



MANAGEMENT MEMO

Management Memo #EO-97-001-MM

Title: Site Screening Guidance

Affected Programs: Site Mitigation (Statewide
Cleanup Operations Division)

BACKGROUND:

The Department of Toxic Substances Control's (DTSC) site mitigation process begins with site discovery. Many potential hazardous substance release sites were discovered through historical DTSC discovery programs and referrals from other regulatory agencies and the public.

DTSC's site screening process was developed to quickly determine whether a potential site identified during discovery required additional action by DTSC. DTSC's Site Mitigation Program, Statewide Cleanup Operations Division (SCOD), continues to discover new potential sites through incoming correspondence, requests for guidance, and agency and public referrals. Attachment A is a diagram that illustrates the process SCOD uses to evaluate a site from the time of discovery to its prioritization for inclusion in the Annual Workplan.

Each SCOD Branch reviews incoming correspondence, complaints, reports, etc., and the Branch Chief determines if circumstances exist that warrant a site screening. If so, the information received is assigned to SCOD staff (staff) for a site screening. Information that concerns a military facility or a formerly used defense site is referred to DTSC's Office of Military Facilities without SCOD screening. OMF is developing a Formerly Used Defense Site Evaluation Process to evaluate incoming properties. OMF guidance will refer to the Site Screening Guidance as a guide for collecting information.

This Management Memo provides staff with guidance for conducting site screenings, a Drive-by Record form (Attachment B), and a Site Screening Form (Attachment C).

ACTION:

Effective immediately, staff will perform site screenings in accordance with the this guidance and use Attachments B and C to document the results. Staff are responsible for conducting the site screening and preparing the forms. The Unit Chief and the SCOD Branch Chief are responsible for reviewing the forms and approving staff recommendations.

Definition:

A site screening is an initial review of available information to determine the need for DTSC action at a potential hazardous substance release site. Staff are allocated up to fifteen hours to gather and review information, determine whether known or potential hazardous substance contamination exists, and assess the need for DTSC action. Based on the information reviewed, staff will recommend appropriate action for the site and submit the recommendation to the Unit Chief and the SCOD Branch Chief for approval.

To clarify, a DTSC site screening differs from the site screening conducted pursuant to the Preliminary Assessment/Site Inspection (PA/SI) Grant with the United States Environmental Protection Agency (U.S. EPA). A PA/SI site screening involves additional data gathering and has a different objective. DTSC is currently discussing the exact requirements for a PA/SI site screening with U.S. EPA.

Information to be Gathered/Reviewed:

A site's history and current conditions will provide the basis for determining DTSC actions. The following lists provide examples of the information to be considered during a site screening. Not all of the information listed must be gathered for every site. Staff need only obtain as much information as necessary to determine if further DTSC action is warranted.

Site History

- past and current owners/operators
- facility status (active or closed)
- years of operation
- general facility operations and production processes
- hazardous substances/waste management practices
- regulatory status (DTSC or other agency permits)
- current/historical agency involvement (enforcement activities, violations, environmental assessments, and/or sampling reports)

Site Conditions

- contaminants of concern
- toxicity, migration potential, and other factors that make the contaminants hazardous
- surrounding land use (residential, commercial, etc.)
- potentially exposed population/exposure pathways
- nearest sensitive environment (school, wetlands, etc.)
- site accessibility and topography
- nearest affected surface water and its uses

- depth to ground water, uses of ground water, nearest well(s), soil type, and soil permeability

Information Sources:

For many sites, the information obtained at the time of discovery is sufficient to form the basis for a recommendation. However, some sites will require additional research. Staff will contact public agencies, conduct site inspections and/or prepare information request letters to obtain additional information.

Public Agencies

After reviewing DTSC files, information can be obtained from federal, state, and local agencies through a telephone conversation or a visit to review the file. When contacting an agency, staff should attempt to speak to persons familiar with the site. Staff should also coordinate the requirements for obtaining copies prior to visiting the agency's office. Some agencies require written notice prior to copying files and others charge fees. The following agencies may have useful information:

- U.S. Environmental Protection Agency
- Regional Water Quality Control Boards
- Department of Water Resources
- California Integrated Waste Management Board
- Local agencies: environmental health, planning department, public works, air pollution control district, agricultural commission, assessor's office, fire department

Site Inspection

A site inspection or a drive-by may be conducted to collect new information and/or to confirm existing file information. Staff will consult with their supervisors and decide which activity (site inspection or drive-by) will best serve to satisfy their information needs. Staff deciding to perform a site inspection must contact the facility operator or property owner to request permission to tour the site and take photographs. The focus of the inspection is to document facility operations and to identify areas of the site where hazardous substance releases may have occurred. A summary of the inspection and observations must be documented in a memo to the file.

A drive-by involves a visit to the site address to make visual observations without going onto the property. Staff will use the Drive-By Record (Attachment B) as a guide for gathering information and to document observations. The focus of the drive-by is to document surrounding land use, potentially

exposed populations and probable hazardous substance releases. Staff should take photographs to document site conditions at the time of the visit.

Information Request Letter

If the research described above does not reveal enough information to make a decision, an information request letter may be sent to the owner or operator of the facility. Since preparation and follow-up of the letter can be time consuming, information request letters are usually reserved for potentially high priority sites. Health and Safety Code Sections 25185.6, 25358.1, and 25358.3 provide DTSC with authority to request information. Staff should refer to official policy OPP #90-7, "Site Mitigation Enforcement Case Management," November 1990, and the "Site Mitigation Enforcement Guidelines," March 1991, for guidance on preparing information request letters.

Evaluation:

Staff evaluation of site information will include the identification and review of the following:

- contaminants of concern;
- toxicity, migration potential, and other factors that make the contaminants hazardous;
- data quality and adequacy of sampling;
- extent of the release (known and potential);
- size and proximity of the potentially exposed population;
- time-frame for exposure;
- site's current regulatory status (lead agency/oversight provided/enforcement actions/permits); and
- risk-based criteria for comparison to contaminant levels (Maximum Contaminant Levels (MCLs), Preliminary Remediation Goals (PRGs), etc.)

Staff will use these factors and professional judgment to determine if DTSC should further investigate known or potential hazardous substance contamination at the site.

Recommendations:

When the evaluation is complete, staff must select one of the following recommendations for the site:

Preliminary Endangerment Assessment Required (PEAR)

For a site that DTSC should investigate further, staff will recommend that a Preliminary Endangerment Assessment (PEA) is required and enter the site into DTSC's CalSites database

(CalSites) with a PEAR status. Staff will typically recommend a PEA for a site with documented contamination that has not been addressed by another agency. Staff may also recommend a PEA for a site with a known or reported release of a significant quantity of hazardous substances that would likely pose a threat, but samples have yet to be collected to identify contaminant levels. In some cases, a PEA will be recommended for a site with a documented release that has been remediated, but the response actions occurred without regulatory oversight.

Removal Action Required (RR)

For all PEAR sites, staff will evaluate the need for removal actions to mitigate immediate threats to public health or the environment (fence & post, drum removal, etc.). In making this evaluation, staff should consult with their supervisor and refer to official policy OPP #88-2, "Removal Action", December 5, 1988. At PEAR sites requiring removal actions, staff will recommend that a removal action be completed to mitigate the immediate threat and a PEA be conducted to assess remaining contamination. Staff will enter these sites into CalSites with the status "removal action required" and enter comments stating a PEA is required. When the removal action is completed, staff will change the site status to PEAR.

At some sites, available information may indicate that a removal action is necessary (e.g., to remove waste stored in drums or tanks), but investigation after the removal is not required. Staff will recommend a removal action and enter the site into CalSites with the status RR. Staff will include on the Site Screening Form a description of the required removal action and a statement that additional investigation is not required subsequent to completion of the removal action.

Referral to DTSC's Hazardous Waste Management Program (REFRC)

Staff will recommend a REFRC status for a site that is or was a Treatment, Storage and/or Disposal Facility with a DTSC Permit or Interim Status Document. This type of site will be referred to the Hazardous Waste Management Program (HWMP) for Corrective Action under H&S Code, Chapter 6.5. Staff will also recommend REFRC for a site with concerns that are hazardous waste management issues and more appropriately regulated under the Resource Conservation & Recovery Act or H&S Code, Chapter 6.5 (e.g., HWMP enforcement cases). These sites will be referred to HWMP by the SCOD Branch Chief and entered into CalSites with the status REFRC.

Referral to Regional Water Quality Control Board (REFRW)

Staff will recommend a REFRW status for sites that fall under a Regional Water Quality Control Board's (RWQCB) authority and RWQCB is providing oversight to address contamination. These sites may have issues that fall under DTSC jurisdiction; however, the REFRW recommendation refers those issues to RWQCB.

The REFRW status can also apply to sites where RWQCB is not providing oversight, but the issues to be addressed fall under RWQCB's authority and DTSC does not have jurisdiction. Staff may refer to Management Memo #EO-94-015-MM, "Interpretation of the Petroleum Exclusion," December 1994, for additional information. Staff will enter these sites into CalSites with the status REFRW. The regional SCOD Branch Chief will determine whether a site requires a formal referral letter to RWQCB.

Referral to Another Agency (REFOA)

When another regulatory agency (other than RWQCB or DTSC's HWMP) is providing and/or has provided oversight for investigation and cleanup of a site, staff will recommend a REFOA status. The site may have cleanup issues that fall under DTSC jurisdiction, but the REFOA designation refers those issues to the other agency.

If the contamination issues at a site would more appropriately be addressed by another agency (e.g., some petroleum sites, municipal landfills), staff will recommend a REFOA status. In this instance, the REFOA status may be assigned to a site regardless of whether the agency to which the site will be referred is actively providing oversight.

Staff will also recommend a REFOA status for a site where no agency is providing oversight, and the contamination issues are relatively minor compared to sites DTSC generally addresses. DTSC generally refers this type of lower priority site to the County Health Department for investigation.

All sites being referred to another agency as described above will be entered into CalSites with the status REFOA. The CalSites Profile Reports for each REFOA site must include comments that identify the agency to which the site was referred.

It is important to note that the REFRW, REFRW and REFOA recommendations are not an indication that DTSC will formally refer the site to the HWMP, RWQCB or other agency. In most cases, REFRW, REFRW and REFOA are used to categorize sites that DTSC is not addressing, are better handled under these respective jurisdictions, and generally do not trigger a formal referral. The regional SCOD Branch Chief will determine whether a site requires a formal referral.

No Action

Staff will recommend No Action for properties where there is no documented contamination or where documented contamination does not pose a public health or environmental risk and the presence of greater contamination is unlikely. The No Action recommendation does not have a corresponding

CalSites status. Staff will not enter these properties into CalSites. In plain language, these are not considered "sites."

Staff must be aware that the No Action recommendation is not equivalent to a No Further Action status in CalSites. No Further Action is assigned to sites where DTSC's Site Mitigation Program has reviewed a PEA (or equivalent data) and determined that the threat from contamination is not significant and, therefore does not require further action.

Documentation and Tracking:

Staff must complete a Site Screening Form which will identify the site, summarize the site information and provide a recommendation for DTSC action. The following are guidelines staff will use when completing the form.

A CalSites identification number will only be available for existing database sites. Staff will create identification numbers for new sites by entering them into CalSites and will record the new number on the Site Screening Form. No Action sites will not have CalSites identification numbers, because they will not be entered into CalSites.

The Site Summary section should identify how the site came to DTSC's attention, site background information, the nature of the release and contaminant levels. The summary should be brief and include the information utilized by staff in the evaluation of the site.

In the Rationale/Supporting Documentation section, staff will briefly state the basis for the recommended action. For example, "County Health is providing oversight of cleanup activities." Staff may also cite the main documents used in the screening; e.g., Preliminary Assessment, Metcalf & Eddy, July 1994. The Unit Chief will review and sign the Site Screening Form and submit it to the Branch Chief. The Branch Chief will review the Site Screening Form and upon approval, sign and date the form.

If the recommendation from the site screening is PEAR, RR or a referral, the results will be entered into CalSites. The recommendation then becomes the CalSites status for the site. The most relevant site information and the recommendation should be entered into the CalSites comments section. CalSites profiles for REFOA sites should contain comments that identify the agency to which the site is being referred. For RR sites a description of the required removal action and a statement whether or not additional investigation is necessary should be placed into the CalSites comments section. No Action sites will not be entered into CalSites.

The Site Screening Form, all the data collected as part of the screening, and memos of all contacts made are to be placed into DTSC files. If a site-specific Site Mitigation file exists, the material should be placed in that file. If a site-specific file does not exist and further DTSC action is required, a site-specific file should be created. If a site-specific file does not exist and

further DTSC action is not required, the material should be placed into the appropriate general county file. This information will be available for review by DTSC staff and the public in accordance with DTSC official policy #EO-95-001, Public Records Act Requests: Policy & Procedures, June 1995.

CONTACTS:

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[Original Signed]

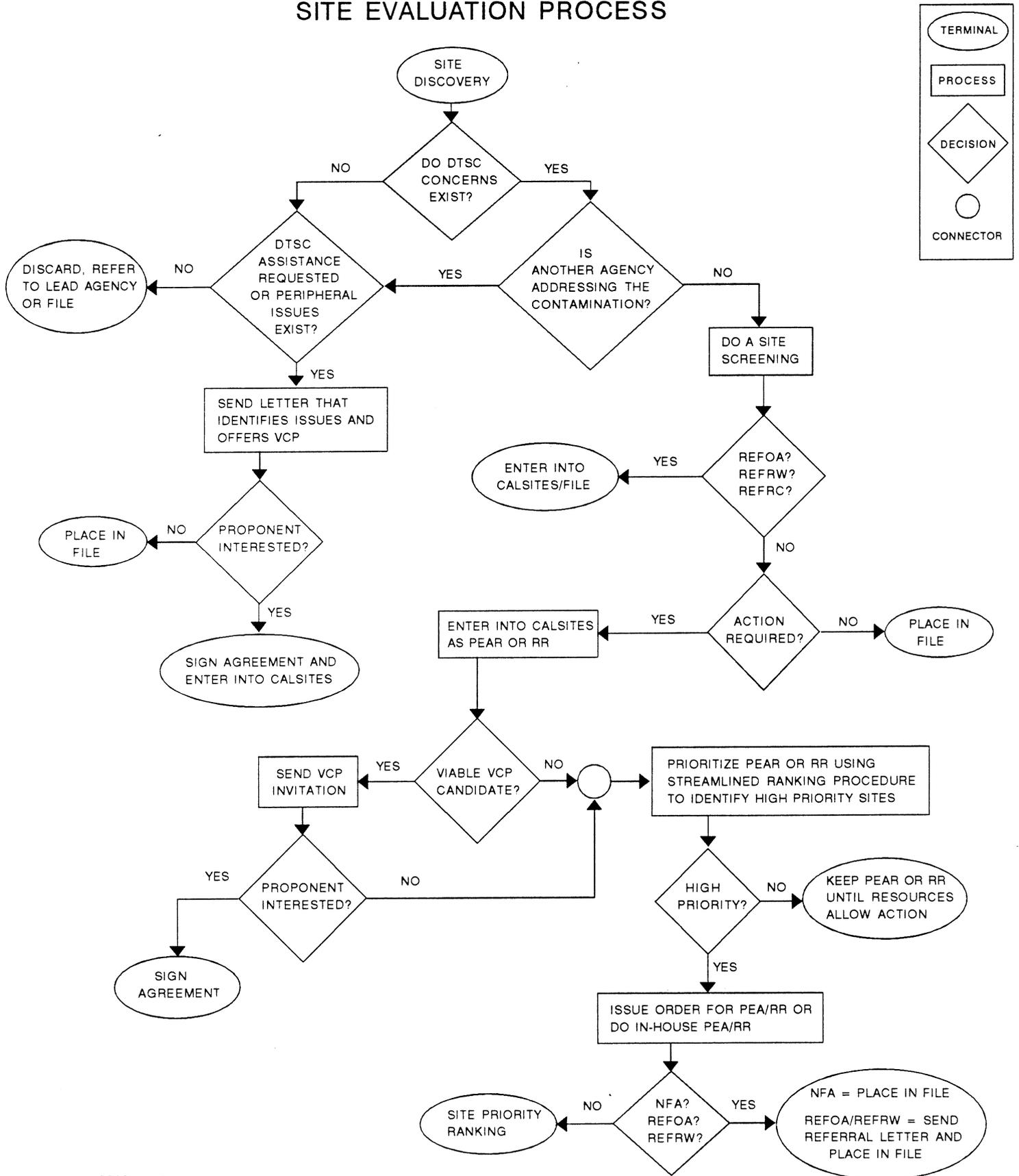
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Attachment A Site Evaluation Process Diagram

Attachment B Drive-By Record

Attachment C Site Screening Form

DEPARTMENT OF TOXIC SUBSTANCES CONTROL SITE EVALUATION PROCESS



DRIVE-BY RECORD

Site Name: _____

Site Location: _____

CalSites Identification #: _____

1. Status: Active _____ Different Company _____
Inactive _____

2. Setting: Residential _____ Commercial _____
Industrial _____ Agricultural _____
Paved _____ Unpaved areas _____
Restricted Access _____ Unrestricted Access _____
Near RR Tracks _____ Near Drainage _____
Vegetation _____
Topography _____
Visibility _____

4. Waste Containment:
Pond _____ Pit _____ Ditch _____
Drums _____ Tanks _____ Buckets _____
Trash can _____ Dumpster _____ Sacks _____
Piles _____ Scattered _____

Stored On: Ground _____ Pavement _____ Pallets _____

Waste Description:
Inert _____ Garbage _____ Industrial _____
Solid _____ Sludge _____ Liquid _____
Quantities, labelling, color, odors, etc. _____

5. Distance to Surface Water: _____

6.Distance to Food Processing/Packaging or Agricultural Production: _____

7.Proximity to Schools, Daycare Facility, Hospitals, Nursing Homes, Sensitive Environments or Ecosystems: _____

8.Estimated Number of People Working or Living in the Area: _____

9.Include a Diagram of the Facility, Including Relevant Features and Labels.

Comments and Descriptions: _____

Name: _____
Date: _____

SITE SCREENING FORM

Site Name: _____

Site Location: _____

CalSites Identification #: _____ (if applicable)

Site Summary: