DTSC’s Role in the CUPA Evaluations

To evaluate the CUPAs performance and to provide tools to CUPAs so they can properly and effectively implement the hazardous waste program.
Resources Provided

- Technical assistance
- Document development
- Participation in committees and regional meetings
- Participation in CUPA evaluations
Trainings Provided to CUPAs:

- Member of the Unified Program Training Steering Committee
  - Composed of state and local training coordinators
  - Addresses CUPA training issues.
  - EERD staff works closely with the CUPAs to assess training needs and to plan and coordinate CUPA training.
Specific Trainings Provided Statewide for 2014 and 2015

- Hazardous Waste Generator: 16 classes – 333 attendees
- Tiered Permitting: 9 classes – 134 attendees
- Recycling Exemptions and Exclusions: 4 classes – 161 attendees
- Household Hazardous Waste Regulatory Issues: 2 classes - 75 attendees
Additional Trainings Provided Statewide Through:

- Advanced Environmental Crimes Training Program
- California Compliance School
- CalEPA Basic Inspector Academy
- Continuing Challenge Hazmat Workshop
- CUPA Unified Program Annual Training Conference
- California Hazardous Materials Investigators Association Conference
- Environmental Enforcement Field Sampling
- Hazardous Waste Tracking System
Provided Assistance via Phone Calls/Emails etc.

For 2013, 2014, and 2015:

- DTSC received 1400 calls and e-mail questions from CUPAs.
Development of Technical Documents

- Guidance Document for Inspection and Enforcement
- Sample Hazardous Waste (HW) Generator CUPA Inspection Report
- Permanent Household Hazardous Waste Collection Facility Inspection Checklist
- Temporary Household Hazardous Waste Collection Facility Inspection Checklist
- Sample Hazardous Waste Large Quantity Generator Inspection Report
- Inspection Report Writing Guidance Document
- Violation Classification Guidance Document
- CUPA Enforcement Program Evaluation Criteria
- Sample Policy with Matrices for Administrative Penalties
- Administrative Enforcement Order (AEO) Guidance Document
Technical Documents contd..

- AEO Forms
- AEO Frequently Asked Questions
- HW Consent Order
- HW Show Cause Letter
- HW Stipulation and Order
- HW Unilateral Order

These documents can be found at:
- [http://www.calepa.ca.gov/CUPA/Resources/](http://www.calepa.ca.gov/CUPA/Resources/)
- [http://www.calepa.ca.gov/CUPA/Orders/default.htm](http://www.calepa.ca.gov/CUPA/Orders/default.htm)
DTSC Participation in Unified Program Committees

- Unified Program Administrative and Advisory Group (UPAAG)
- The State Agency Managers Group
- Enforcement Steering Committee
- Data Steering Committee
Unified Program Committees contd..

- Hazardous Waste Steering Committee

- Hazardous Waste Technical Advisory Group (TAG)
  - Northern California TAG
  - Southern California TAG.
Unified Program Committees contd..

- Regional CUPA Forum Meetings
  - Northern
  - Bay Area
  - Central
  - Southern.

- CUPA Evaluation Workgroup

Department of Toxic Substances Control
DTSC Participation In CUPA Evaluations

- Administrative Review
- Field Oversight Inspections
CUPA Administrative Documents Reviewed By DTSC

- Inspection and Enforcement Plan
- Self Audit Reports
- Staff Training Records
- 2 or 3 recently settled formal enforcement cases (hazardous waste)
- Organization Chart
- Administrative Procedures
- Permitting Policy
- Facility files (inspection reports)
Facility File Information Reviewed

- Facility file information is reviewed for:
  - Inspection reports
  - Return to compliance documentation and correspondence
  - Repeat violations and enforcement taken
  - Tiered permitting notifications
CERS Review Of Data

- Inspection Frequency
- Are the facilities returning to compliance within the required timeframes?
- Does the CUPA have any Class I or II violations? What percentage of inspections result in CI, CII, Minors?
- Has formal enforcement been taken for all Class I violations?
- Number of AEOs issued and penalties collected/assessed
Field Oversight/Verification Inspections

- Oversight inspection - shadow CUPA inspector
- Evaluate on preparation, regulatory knowledge, violation determination, and summary of violations
- Verification inspection – DTSC conducts inspection
- Select a facility that was inspected 3-6 months before the evaluation date
- Determine CUPA training needs and performance improvements
### CUPA Inspection Statistics (data from CERS)

#### Number of Inspections Conducted by CUPAs

<table>
<thead>
<tr>
<th>Program</th>
<th>FY12/13</th>
<th>FY13/14</th>
<th>FY14/15</th>
<th>FY15/16</th>
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<tbody>
<tr>
<td>Hazardous Waste Program</td>
<td>33,613</td>
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<td>33,359</td>
<td>31,775</td>
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<tr>
<td>LQG (RCRA Large Quantity Generators)</td>
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<td>1107</td>
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<td>624</td>
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<tr>
<td>Onsite Hazardous Waste Treatment (PBR, CA, CE)</td>
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<td>1302</td>
<td>1000</td>
<td>765</td>
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<tr>
<td>HHW (Household Hazardous Waste)</td>
<td>76</td>
<td>88</td>
<td>92</td>
<td>52</td>
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