

**DRAFT NOTICE OF EXEMPTION**

To: Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control  
Office of Policy  
1001 "I" Street  
Sacramento, CA 95812

Project Title: Facilities Annual Reporting Requirements

Project Location: Statewide

County: The rulemaking affects all counties

Project Description: The Department of Toxic Substances Control (DTSC) proposes amending sections 66264.73, 66264.75, 66264.77, 66265.73, 66265.75, 66265.714, 66270.30, and 66270.60 and adding sections 66264.73.5 and 66265.73.5 of the California Code of Regulations Title 22, Division 4.5. These sections require California owners and operators of hazardous waste treatment, storage, and disposal facilities (TSDFs) to submit an Annual Report by March 1 to DTSC describing their hazardous waste management activities for the previous calendar year. The proposed amendments reduce the TSDF reporting frequency from annual to biennial, and retain the requirement to prepare and submit annual environmental monitoring data.

Amending these sections achieves the following objectives:

- 1) Reduces TSDF reporting of state-required data and information included in the Annual Report to a biennial report schedule, consistent with the schedule for submitting the federal Biennial Report (BR). The BR requires the same and slightly more data than the Annual Report which is due in even-numbered years. When the federal BR is due, DTSC has accepted the submission of the BR as fulfilling the state Annual Report requirement. DTSC compiles the information collected from the BR and submits it to U.S. EPA, where it is made publicly available to the regulated community and other interested stakeholders.
- 2) Enables DTSC to redirect staff that allocate time to process and manage the annual report data to work on other high priority projects.
- 3) resources required from processing the annual report to other high priority projects.
- 4) The data gathered in the Annual Report is largely duplicative of the information already publicly available through DTSC's online Hazardous Waste Tracking System (HWTS) database. Hazardous waste disposal data is reported in a slightly different manner through the HWTS. The annual report data is essentially a duplication of the manifest data in HWTS in summary form. DTSC uses the HWTS data for programmatic analyses. The HWTS is readily available to DTSC, the regulated community, and stakeholders.
- 5) By reducing reporting requirements to biennial, 98 TSDFs statewide would save approximately 50% of their current reporting costs by not preparing and submitting the state required information annually.
- 6) Maintains the reporting requirement in even-numbered years, consistent with the Biennial Report.
- 7) Clarifies annual reporting of environmental monitoring data. The proposed regulations clarify the environmental monitoring data that needs to be submitted and results in a small reduction in the existing environmental reporting requirements. DTSC determined that retaining this submission was vital to the oversight of hazardous waste facilities.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Department of Toxic Substances Control

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]  
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]  
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]  
 Categorical Exemption: [State type and section number]  
 Statutory Exemptions: [State code section number]  
 General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: With certainty, there is no possibility of a significant effect on the environment.

Reasons Why Project is Exempt: The proposed regulatory revisions reduce the owner and operator TSDF reporting requirement for the Annual Report information to a biennial report schedule for California. California TSDF owners and operators will be required to submit information that describes their hazardous waste management activities biennially, consistent with the schedule for the federally-mandated Biennial Report. The proposed regulations retain and at the same time clarify annual environmental monitoring reporting requirements. The proposed regulations result in a small reduction in the type of environmental monitoring that will be required to be submitted. DTSC determined that retaining the submission of environmental monitoring was vital to the oversight of hazardous waste facilities. The amendments do not affect the TSDF hazardous waste reporting requirements collected in the DTSC’s online HWTS.

The amendments are an administrative action to reduce duplication of effort and costs. None of the changes have potential for a significant effect on the environment.

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|------------------------|--|--------------|
| Mike Sorensen          | Supervising Hazardous Substance Engineer II                  | 916-323-3511 |
| Project Manager Name   | Project Manager Title  | Phone #      |
| Branch Chief Signature |  | Date         |
| Sergio Gutierrez       | Acting CIO of Office of Environmental Information Management | 916-322-1620 |
| Supervisor Name        | Supervisor Title   | Phone #      |

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