# DTSC's Voluntary Oversight Program – California Land Reuse and Revitalization Act\* (CLRRA) Process Quick Reference Guide

#### **Applicant Eligibility**

Applicant must be a Bona Fide Purchaser (BFP), Innocent Landowner (ILO), and/or Contiguous Property Owner (CPO).

Applicant can also be a Prospective Purchaser (PP) who meets applicable requirements, provides notice to DTSC when title has been transferred, and provides a copy of AAI to confirm eligibility. Applicant can also be a Bona Fide Ground Tenant (BFGT) who meets the applicable requirements and has a lease term of at least 25 years.

Applicant eligibility requirements apply to parties entering into Assignment & Assumption Agreements and Successor Agreements to existing CLRRAs.

#### **Site Eligibility**

- ✓ Memorandum of Agreement process verifies that DTSC will be the lead agency
- ✓ Not on National Priorities List (NPL) or being considered for the NPL, or contamination not emanating from NPL
- ✓ Located in an area with a population of 100,00 ormore
- ✓ If the site has outstanding enforcement orders, DTSC will need to conduct further analysis
- ✓ Site needs environmental evaluation, i.e., assessment and/or cleanup
- Not listed on Annual Work Plan as defined in H&S 25356
- ✓ No state or local agencies object to CLRRA based on DTSC's pre-agreement letter notifying intent to enter into CLRRA
- ✓ Contamination cannot be solely from a petroleum release from an underground storage tank

Host jurisdiction notification

#### Agreement (Immunities Start)

California Land Reuse and Revitalization Act Agreement

- Assignment & Assumption Agreement
- Successor Agreement

#### **Scoping Meetings**

- During negotiation or shortly after agreement execution
- May be held prior to submitting any document to DTSC for review.

### Public Participation Activities (as needed)

#### Tribal Consultation (as needed)

#### **Evaluation**

- Site Assessment Plan
- Report of Findings



#### Remedy

- <u>Response Plan</u>Response Plan
- Implementation Report
- Host jurisdiction notification
  Public Comment
  California Environ-

## mental Quality Act

- Certification
- Certificate of Completion (unrestricted use)
- Certificate of
   Completion with
   stewardship



#### Stewardship

- Land Use Restriction
- Operation and Maintenance with Financial Assurance
- Five-Year Review



#### Possible EndPoints:

- 1. Based on site assessment results, projects may conclude without the need for any further action;
- 2. based on assessment results, projects may conclude with only a Land Use Covenant, in which case a public notice process will be implemented via a Report of Findings; and,
- 3. cleanup may either be conducted to unrestricted land use or require long-term stewardship.

For detailed information on California Land Reuse and Revitalization Act (CLRRA) eligibility, definitions, process, and requirements, refer to Health and Safety Code Chapters 6.82 and 6.83