

## **Chapter 10. Hazardous Waste Management System: General**

### **Article 1.5. Conflict of Interest Code**

#### **66250. General Provisions.**

The Political Reform Act of 1974 (Government Code section 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted regulations (Title 2, California Code of Regulations section 18730 et seq.) which contain the terms of a standard conflict of interest code and which can be incorporated by reference into another agency's code. After public notice and hearing, section 18730 et seq. may be amended by the FPPC to conform to amendments in the Political Reform Act. The terms of section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This section and the following sections, which specify all the terms and procedures for a model conflict of interest code and set forth the conditions under which designated employees must disqualify themselves from influencing governmental decisions, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Toxic Substances Control (Department).

Designated employees shall file statements of economic interest by using instructions and forms prescribed by the FPPC with the person designated to perform this function for the Department. The original statement by the Director of the Department shall be sent to the FPPC and a copy retained by the Department's filing officer along with all other such statements.

#### **66250.1 Disclosure Categories.**

##### Category 1

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

(a) All investments and sources of income, including gifts, loans and travel payments, from business or nonprofit entities that do business or receive income from any source within the State of California.

(b) All interests in real property in California.

(c) Any positions held in business entities that do business or receive income from any source within the State of California.

##### Category 2

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

(a) All investments in business entities with activities subject to regulation or

DTSC Conflict of Interest Code, Rulemaking R-03-04

oversight by the Department or that contract with the Department to provide services, supplies, materials, machinery or equipment.

(b) All interests in real property in California that is owned or operated by a business or nonprofit entity with activities subject to regulation or oversight by the Department or is within 2,000 feet of such property.

(c) Any positions held in business entities with activities subject to regulation or oversight by the Department or that contract with the Department to provide services, supplies, materials, machinery or equipment and income from those sources.

(d) All sources of income, including gifts, loans and travel payments, from business or nonprofit entities with activities subject to regulation or oversight by the Department or that contract with the Department to provide services, supplies, materials, machinery or equipment.

Category 3

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

(a) Any positions held in business that contract with the Department to provide services, supplies, materials, machinery or equipment.

(b) Any source of income, including gifts, loans and travel payments, and investment in business entities that contract with the Department to provide services, supplies, materials, machinery or equipment.

**66250.2 Employee Designations.**

<b>DESIGNATED EMPLOYEES BY POSITIONS</b>	<b>ASSIGNED DISCLOSURE CATEGORIES</b>
Air Pollution Specialists	2
Assistant Chief Counsels	1
Assistant Laboratory Chief, Public Health Laboratory	2
Assistant Secretary/Cal/EPA	1
Associate Environmental Planner	2
Associate Governmental Program Analysts (except in Legislation)	3
Associate Governmental Program Analysts in the Office of Legislation	1
Associate Industrial Hygienists	2
Associate Information Systems Analyst (Specialist)	3
Associate Management Auditors	2
Associate Programmer Analyst (Specialist)	3
Associate Toxicologist	2
Career Executive Assignments	1
Chief Counsel II, CEA	1
Chief Deputy Director, DTSC	1
Chief, Office of Regulatory and Public Assistance, DTSC	1
Chief, Hazardous Material Laboratory	1
<del>Construction Inspectors II</del>	<del>2</del>
Consultants*	1
<del>Criminal Investigators</del>	<del>2</del>
Data Processing Managers I	3
Data Processing Managers II	3
Director, DTSC	1
Division Chiefs, DTSC	1
Environmental Biochemists	2
Exempt Appointments	1
<del>Hazardous Substances Engineering Geologists (and Supervising)</del>	<del>2</del>
Hazardous Substances Scientists	2
Hazardous Substances Engineers	2
<del>Loan Officer</del>	<del>2</del>
Public Participation Specialists	2
Public Participation Supervisors	2
Public Health Chemists III (Specialists)	2

DTSC Conflict of Interest Code, Rulemaking R-03-04

Public Health Chemists III (Supervisors)	2
Research Scientists II	2
Research Scientists III	2
Research Program Specialists II	2
Senior Hazardous Substances Engineers	2
Senior Hazardous Substances Engineering Geologists	2
Senior Hazardous Substances Scientists	2
Senior Industrial Hygienists	2
Senior Toxicologist	2
Supervising Industrial Hygienists	2
Senior Special Investigators	2
Senior Environmental Planners	2
Special Investigators I	2
Staff Counsels	1
Staff Counsel III (Specialists)	1
Staff Counsel III (Supervisors)	1
Staff Information Systems Analyst (Specialist)	3
Staff Information Systems Analyst (Supervisor)	3
Staff Loan Officer (Supervisor)	2
Staff Management Auditors	2
Staff Programmer Analysts (Specialist)	3
Staff Services Management Auditors	2
Staff Services Analysts in the Office of Legislation	1
Staff Services Managers I	2
Staff Services Managers II	2
Staff Toxicologists (Specialist)	2
Supervising Criminal Investigators I	2
Supervising Criminal Investigators II	2
Supervising Hazardous Substances Scientists I	2
Supervising Hazardous Substances Scientists II	2
Supervising Hazardous Substances Engineering Geologists I	2
Supervising Hazardous Substances Engineering Geologists II	2
Supervising Hazardous Substances Engineers I	2
Supervising Hazardous Substances Engineers II	2
Supervising Special Investigators I	2
Supervising Special Investigators II	2
Supervising Toxicologists	2
Training Officers I	3

DTSC Conflict of Interest Code, Rulemaking R-03-04

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\*With respect to consultants, the Director may determine in writing that a particular consultant, although in a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public inspection.