

Fact Sheet

The mission of DTSC is 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.

DTSC Proposes to Strengthen Safeguards for Hazardous Waste Permits Regarding Cumulative Impacts and Community Vulnerability

Background: Hazardous Waste and Environmental Justice

The location and operation of hazardous waste sites in communities has long been an environmental justice concern in California. The potential health effects that come from living near hazardous waste disposal sites have been examined in a number of studies.

While there is often limited assessment of exposures that occur in nearby populations, studies have found health effects, including diabetes and cardiovascular disease, tied to living near hazardous waste sites.

The Department of Toxic Substances Control (DTSC) is working to strengthen the safeguards of the hazardous waste permitting process, including new efforts to address combined impacts of local environmental and health threats in vulnerable communities near permitted hazardous waste facilities.

SB 673 Implementation

Senate Bill 673 (SB 673, Lara, Stats. 2015) is a key milestone in the development of stronger regulatory and permit protections. The law directed DTSC to enhance protections for public health and the environment in communities near hazardous waste facilities, and to increase DTSC's transparency and accountability through the permit process.

In September 2018, DTSC finalized its permitting regulations addressing several elements of SB 673, including a requirement to review facility compliance history in the permitting process. DTSC is initiating a separate regulatory process to address the remaining elements of SB 673: cumulative impacts and community vulnerability.

Cumulative Impacts and Community Vulnerability

The draft regulatory concept DTSC is developing will apply to the 81 operating facilities statewide that manage varying amounts and types of hazardous waste and have hazardous waste permits (not post-closure facilities). This includes treatment storage, transfer, disposal, and standardized permit facilities.

"Cumulative impacts" refers to the combined environmental and health effects of all sources of pollution in a community, including threats to air, water, and land.

"Community vulnerability" refers to the aggregated effect of factors in a community, such as access to health care, unemployment, and linguistic isolation, that increase the potential for residents to experience impacts from environmental pollution.



Using Science-Based Tools: CalEnviroScreen

[CalEnviroScreen 3.0 \(CES 3.0\)](#) is the science-based mapping tool developed by the Office of Environmental Health Hazard Assessment (OEHHA) over the past decade and used by the California Environmental Protection Agency (CalEPA) to inform implementation of many statewide policies and activities including allocation of resources for local investments, clean up and compliance efforts. CES 3.0 helps identify communities that are most affected by multiple sources of pollution and often especially vulnerable to pollution's effects. It informs CalEPA's identification of disadvantaged communities pursuant to Senate Bill 535 (De León, Statutes of 2012). CES 3.0 uses 20 indicators of pollution burden and population characteristics to compare pollution levels in communities and identify communities that have high pollution vulnerability.

SB 673 Draft Regulatory Concept for Cumulative Impacts and Community Vulnerability

The draft regulatory concept describes a process for:

1. reviewing hazardous waste facility size, activities, and characteristics for potential community impacts;
2. assessing vulnerability and cumulative impacts in communities near facilities, using CES 3.0 and other tools;
3. placing facilities on a tiered pathway in the permitting process to address cumulative impacts and community vulnerabilities; and
4. requiring facilities to include specific community outreach and engagement, monitoring, and mitigation measures in permits.

The draft concept uses CES 3.0 for initial screening of communities, but it also incorporates review of other screening tools and community monitoring and exposure data before final determinations are made.

Supplemental data review may include:

- Environmental Justice Screening Method
- Healthy Places Index
- Air or water (surface or groundwater) monitoring data generated by agency or community monitoring networks
- Risk to a community from diesel truck trips and diesel equipment
- Risk pursuant to a hazardous waste facility risk assessment or AB 2588 Risk Assessment
- Facility Violation Scoring Procedure

Mitigation and monitoring measures may include:

- Reduced truck traffic emissions, replacement with clean trucks, rerouting
- Safer chemical substitutions
- Community investments in improved environmental health
- Community monitoring of air, water and environmental pollution concentrations, including dust, soil, and biomonitoring
- Healthy homes assessments and lead abatement
- Facility pollution prevention measures

DTSC's Engagement With Communities and Stakeholders

- Stakeholder consultation meetings with community members, business representatives, and state and local agency representatives held in Sacramento and Commerce.
- Public workshops and engagement in fall 2018 prior to initiating a formal regulatory process and continuing outreach planned in Spring 2019
- Partnership with a team of prominent University of California researchers under a joint contract with the California Air Resources Board and DTSC to help develop methods for assessing cumulative impacts and community vulnerability.