**Hazardous Waste Management Program**

**Policy and Program Support Branch**

**Workload Analysis for FY 2018-19**

Key Findings

**Background**

The Policy and Program Support Branch (PPSB) under DTSC’s Hazardous Waste Management Program (HWMP) provides in-depth policy and regulatory guidance to the public, industry, and government agencies; develops and interprets hazardous waste management statutes and regulations; and manages the Resource Conservation and Recovery Act (RCRA) Grant and DTSC’s status as a RCRA-authorized state. PPSB provides the regulatory and policy foundation to ensure hazardous waste handlers and DTSC’s regulatory community have the tools and information they need to manage hazardous wastes legally and safely in California.

U.S. EPA delegates the primary responsibility of implementing the RCRA program to individual states to manage in lieu of the federal government. This process ensures national consistency and minimum standards while providing flexibility to states implementing hazardous waste rules. DTSC is responsible for obtaining and maintaining authorization from U.S. EPA to administer the RCRA program in California. PPSB manages the RCRA authorization process by ensuring the state’s hazardous waste management program is equivalent to, or is more stringent than, the laws adopted under RCRA.

The work in PPSB has been impacted by staff redirections to other activities. For example, in 2007, a department-wide realignment of workload and a shift in priorities resulted in the redirection of staff and elimination of the Administration and Grants Management unit under the former Regulatory and Program Development Division in HWMP. This unit was responsible for obtaining RCRA authorization for new federal RCRA laws and managing the RCRA grant.

The Hazardous Waste Reduction, Recycling, and Treatment Research and Demonstration Act of 1985 and Hazardous Waste Source Reduction and Management Review Acts of 1989 provided the framework for DTSC’s Pollution Prevention (P2) program. The statutes required DTSC to establish a technical and research assistance program to assist generators with identifying and applying methods of source reduction and other hazardous waste management strategies. Realignments of workload and strategic priority shifts resulted in the elimination of this program in 2013.

**Analysis**

In FY 2018-19, PPSB had 32.5[[1]](#footnote-2) positions and operated with a budget of approximately $5 million. Eighty percent of staff were scientists and engineers. PPSB analysts and professional administrative staff filled the remaining 20 percent of the positions and completed crucial activities such as RCRA grant management, budget tracking, e-waste program, and personnel hiring management. Sixty-one percent of PPSB available employee hours were spent on regulatory development, RCRA grant management, and technical projects. The remainder of time was spent on mission-critical administrative activities such as budget analysis, contracts management, data analysis, web content management, and administrative training.

PPSB implemented process improvements to increase efficiencies and the use of current resources by decreasing the response time for requests from local government, industry, and the public. Other process improvements initiatives successfully led to streamlining administrative application review processes resulting in shorter response times to approve applications.

As of February 2020, PPSB is required by legislative mandate to obtain authorization for 37 RCRA rules to maintain California’s authorization to administer RCRA. U.S. EPA set a deadline for DTSC to obtain authorization for 10 core RCRA rules by September 2022. With only two staff currently available for this work, PPSB will not be able to meet the 2022 deadline. Failure to maintain RCRA authorization will result in DTSC’s inability to implement and enforce federal and state hazardous waste management standards and ensure nationwide consistency for mandatory federal hazardous waste requirements. Other impacts may include the reduction or loss of approximately $10 million in annual grant funding for managing the RCRA program in California.

During CalEPA’s outreach to stakeholders in fall 2019 regarding DTSC reform, the stakeholders expressed strong interest in renewing the Pollution Prevention (P2) program, or in its place, an effective hazardous waste reduction program. A P2 program would assist generators with identifying and applying methods to reduce hazardous waste at the source of generation. With the Administration’s proposal to streamline DTSC’s fee structure and charge a set price per ton for hazardous waste generated, generators would be incentivized to reduce the amount of waste generated by implementing the source reduction methods identified by the P2 program.

**Conclusion**

To avoid serious consequences and potential loss of funding, PPSB requires 11 positions to meet its mandate to complete ten core RCRA authorization packages by September 2022. Maintaining RCRA authorization is essential to California’s ability to manage an effective, enforceable hazardous waste management program. Without it, DTSC could not effectively prevent hazardous waste from harming people, communities, and the environment.

Based on DTSC’s prior experience, PPSB requires 23 positions to renew the P2 program. These staff would identify emerging chemicals and technology, determine appropriate waste classification, and conduct hazardous waste trend analyses.

RCRA authorization and, if reinstated, P2 activities have significant resource needs. These do not represent all resource deficits impacting the essential services of PPSB.

1. The Workload Analysis includes all authorized positions. The operating budget includes facility and indirect costs. [↑](#footnote-ref-2)