some initiatives that we can be particularly proud of include:

- Establishing a goal to reduce the amount of hazardous waste generated in the state and disposed into hazardous waste landfills by 2025.
- Implementing major enforcement and criminal investigation initiatives that have resulted in legal actions to halt and penalize illegal management of hazardous wastes and toxic products that threaten public health and the environment (e.g., midnight dumping, illegal landfill disposal, metal recyclers, toxic jewelry).
- Implementing a program that reduces the use of toxic substances in the design of products and industrial processes so as to minimize harm to public health and the environment resulting in healthier air quality, cleaner drinking water, and safer work places.
- Achieving significant milestones for major clean-up projects (e.g., Stringfellow, Santa Susanna Field Laboratory).
- Evaluating and implementing program improvements for our hazardous waste permitting program.
- Evaluating all aspects of DTSC's cost recovery program to ensure that the Department recovers from responsible parties the costs of cleaning up contaminated lands.

My ultimate goal for this plan is two-fold. First, I want DTSC staff to see themselves and recognize their work in various aspects of this plan because their commitment and engagement are the keys to our success. Second, I want people living in impacted communities and the businesses we regulate to understand that this plan is designed to signal our commitment to continuous improvement. We want to be a department that is protective, accountable, innovative, and fair in how we administer and enforce our statutory mandates. I feel this plan accomplishes these objectives.

In the coming months and years, I hope to share with you our successes in implementing this plan. I also want to hear from you where we can do better concerning our commitments as outlined here. Through this ongoing dialogue, I hope to earn your trust and confidence in DTSC.

Regards,



Deborah O. Raphael, Director  
Department of Toxic Substances Control

# Mission, Vision, Guiding Principles

## Our Mission

To protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

## Our Vision

Californians enjoy a clean and healthy environment, and as a result of our efforts:

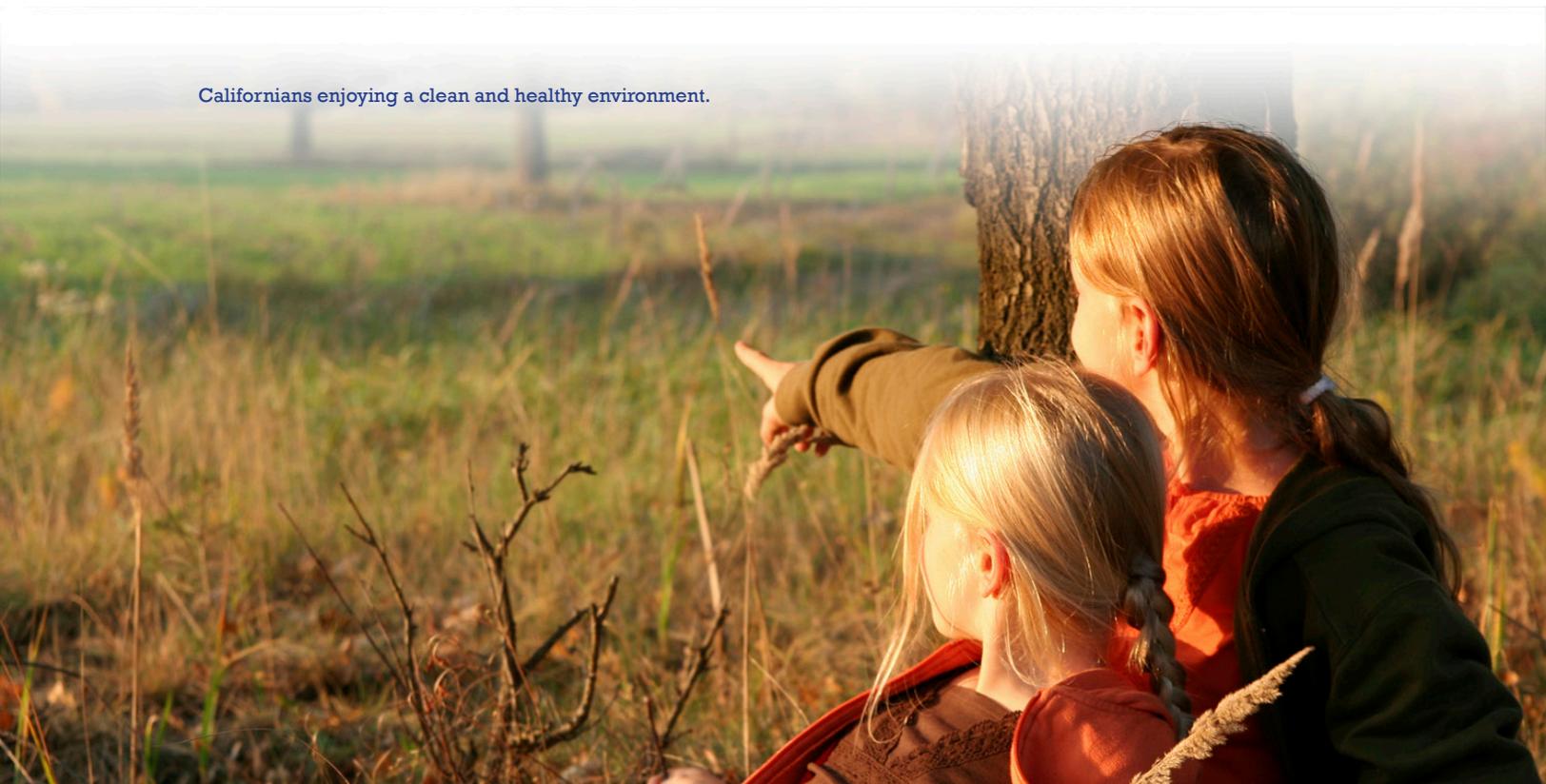
- Communities are confident that we protect them from toxic harm
- Businesses are confident that we engage them with consistency and integrity
- Consumers are confident that we stimulate innovation in the development of safer products

## Our Guiding Principles

In conjunction with our values, DTSC's guiding principles serve as a cornerstone for our actions and decisions. Our actions and decisions should be:

- Legally Defensible
- Practical
- Technically Sound
- Meaningful & Protective

Californians enjoying a clean and healthy environment.



# Department Overview

The Department of Toxic Substances Control (DTSC) was established to protect California against threats to public health and degradation to the environment and to restore properties degraded by past environmental contamination. Through its statutory mandates, DTSC cleans up existing contamination, regulates management of hazardous wastes, and prevents pollution by working with businesses to reduce their hazardous waste and use of toxic materials.

To help achieve its mandates, DTSC has 941 positions, including scientists, engineers, toxicologists, chemists, geologists, attorneys, criminal investigators, and administrative staff. Staff work out of eight offices located throughout the state and in two environmental chemistry laboratories located in Berkeley and Los Angeles. For Fiscal Year 2013-14, DTSC has an operating budget of approximately \$189 million. Revenues to support operations come from a variety of sources, including special

taxes and fees, Federal grants, California's General Fund, and fines and penalties.

DTSC is organized around nine programs and offices, which are described below:

## **BROWNFIELDS AND ENVIRONMENTAL RESTORATION PROGRAM**

This program is responsible for the cleanup and restoration of contaminated sites throughout the state; including legacy landfills (e.g., Stringfellow Acid Pits and the BKK Landfill), the Santa Susana Field Lab, military bases, former industrial properties, and school sites.

## **HAZARDOUS WASTE MANAGEMENT PROGRAM**

This program is responsible for several important DTSC functions. It issues permit decisions for proposed new hazardous waste facilities and the approximately 120 existing hazardous waste facilities in California that treat, store, and dispose of hazardous waste. The program's staff conduct inspections and take enforcement actions to ensure compliance with hazardous waste laws and regulations. This program oversees the hazardous waste generator program. In addition, it provides hazardous waste management-related policy support, regulatory and statutory interpretation, financial assurance, and data management support for internal and external stakeholders. The program also provides emergency response support for hazardous materials-related emergencies throughout California.



DTSC headquarters in Sacramento.

# Department Overview

## **SAFER PRODUCTS AND WORKPLACES PROGRAM**

This program is responsible for implementing the provisions of Assembly Bill 1879 (Ch. 559, Statutes of 2008) and Senate Bill 509 (Ch. 560, Statutes of 2008). Together, these statutes require DTSC to establish a program that identifies and prioritizes chemicals of concern in consumer products, evaluates alternatives, and specifies regulatory responses to reduce chemicals of concern in products. This program is also responsible for providing health and safety support and consultation to DTSC staff relative to their office and field activities.

## **ENVIRONMENTAL CHEMISTRY LABORATORY**

The lab provides DTSC and other agencies within Cal/EPA with scientific leadership and laboratory capacity in the areas of environmental analytical chemistry and biochemistry. Scientists identify and measure concentrations of toxic chemicals in many different media including air, water, soil, hazardous waste streams, consumer products, and biological or human tissues.

## **OFFICE OF COMMUNICATIONS**

This office is responsible for serving as the primary source for all internal and external communication. In addition, the office is responsible for administering a public participation program designed to establish an ongoing dialogue with impacted communities. The program ensures the establishment of two-way communication between community members and DTSC staff so that community concerns are addressed and taken into account when final decisions on projects are made.

## **OFFICE OF ADMINISTRATIVE SERVICES**

This office is responsible for providing DTSC with administrative support services, including accounting, human resources, training, budgets, purchasing, fleet administration, file management, and contract development.

## **OFFICE OF ENVIRONMENTAL INFORMATION MANAGEMENT**

This office supports DTSC's information technology needs, including software and hardware acquisition, standardization, and training. The office also provides network and user support services, and develops and supports various information technology applications critical to DTSC.

## **OFFICE OF LEGAL AFFAIRS**

This office provides three critical functions for DTSC. Its Office of Legal Counsel provides legal advice and representation for DTSC. Through the Office of Criminal Investigations, it investigates alleged criminal violations of hazardous waste laws and develops cases for referral to state and local prosecutors. Finally, this office houses the Office of Planning and Environmental Analysis, which provides technical support to DTSC programs to ensure compliance with the California Environmental Quality Act.

## **OFFICE OF LEGISLATION**

This office is responsible for coordinating, analyzing, and recommending actions on all state and federal legislative proposals impacting DTSC. The office also serves as the primary liaison between DTSC's programs and the California Legislature and external interest groups.

# Goal 1 | Implement Cleanup Efforts

## **Ensure DTSC's cleanup efforts protect communities, hold responsible parties accountable, and recover DTSC's costs.**

### **BACKGROUND**

Thousands of California properties, including former industrial plants, military bases, businesses, school sites, and landfills have been identified as being contaminated by hazardous chemicals. DTSC is responsible for investigating and overseeing the cleanup of properties where releases of hazardous chemicals into the soil, soil gas, air, groundwater, and surface water have occurred. This includes ensuring that cleanup processes themselves do not pose threats to public health or the environment. Many contaminated properties are located near communities who look to DTSC to protect them from the threats posed by hazardous chemical contamination.

The parties responsible for the contamination must reimburse DTSC for direct cleanup and oversight costs. To hold responsible parties accountable and to maximize available funding for future cleanup efforts, it is essential that DTSC have an effective cost recovery program.

When DTSC or the United States Environmental Protection Agency discover properties that are contaminated and pose a threat to public health or the environment, but for which there is no known viable responsible party, the cleanup costs for these sites must be borne by taxpayers. These properties are referred to as state "orphan sites" or federal "National Priority List (NPL) orphan sites." These orphan sites pose the most significant threats to public health and the environment. Annually, DTSC discovers more of these sites than it can possibly cleanup and restore given the resources available for this effort.



[Marina Bay cleanup project in Richmond.](#)

### **APPROACH**

Goal 1 objectives were selected, and will be implemented, with a focus on:

- Holding responsible parties accountable for the work and costs necessary to clean up their contaminated properties.
- Focusing on communities experiencing multiple environmental burdens to protect them from the threats posed by contaminated sites in or near their neighborhoods.
- Establishing and maintaining sound fiscal systems to maximize available funding for the cleanup of contaminated sites.

# Goal 1 | Implement Cleanup Efforts

- Identifying and promoting the use of innovative site cleanup approaches and technologies.

## OBJECTIVES

To address the issues concerning the cleanup of contaminated sites, DTSC has identified the following objectives:

**Objective 1.1:** Update/develop and apply a set of comprehensive policies and procedures to maximize DTSC's recovery of past, present, and future cleanup costs.

**Objective 1.2:** Improve billing and collection capabilities by replacing DTSC's current site cleanup cost recovery billing system with the state's financial information system, and making enhancements to the Envirostor data system to improve the cost recovery billing process.

**Objective 1.3:** Seek adequate funding to cover cleanup efforts at federal NPL orphan sites (transferred to DTSC) and state orphan sites.

**Objective 1.4:** Improve the financial assurance system within the site cleanup program to ensure that public money will not be used to pay for long-term cleanup projects when the responsible party files for bankruptcy or refuses to fund the required cleanup work.

**Objective 1.5:** Ensure, through long-term monitoring, effective and sustainable protection of public health and the environment at cleanup sites where contamination is left in place.

**Objective 1.6:** Take effective and legally enforceable actions to compel fulfillment of DTSC ordered or approved cleanup plans when responsible parties fail to perform as required.

**Objective 1.7:** Complete three pilot projects that use Geographic Information Systems (GIS) to identify contamination sources of complex soil and groundwater plumes in disproportionately impacted communities to enhance and speed up DTSC's ability to effectively address the contamination issues at these projects.

**Objective 1.8:** Achieve significant milestones in specific high-profile, complex site cleanup projects, including Stringfellow and the Santa Susana Field Laboratory.



Workers prepare to haul dangerous chemicals from an orphan site in Yuba County.

## Goal 2 | Manage Hazardous Wastes

### **Effectively, efficiently, and fairly administer and enforce California's hazardous waste management laws.**

#### **BACKGROUND**

DTSC is responsible for ensuring that hazardous wastes generated and handled in California are managed safely and legally to prevent harm to public health and the environment. There are currently 118 facilities permitted by DTSC to store, treat, or landfill hazardous waste in California. Additionally, there are over 100,000 businesses that generate hazardous waste, and approximately 900 transporters registered with DTSC to transport hazardous waste. Many hazardous waste generators and facilities are located near communities who look to DTSC to protect them from the threats posed by potential releases of harmful chemicals into their air, land, and water.

Federal and California law creates the framework for the management of hazardous waste by generators, transporters, and storage, treatment, and disposal facilities. DTSC administers these laws by issuing permits and registering hazardous waste transporters. DTSC enforces these laws by inspecting hazardous waste generators, transporters, and facilities, and providing compliance assistance and training. DTSC's compliance assistance activities include partnering with the local Certified Unified Program Agencies (CUPAs). When there is evidence of violations, DTSC pursues enforcement actions often in collaboration with the Attorney General or local district attorneys. DTSC also prepares for and responds to emergency situations around the state that involve the release of hazardous chemicals, and supports local agencies in their emergency preparedness and response activities.



*A DTSC enforcement action in progress.*

DTSC has the responsibility to track the movement and ultimate disposition of hazardous waste generated, managed, and/or transported in California. DTSC's enforcement, regulatory decision-making, and fee collection activities all rely heavily on the hazardous waste tracking data obtained from generators, transporters, and facilities. The CUPAs and the public also rely on this data to understand the businesses that generate or manage hazardous waste in their communities and the actions DTSC is taking to regulate those businesses. The database that stores and reports this information needs to be redesigned to fully meet the data needs of DTSC, the CUPAs, and the public concerning hazardous waste management activities.

## Goal 2 | Manage Hazardous Wastes

### APPROACH

Goal 2 objectives were selected, and will be implemented, with a focus on:

- Holding businesses accountable for handling the hazardous waste they generate and/or manage in a manner that complies with the law, protects public health and the environment, and seeks to reduce the generation of hazardous waste.
- Holding businesses accountable for paying the costs associated with the regulatory oversight of their hazardous waste management activities, and the costs necessary to cleanup any hazardous chemical releases to the environment.
- Supporting activities to promote and ensure compliance with California's hazardous waste laws.
- Focusing on communities experiencing multiple environmental burdens to protect them from the threats posed by unsafe or illegal hazardous waste management practices.
- Maximizing DTSC's reach in enforcing California's hazardous waste laws and protecting impacted communities by augmenting the Department's limited resources through utilization of cross-functional DTSC workgroups and external enforcement partners.
- Improving data quality and transparency.

### OBJECTIVES

To address the issues concerning the administration and enforcement of hazardous waste management laws, DTSC has identified the following objectives:

**Objective 2.1:** Identify and implement policies and

procedures to ensure hazardous waste permits are protective, timely, legally defensible, and enforceable, and to improve transparency and public confidence in permit decisions.

**Objective 2.2:** Identify and implement a process to ensure that all permitted hazardous waste facilities have accurate estimates for the costs of facility closure and post-closure work, and develop and apply criteria for prioritizing closure cost reviews.

**Objective 2.3:** Improve effectiveness, efficiency, and consistency in enforcing California's hazardous waste laws; and make DTSC's enforcement program's information and processes more accessible to the public.

**Objective 2.4:** Improve public confidence in DTSC's enforcement decisions by establishing clear guidelines for decision points that ensure enforcement actions result in timely resolution with appropriate penalties and corrective actions.

**Objective 2.5:** Develop and apply criteria and processes to prioritize work within the hazardous waste enforcement and permitting programs, including the use of tools such as new environmental screening methods and Geographic Information System (GIS) technology.

**Objective 2.6:** Implement a new information technology system that improves the availability and accuracy of hazardous waste tracking data for DTSC staff and the public.

**Objective 2.7:** Identify and implement, in collaboration with Cal/EPA, improved training and program evaluation approaches to ensure that the Certified Unified Program Agencies (CUPAs) properly and effectively enforce hazardous waste laws at the local level,

## Goal 2 | Manage Hazardous Wastes

including requirements for businesses to minimize their generation of hazardous waste.

**Objective 2.8:** Develop and implement a plan to maximize the utilization of limited emergency response resources to ensure DTSC is able to fulfill its obligations under the state's emergency response plan, and to expand DTSC's capacity to respond to natural disasters and hazardous chemical emergencies throughout California.

**Objective 2.9:** Using a cross-functional workgroup, assess, report on, and implement initiatives to increase collaborative enforcement efforts between DTSC's Enforcement Division and Office of Criminal Investigations, CUPAs, US EPA, local prosecutors, and other enforcement agencies.

**Objective 2.10:** Establish a cross-functional workgroup and process to improve the quality and timeliness of decision-making within the Hazardous Waste

Management Program to respond to issues and resolve problems identified by internal and external stakeholders; initiate the process to resolve issues and problems, in priority order; and assign staff to implement resolution decisions.

**Objective 2.11:** Reform DTSC's hazardous waste fee system by streamlining it, making the fees fairer, and aligning the fees with DTSC's public policy objectives to encourage source reduction, recycling, polluter-pays concepts, and in-state management of hazardous waste.

**Objective 2.12:** Develop and implement a groundwater monitoring oversight program for land disposal facilities that ensures inspections are performed in a manner and frequency necessary to timely identify any releases from these facilities.

**Objective 2.13:** Using a cross-functional workgroup, assess historical metal shredder waste reclassification decisions and recommend necessary actions, based on scientific assessment and stakeholder input, to protect public health and the environment.



DTSC registers businesses that transport hazardous waste.

## Goal 3 | Ensure Safe Consumer Products

### **Reduce adverse public health and environmental impacts from, and exposures to, chemicals used in consumer products.**

#### **BACKGROUND**

Californians are becoming increasingly aware and concerned about the abundance of chemicals that they are exposed to (100 chemicals per day for the average consumer) in the common consumer products used in their homes and workplaces.

Beginning in 2003, in response to these concerns, a number of laws have been enacted assigning to DTSC the responsibility for administering and enforcing bans and restrictions on the use of toxic chemicals in consumer products sold in California. Traditionally, these laws each focused on a single product-chemical combination identified by the Legislature (e.g., metals in packaging, lead in children's jewelry, mercury-added devices, and toxic metals in brake pads).

The enactment in 2008 of the Green Chemistry statutes shifted California's strategic approach to addressing toxic chemicals in products by requiring DTSC to establish in regulation processes for identifying and prioritizing chemicals of concern in consumer products and evaluating alternatives to those chemicals so as to reduce adverse impacts and exposures. This approach provides science-based criteria and procedures for identifying and evaluating product-chemical combinations of concern and their alternatives, with the objective of replacing chemicals of concern with safer chemicals and avoiding the use of substitute chemicals that pose equal or greater harm (often referred to as "regrettable substitutes"). These procedures will also ensure all stakeholders have ample opportunity to participate in DTSC's decision-making process.



DTSC is responsible for identifying and prioritizing chemicals of concern in consumer products and evaluating alternatives.

#### **APPROACH**

Goal 3 objectives were selected, and will be implemented, with a focus on:

- Changing the way products are designed and manufactured.
- Avoiding product redesigns that replace chemicals of concern with equally or more harmful substitute chemicals.
- Holding manufacturers responsible for the life cycle (i.e., from manufacture to disposal) impacts of their products.

## Goal 3 | Ensure Safe Consumer Products

- Maximizing public access to information concerning chemicals and their use in consumer products, while safeguarding trade secret information.
- Implementing the Safer Consumer Products regulations in a manner that is science-based, meaningful, practical, and legally defensible.
- Promoting scientific and engineering innovation.

### OBJECTIVES

To address the issues concerning life cycle impacts of chemicals in consumer products, DTSC has identified the following objectives:

**Objective 3.1:** Implement the Safer Consumer Products regulations, beginning with the adoption of the initial list of priority products and development of alternatives analysis guidance documents.

**Objective 3.2:** Develop a data system to support implementation of the Safer Consumer Products regulations, including, for example, chemical and product information, notifications and reports submitted to or prepared by DTSC, and guidance documents.

**Objective 3.3:** Provide information tools concerning chemical hazard traits and potential exposures that may be used by manufacturers to identify options for developing safer products and by consumers for making more informed purchasing decisions.



At an event held at a manufacturing facility in Richmond, DTSC announced the launch of the landmark Safer Consumer Products program.

## Goal 4 | Provide Effective Support Services

### **Maintain and increase DTSC's organizational and operational capacity, effectiveness, and performance.**

#### **BACKGROUND**

Like all government agencies, DTSC is defined by its mission. From the work related to cleaning up contaminated sites to enforcing hazardous waste management laws to permitting hazardous waste facilities to incentivizing the development of safer consumer products, the mission of DTSC touches individuals, communities, and businesses every day. That mission, in turn, has a very public face.

The ability to execute this mission rests, in part, on having a support structure that is responsive to the needs of all DTSC programs. Although very important, these support functions are not always visible to external stakeholders. Nonetheless, the staff who provide legal services, financial and human resource management, laboratory testing and analysis, information technology support, and internal and external communication services play a key role in the success of DTSC. In order for these support functions to succeed, they need to have a framework that supports the Department in achieving its mission. This means adopting and implementing policies and procedures that are current and accessible, and instituting processes that are efficient, effective, and fair.

Ultimately, the success of DTSC depends on its people. To ensure their success, they must be engaged and fully committed to DTSC and its mission. They must have the training, feedback, and support that will help them succeed in their assignments while also helping them meet their long-term career objectives. There must be systems in place that enable DTSC to recruit and retain the best and brightest. Investing in staff is one of DTSC's highest priorities.



DTSC has over 950 employees located throughout the state.

Much has already been accomplished in the last year in the furtherance of this Goal, including alignment of DTSC's personnel systems with state standards, implementation of a major department-wide reorganization to improve the effectiveness and performance of all DTSC programs, elimination of long standing spending-revenue gaps in DTSC's two major special funds without staff layoffs, and provision of critical department-wide training for staff and managers. (Refer to the Accomplishments section of the Strategic Plan for further information.)

#### **APPROACH**

Goal 4 objectives were selected, and will be implemented, with a focus on:

## Goal 4 | Provide Effective Support Services

- Ensuring staff feel respected, invested in, and important to the achievement of DTSC’s mission.
- Having an organization where staff understand what is expected of them, take pride in their work, and have the capacity to succeed.
- Holding managers and staff accountable for understanding and fulfilling their roles and responsibilities competently and in accordance with applicable laws, policies, and procedures.
- Ensuring DTSC’s ongoing fiscal stability.
- Ensuring DTSC’s support functions have the capacity to provide the services and infrastructure needed to achieve DTSC’s strategic goals and objectives.
- Ensuring DTSC is organized, funded, and operated in a manner that comports with the requirements and expectations of the state’s oversight agencies.

### OBJECTIVES

To address its organizational and operational issues, DTSC identified the following objectives:

**Objective 4.1:** Create and sustain an organizational culture where staff are fully engaged in DTSC’s mission and work, participate in the exchange of ideas and viewpoints, and hold themselves and others accountable in the fulfillment of their responsibilities as DTSC employees.

**Objective 4.2:** Ensure administrative policies, procedures, and directives are current, accessible, and shared with staff.

**Objective 4.3:** Complete performance appraisal training for DTSC managers and implement a tracking system to ensure that staff receive timely and useful performance appraisals.

**Objective 4.4:** Implement a sustainable training needs assessment and prioritization process and upgrade the electronic learning management system to support implementation of DTSC’s training plan for providing staff and managers with the skills they need to succeed in their jobs and careers.

**Objective 4.5:** Ensure regional file rooms are maintained in a manner that is consistent with DTSC’s records retention schedule, properly secures the records, and maximizes utilization of space.

**Objective 4.6:** Strengthen and augment the capability and capacity of the Environmental Chemistry Laboratory (ECL) to provide scientific leadership and serve DTSC’s programs by prioritizing work, updating equipment, and implementing an internationally recognized quality management system.

**Objective 4.7:** Based on DTSC’s strategic goals and objectives, prioritize the recommendations in the information technology strategic plan and begin implementation of the highest priority recommendations.

**Objective 4.8:** Using the Office of Legal Affairs system as a model, establish electronic document archives for other programs that categorize past decisions to aid in organizational information management and knowledge retention.

## Goal 5 | Engage the Public

### **Increase the effectiveness of organizational engagement with external partners.**

#### **BACKGROUND**

DTSC believes that all parties have a right to be heard and that meaningful engagement is an obligation of public institutions. Thus, DTSC has an obligation to enable and empower impacted communities and other external partners and stakeholders to participate in DTSC's decision-making processes.

Meaningful public engagement requires providing accurate and timely information and open communication with a diverse public and community network statewide. Fulfillment of DTSC's mission, vision, and goals, as well as its statutory mandates, requires a community involvement program that creates and promotes open dialogue during site cleanups, permit application reviews, land reuse decisions, and when engaging in other regulatory activities. DTSC's work is highly technical and complex; thus, for communities and other stakeholders to successfully engage in DTSC's decision-making processes, the Department needs to be flexible in its approach to community and general public engagement. This requires a strong department-wide commitment to two-way communication and letting stakeholders know how their input is utilized.

DTSC sees a number of opportunities for enhancing its communication and external engagement activities. In particular, the current public participation system mandated by law needs retooling to fully meet the needs of the communities with which DTSC works. Technology has created new electronic tools for communicating, while at the same time making some communication methods obsolete. In addition to the technological opportunities, DTSC



DTSC holds hundreds of public meetings annually statewide.

recognizes the need to develop more community-specific public engagement approaches to enable communities to effectively engage in DTSC's often complex and highly technical work.

#### **APPROACH**

Goal 5 objectives were selected, and will be implemented, with a focus on:

- Building public confidence in DTSC and its decisions through meaningful engagement with communities and other stakeholders.
- Meeting the information and engagement needs of the communities DTSC serves, including communicating

## Goal 5 | Engage the Public

with communities and individuals in the way they need to be communicated with.

- Presenting complex technical information and processes in a manner that is accessible and understandable to communities and the general public.
- Ensuring that communities, the public, and other stakeholders are made aware of opportunities to participate in DTSC decisions, and the ways in which they may participate.
- Recognizing that good government requires transparency.

### OBJECTIVES

To address the issues concerning external engagement, DTSC has identified the following objectives:



DTSC external engagement activities range from establishing the Green Ribbon Science Panel (above) to visiting residents in impacted communities (below).



**Objective 5.1:** Provide the public with clear, accessible, and timely information to build trust in DTSC decision-making and foster an understanding of how DTSC's work benefits the public and the environment.

**Objective 5.2:** Make DTSC's Web site and social media tools useful, accessible, and reflective of the needs of communities, the public, and DTSC's other stakeholders.

**Objective 5.3:** Develop and implement a process for regular public meetings to obtain broad-based public input on various DTSC projects and proposals and to better inform stakeholders concerning DTSC's programs and activities.

**Objective 5.4:** Develop and implement an engagement strategy for impacted communities that aligns with program initiatives and community needs.

**Objective 5.5:** Develop/update DTSC's communication guidance documents (i.e., public participation guidance, community advisory group guidance, environmental justice action plan, tribal affairs guidance, media guide, and writing guide) using a publicly transparent process; and ensure guidance documents align with Cal/EPA and U.S. EPA guidelines, as appropriate.

**Objective 5.6:** Integrate DTSC's public participation strategies and activities into the site cleanup and hazardous waste management programs, including the use of cross-program workgroups.

**Objective 5.7:** Develop and implement strategies to engage in a statewide dialogue to obtain ideas and input from DTSC's network of partners (including communities, the public, other government agencies, and other stakeholders) concerning DTSC's initiative to maximize the reduction in the state's hazardous waste by 2025 so as to reduce California's dependence on hazardous waste landfills and protect all impacted communities.

# DTSC Accomplishments

Since 2012, DTSC has made significant progress on key issues that impact communities, stakeholders, and DTSC staff. Many of these accomplishments are a direct result of the “Fixing the Foundation” initiative. Some of the key accomplishments are listed below:

## **BROWNFIELDS AND ENVIRONMENTAL RESTORATION (CLEANUP) PROGRAM**

■ As a result of DTSC efforts, significant milestones were achieved in the cleanup and transfer of large amounts of acreage from former military bases to local governments and private entities for redevelopment. These properties have been, or will be, transformed into many beneficial uses including new communities, parks and open space, sports complexes, wetland wildlife refuges, and new businesses creating tens of thousands of jobs and generating millions of dollars in new tax revenues. [Click here for more information.](#) Recent property transfers are highlighted below:

- As of July 2012, 3,500 acres (out of an eventual total of 3,719 acres) have been cleaned up and transferred from the former Marine Corps Air Station, El Toro to be used for public and private redevelopment projects, including ten different themed-parks, new communities, and a wildlife corridor. The project will consist of housing, offices, golf courses, shopping centers, open space, and facilities for cultural exhibitions and activities. An additional 993 acres will remain under federal ownership as national forest land. [Click here for more information.](#)
- As of January 2013, 1,700 acres (out of an eventual total of 2,952 acres) have been cleaned up and transferred from the former McClellan Air Force Base to the McClellan Business Park for cleanup and

redevelopment. The Business Park is currently home to over 200 businesses employing over 1,000 people. It is envisioned that it will eventually be home to over 30,000 jobs generating more than \$7 million in property tax and local sales tax revenues annually.

[Click here for more information.](#)

- In June 2013, the final transfer of property, totaling more than 5,700 acres, from the former Mather Air Force Base to Sacramento County was completed. The property, already home to 60 businesses and 6,100 jobs, will be transformed into a wide array of uses, including the Mather Commerce Center, a veteran’s medical center, a sports complex, a homeless housing program, residential neighborhoods, and wetlands and open space. [Click here for more information.](#)
  - In June 2013, the phased cleanup and transfer to the City of Alameda of 2,107 acres (878 acres of land and 1,229 acres of water) at the Alameda Point Naval Air Station began with the transfer of 1,400 acres. Ultimately, Alameda Point will be developed into a mix of uses including 5.5 million square feet of businesses, 1,425 housing units for approximately 3,240 residents, and 200 acres of parks and open space. The city projects that the redevelopment project will eventually create 9,000 permanent jobs and millions of dollars in new tax revenues annually. [Click here for more information.](#)
- Since 2011, DTSC’s Cleanup Program has provided more than \$3.7 million in grant and loan funding for public and private cleanup projects. Additionally, DTSC helped complete a number of other cleanup projects. Together, these projects created new homes, schools, parks, office space, and shopping areas from

# DTSC Accomplishments

contaminated properties, including projects in Alameda, Campbell, East Palo Alto, Los Angeles, Orange County, Sacramento, San Jose, Santa Clara County, and Sutter Creek. [Click here for more information.](#)

- In May 2013, the Secretary of Defense recognized the Mare Island Naval Shipyard restoration project, overseen by DTSC, with the “Secretary of Defense 2012 Environmental Restoration Award”. The project transformed a seriously contaminated landfill into a wetlands wildlife refuge and recreation area. The project used unique green remediation strategies, which included the avoidance of over 9,000 tons of carbon dioxide emissions and recycling 100 tons of concrete. [Click here for more information.](#)
- In May 2013, DTSC assumed responsibility from U.S. EPA for the operation of the Whittier Narrows groundwater treatment system. This treatment system, which is part of the cleanup of a former federal Superfund site, provides drinking water for over two million customers in Los Angeles and Orange counties. [Click here for more information.](#)
- In July 2013, DTSC approved the final segment of the cleanup plan for the downtown Sacramento railyard, which, at 240 acres, is considered to be the largest infill development site in the country. [Click here for more information.](#)
- Since the beginning of 2013, DTSC has undertaken a major overhaul of its cost recovery system. This included establishing an executive level position to coordinate all DTSC cost recovery efforts, completing major milestones in implementing organizational changes and new processes to maximize the recovery of costs owed by responsible parties for the cleanup of contaminated properties, and issuing 27 policies to

standardize cost recovery protocols. [Click here for more information.](#)

## HAZARDOUS WASTE MANAGEMENT PROGRAM

- In early 2013, DTSC contracted for an independent external review of DTSC’s permit program. The review focused on decision-making processes, performance measures and standards for when a permit application or modification should be denied. The recommendations presented in the permit review report, which were shared publicly, provide an opportunity for improving DTSC’s permitting processes. The review represents an important step DTSC has taken toward fixing the foundation. [Click here for more information.](#)
- In July 2013, DTSC launched an ambitious initiative to significantly reduce the amount of California hazardous waste generated and sent to landfills, particularly the three California hazardous waste landfills located near the towns of Kettleman City, Buttonwillow, and Westmoreland. The impetus for this initiative, which will begin with stakeholder workshops across the state, is the desire to address the equity issue for the communities located in close proximity to these landfills.
- A new project manager and project team have been assigned to improve the quality of the data in the Hazardous Waste Tracking System (HWTS), which is extensively relied upon by DTSC staff, local agencies, and the public. Additionally, enhancements to the HWTS reporting capabilities, along with the assignment of dedicated staff, are improving DTSC’s capacity to identify and take necessary actions with respect to illegal hazardous waste management activities throughout

# DTSC Accomplishments

California. [Click here for more information.](#)

- DTSC launched a metal recycler's enforcement initiative to target facilities that do not operate in a manner that is protective of public health and the environment.
- Using a grant received from U.S. EPA under the State Environmental Justice Cooperative Agreement program, DTSC has sponsored a variety of innovative projects that address environmental impacts in communities located within the 23-mile "710 corridor" that links the ports of Los Angeles and Long Beach with the rest of Southern California. The 710 corridor is home to one of the largest concentrations of oil refineries and rail yards in the state. The projects sponsored by DTSC include:
  - Assessing drinking water quality for the community of Maywood.
  - Identifying contaminated properties in Commerce and applying for grants to clean them up and turn them into "green zones".
  - Establishing a real-time self-reporting monitoring system that enables Wilmington residents to report releases of hazardous waste.
  - Placing air monitors outside Wilmington homes bordering refineries to gather data for a University of California, Los Angeles, study of the health effects of living next to these refineries.
  - Coordinating youth groups in Boyle Heights to electronically map illegal e-waste dumping and truck idling hot spots.

[Click here for more information.](#)

- In September 2012, DTSC adopted emergency regulations to increase the recycling and disposal options for Cathode Ray Tubes (CRTs) and CRT glass. These regulations provide a safe and legal way to address the growing stockpiles of CRT glass throughout California, that have resulted from the reduced demand for CRT glass with the consumer switch to flat screen monitors and televisions. [Click here for more information.](#)

## SAFER PRODUCTS AND WORK PLACES PROGRAM

- In April 2012, DTSC released a study revealing that many nail care products contain toxic chemicals even though their labels claimed otherwise. Chronic or extended exposure to these chemicals (toluene, formaldehyde, and dibutyl phthalate) has been associated with birth defects, asthma, and other chronic health conditions. DTSC's report received significant media attention and highlighted the need for additional work and information on potential threats from toxic chemicals in consumer products. In March 2013, DTSC distributed guidance on how to become a "greener" nail salon for use by the state's over 121,000 licensed nail care technicians in over 48,000 nail salons. [Click here for more information.](#)
- DTSC adopted the nation's first enforceable regulations, which took effect July 1, 2013, for the collection and recycling of mercury thermostats that require the companies that manufactured the mercury-containing thermostats to be responsible for their collection and recycling at the thermostats' end-of-life. [Click here for more information.](#)

# DTSC Accomplishments

- DTSC successfully adopted the landmark Safer Consumer Products regulations, which took effect October 1, 2013. The regulations require manufacturers to seek alternative safer chemical ingredients in consumer products. This is the first program of its kind in the world, and has the potential to reduce the use of toxic chemicals in consumer products sold far beyond the borders of California. [Click here for more information.](#)
- On September 26, 2013, DTSC published the informational list of Candidate Chemicals in accordance with the new Safer Consumer Products regulations. DTSC also published the smaller “menu” of chemicals that DTSC may select from to identify product-chemical combinations for inclusion in the initial listing of priority products. DTSC will identify which “priority products” will be the initial focus of these regulations in the spring of 2014. [Click here for more information.](#)

## SUPPORT SERVICES

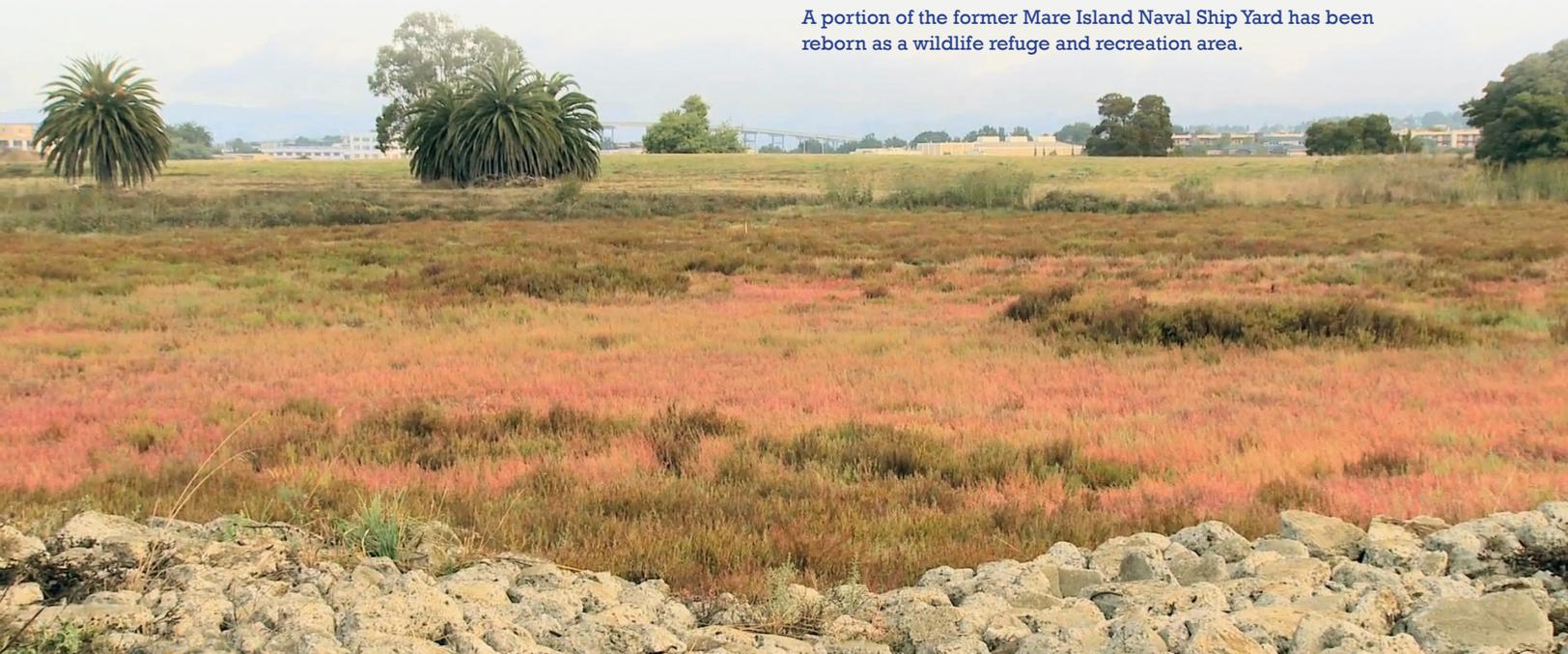
- DTSC brought its personnel practices into alignment with state standards, reallocating positions to better align staff duties with their classifications, and ensuring that personnel appointments are consistent with California Department of Human Resources policies and guidelines.
- DTSC closed long-standing spending-revenue gaps in its two major funds -- Toxic Substances Control Account (TSCA) and Hazardous Waste Control Account (HWCA). This was accomplished through fiscal austerity measures that enabled DTSC to achieve the necessary reductions in staff and other resource expenditures without staff layoffs.
- DTSC implemented a comprehensive reorganization to improve its effectiveness and performance. This included consolidating the hazardous waste regulatory functions within a single program, establishing the Safer Products and Workplaces Program, and implementing the position reductions required to close the spending-revenue gaps discussed above.
- DTSC’s ability to efficiently and effectively recruit, hire, and promote qualified staff has been significantly enhanced by the implementation of an electronic examination system.
- DTSC provided all staff and managers with training that enhanced communication skills, improved understanding of conflict of interest laws, and helped increase staff familiarity with equal employment opportunity functions and processes.
- The EnviroStor data base, which is the primary vehicle for transparency and public access to information for DTSC’s cleanup and hazardous waste program projects, has been further enhanced by new features, including a Community Involvement screen and automatic e-mail notifications when new documents are posted. [Click here for more information.](#)
- DTSC’s Environmental Chemistry Laboratory hosted the Sixth International Symposium on Flame Retardants. The conference, which for the first time was held in the United States, brought together about 250 experts from over 20 countries to discuss the latest scientific and regulatory developments relating to flame retardants, including PBDEs (polybrominated diphenyl ethers). [Click here for more information.](#)

# DTSC Accomplishments

## OFFICE OF COMMUNICATIONS

- The Office of Communication completed a number of significant community engagement projects in support of DTSC's site cleanup and hazardous waste permitting programs, including:
  - Conducted enhanced community assessments for Kettleman City and Buttonwillow, which are located in close proximity to two of California's hazardous waste landfills.
  - Hosted two community meetings in collaboration with the Los Angeles Environmental Justice Network to provide and explain drinking water sampling results to Maywood community members.
  - Established a community advisory group for the Santa Susana Field Laboratory cleanup project.
  - Conducted over 300 public meetings to provide information to and obtain input from communities potentially affected by DTSC cleanup and permitting projects.
- DTSC's "Fixing the Foundation" initiative was publicly launched by posting on DTSC's website the list of identified "fundamentals," a work plan for fixes associated with each fundamental, and a progress report chart. [Click here for more information.](#)
- In April 2013, the Office of Communications produced the first weekly "push" of news/success stories (the [News Feed](#)) to better inform stakeholders and DTSC employees of the Department's accomplishments. Over 300 people are currently registered to receive the weekly feed, and that number continues to grow.
- A number of enhancements have been made to [DTSC's Web site](#), including the launch of the new [Safer Consumer Products Program Web portal](#).

A portion of the former Mare Island Naval Ship Yard has been reborn as a wildlife refuge and recreation area.



# Acknowledgements

This strategic plan is the result of input from and collaboration with many people both inside and outside of DTSC. Without their extensive assistance, thoughtfulness, and suggestions, DTSC could not have successfully completed the strategic planning process. As the full list of contributors would be too long to enumerate, the following constitutes a brief list of some of the key contributors.

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This strategic plan would not have been possible without the commitment of DTSC staff who submitted formal written input on the draft plan, the DTSC Leadership Collaborative, and countless informal discussions that took place during webinars and various other outreach activities.

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