



Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806

Arnold Schwarzenegger
Governor

February 18, 2010

Ms. Joan Mulcare
Director of Environmental Health
Merced County Department of Public Health
777 West 22nd Street
Merced, California 95340

NOTICE OF APPROVAL FOR TIER 2 LEVEL IMPLEMENTATION AND ENFORCEMENT OF ENVIRONMENTAL ASSESSMENT AND CORRECTIVE ACTION, MERCED COUNTY CERTIFIED UNIFIED PROGRAM AGENCY

Dear Ms. Mulcare:

Thank you for your letter of February 5, 2010, regarding delegation of corrective action oversight authority to Merced County Unified Program Agency. The Department of Toxic Substances Control (DTSC) has completed the review of the Merced County Certified Unified Program Agency's (Merced CUPA) Tier 2 Application for the authority to implement and enforce environmental assessments and corrective action conducted pursuant to Health and Safety Code sections 25200.3(c)(3), 25187, 25187.1, 25200.10, and 25200.14. This application was submitted to DTSC on February 18, 2009. Based on its review, DTSC has determined that Merced CUPA is qualified at the Tier 2 Level to implement and enforce the environmental assessments and corrective action in accordance with the requirements of California Code of Regulations, title 22, §68400.11 et seq. The Merced CUPA Application for environmental assessment and corrective action delegation is hereby approved.

In order for DTSC to effectively coordinate and manage corrective action activities statewide, DTSC is requesting Merced CUPA for the following:

1. Provide DTSC with a 30-day written notice of the name, address and permitting status of the facility or site before any corrective action activity is initiated.

Ms. Joan Mulcare
February 18, 2010
Page 2

2. Refer to DTSC any facility or site requiring corrective action that is beyond Merced CUPA's expertise. [Cal. Code Regs., tit 22, §68400.11(g)].
3. Provide DTSC with simultaneous copies of fact sheets, notices issued during the corrective action process, remedy selection approval documents, and corrective action completion determination documents. The documents should be sent to:

Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630
Attn: Ms. Violeta Mislant

DTSC is delegating the corrective action oversight authority under Chapter 6.5 of Division 20 of Health and Safety Code. This delegation does not authorize Merced CUPA to implement or enforce environmental assessment or corrective action under any other Chapter of Division 20 of Health and Safety Code.

If you have any questions regarding the delegation of authority, please contact Mr. Robert M. Senga at (714) 484-5436, or at Rsenga@dtsc.ca.gov.

Sincerely,

Original signed by Maziar Movassaghi

✓ Maziar Movassaghi
Acting Director
Department of Toxic Substances Control

CERTIFIED MAIL
7008 1300 0001 2492 5543
Return Receipt Requested

cc: Mr. Stewart Black
Acting Deputy Director
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806

Ms. Joan Mulcare
February 18, 2010
Page 3

cc: Mr. John Scandura
Performance Manager
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Mr. Robert M. Senga, Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Mr. Eric Swenson, Project Engineer
Environmental Health Division
Merced County Department of Public Health
777 West 22nd Street
Merced, California 95340

Ms. Susan Laney
Assistant Deputy Director
Enforcement and Emergency Response Program
Department of Toxic Substances Control
1001 "I" Street, 11th Floor
Sacramento, California 95814

Mr. Charles McLaughlin
Performance Manager
State Oversight and Enforcement Branch
Enforcement and Emergency Response Program
Department of Toxic Substances Control
8800/8810 Cal Center Drive
Sacramento, California 95814

Mr. Jim Bohon, Chief
Cal/EPA Unified Program
Office of the Secretary
Cal/EPA Headquarters, 4th Floor, Office 24
1001 "I" Street/P.O. Box 2815
Sacramento, California 95812-2815