

Comments below are compiled from SB 673 community workshops for information and discussion purposes. The comments do not represent the opinions of DTSC staff or commitments for specific regulatory actions. All comments are being considered in the SB 673 regulatory development process.

Department of Toxic Substances Control (DTSC) Workshops on SB 673 Regulatory Framework Concepts Summary of Comments

South Los Angeles – October 22, 2018

Lamont – October 24, 2018

Oakland – October 25, 2018

SB 673 WORKSHOP PURPOSE

The Department of Toxic Substances Control (DTSC) convened three community workshops on the draft Regulatory Framework Concepts developed by the department to incorporate cumulative impacts (CI) and community vulnerability (CV) into the hazardous waste facility permitting process pursuant to Senate Bill 673 (SB 673 Lara). The public workshops held in South Los Angeles, Lamont (Kern County), and Oakland served to inform affected communities about the department's permitting program and proposed regulatory concepts as well as to provide a forum for conversation on how community experience can be considered in the developing concepts.

Although SB 673 strengthens the permitting process in several ways, these workshops focused specifically on the development of new requirements for the consideration of cumulative impacts and community vulnerability in communities near permitted hazardous waste facilities.

In brief, the current draft of [regulatory concepts](#) shared at the workshops would increase community protection by placing permitted hazardous waste facilities on a pathway to address nearby pollution impacts and community vulnerability. Decisions on the appropriate pathway for each facility would be made based on consideration of several factors including (1) each facility's characteristics and hazardous waste activities and (2) tools such as CalEnviroScreen 3.0 that score community pollution impacts and indicators of community sensitivity to pollution. While CalEnviroScreen 3.0 would be the primary tool for measuring community impacts and vulnerability, DTSC recognizes that CES may not capture a full range of community impacts and also proposes using supplemental data and tools in the regulatory concepts.

The proposed regulatory concepts build on existing environmental protections, including the California Environmental Quality Act (CEQA), the Tanner Act, and additional protections put in place by local permitting agencies. The SB 673 workshop agendas, presentations, discussion questions and materials are available on the [DTSC website](#).

COMMUNITY DISCUSSION OVERARCHING THEMES

Participants were invited to participate in small group conversations during the workshops to share information about their communities, impacts they experience in their communities, ideas to address community impacts, and the role of regulated facilities in reducing impacts.

Below is a combined summary of key themes from community discussion at all three workshops. A more detailed list of participant comments is provided in separate summaries for each workshop.

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Overall Issues

1. Need to improve the relationships and coordination among state departments, local officials, and community residents.
2. Regulations are complex and difficult for community to understand and weigh in on.
3. Communities lack general knowledge regarding hazardous waste issues and more specifically regarding the process at facilities and the impacts to communities.
4. Permit renewal timeline is too long.
5. How will DTSC deal with cumulative Impacts that go beyond the 81 permitted Hazardous Waste Facilities? Communities need information regarding DTSC and other agencies' understanding of cumulative impacts and community vulnerability considerations and ways agencies can respond to these issues.
6. Monitoring data is needed for public health and safety assessments.
7. Adaptive management is needed to respond to community concerns. Don't wait for perfect information to act when communities are suffering.
8. History and compounding factors related to environmental justice issues need more consideration.

Community Impacts

1. Communities are disempowered because of lack of knowledge regarding the presence of hazardous waste facilities and their impacts on the communities
2. Traffic, pollution, and road infrastructure degradation due to truck traffic
3. Groundwater contamination
4. Poor air quality contributes to odor and health issues
5. Health concerns
6. Community impacts should include impacts to employees working at hazardous waste facilities
7. Degradation of quality of life
8. Facility accidents

Recommended Actions

1. Increase monitoring and data Gathering
2. Improve community engagement and education
3. Improve understanding of facilities impacts
4. Engage the facilities and actively work to improve relationships between facilities and communities
5. Improve and accelerate the permit review process

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6. Address truck traffic pollution and infrastructure impacts (reroute and replace polluting engines
7. Move forward with preventative action, even with limited information
8. Consider more restrictions on facility siting
9. Increase noncompliance penalties or alternatively, provide incentives for facilities to do the right thing
10. Improve facilities' practices to reduce existing impacts

NEXT STEPS

DTSC is committed to an ongoing dialogue with communities about the SB 673 regulatory concepts and local hazardous waste issues and plans to consider all feedback in developing the next draft of regulatory concepts. DTSC is planning for follow-up workshops in the spring of 2019.

Attachments:

South Los Angeles Workshop Participant Comments
Lamont Workshop Participant Comments
Oakland Workshop Participant Comments