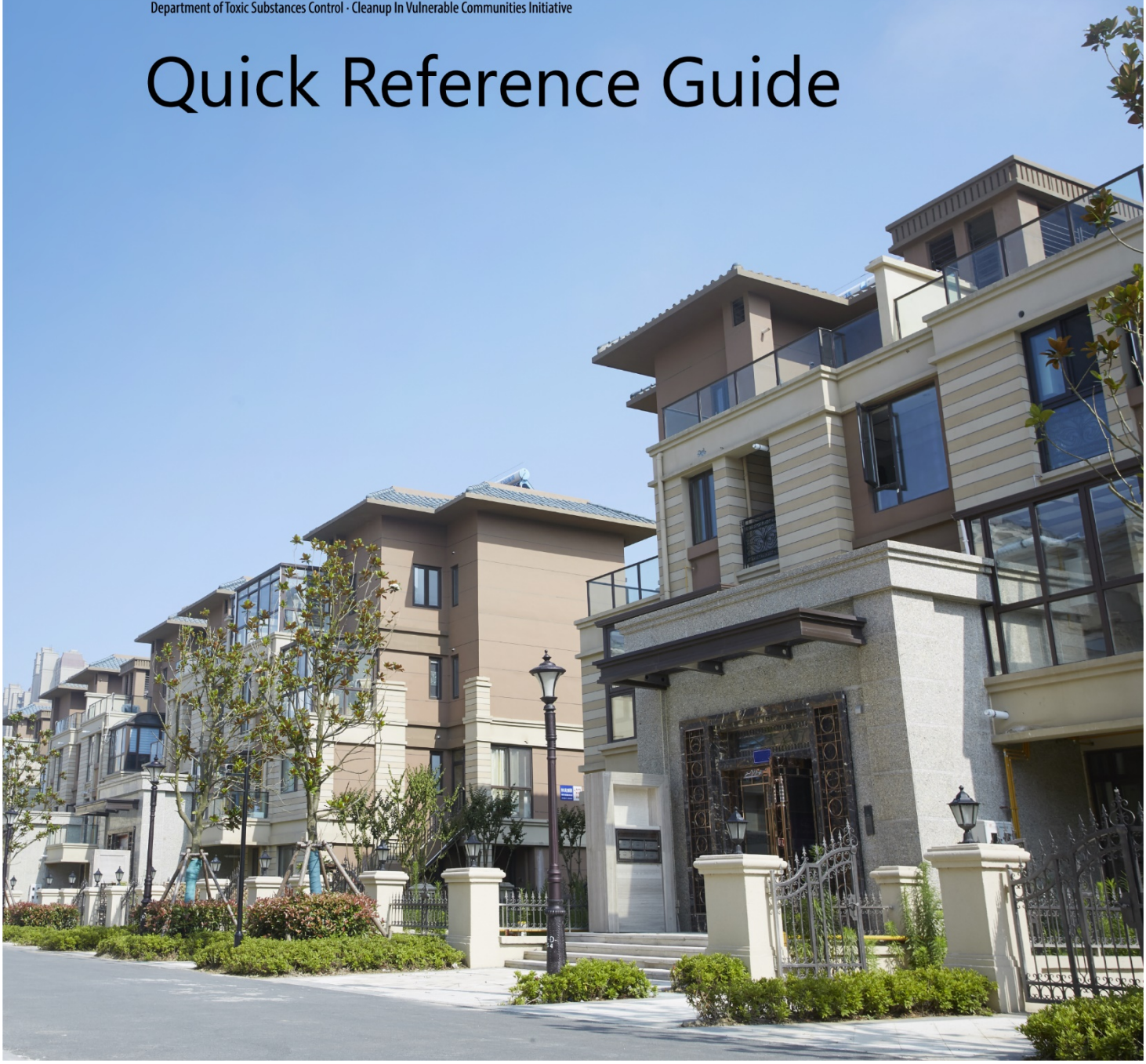
OFFICE OF BROWNFIELDS

Department of Toxic Substances Control · Cleanup In Vulnerable Communities Initiative

Quick Reference Guide



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DTSC's Voluntary Agreements Quick Reference Guide

Types of oversight agreements offered for those interested in working with DTSC on a voluntary basis:

Standard Voluntary Agreement:

Applies to most properties and used for limited and broad scopes.

Reimbursement Agreement:

For limited consultation and discussion with DTSC. DTSC is not able to make regulatory decisions under a Reimbursement Agreement.

Local Agency Oversight Agreement:

Agreement where language designed for specific needs of local government agencies.

California Land Reuse and Revitalization Act Agreements:

Provides limited liability protection for a bona fide purchaser, bona fide prospective purchaser, innocent land owner, contiguous property owner, or a ground tenant of a property if specific eligibility criteria are met.

Prospective Purchaser Agreement:

Provides limited liability protection and "covenant not to sue" to a prospective purchaser of a property if specific eligibility criteria are met.

Redevelopment of the former National City Public Works Yard to a transit-oriented development was done under DTSC's Brownfields oversight services.

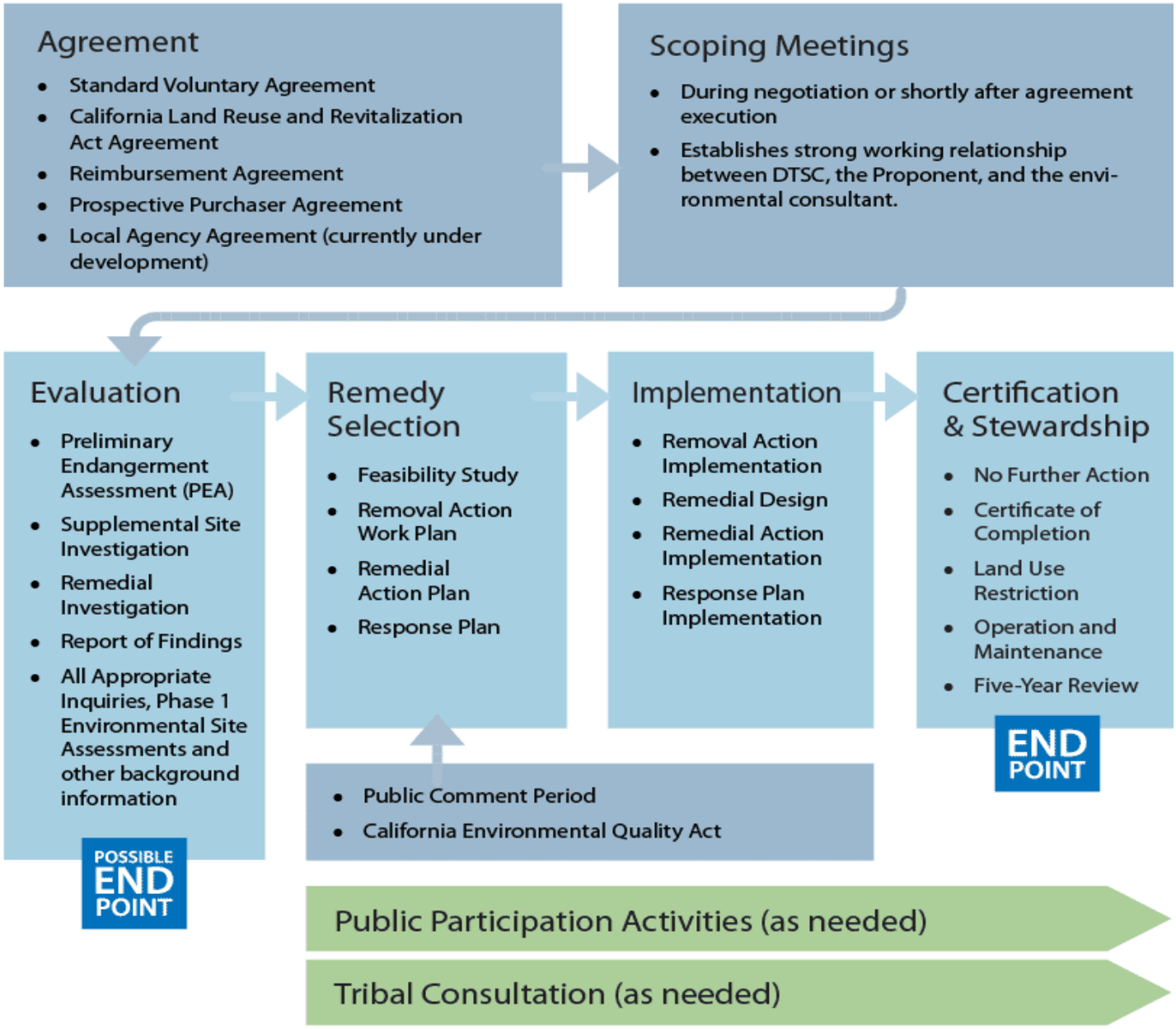
The Department of Toxic Substance Control (DTSC) offers several types of voluntary agreements to address contamination at brownfields and other types of properties. DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types.

Requesting Brownfields oversight is simple:

1. **Apply:** Request for Agency Oversight Application. Submittal of the application is your agreement to pay costs incurred during the agreement negotiation.
2. **Coordinate:** As per the 2005 Memorandum of Agreement between DTSC, the State Water Resources Control Board and the Regional Water Quality Control Boards the agencies will work together to determine the lead regulatory agency.
3. **Negotiate:** When DTSC is the Lead Agency, an agreement is developed, which includes site-specific details, a scope of work, and an estimate of DTSC's charges. An opportunity to review the draft agreement is provided.
4. **Sign:** Once the agreement is signed, your environmental consultant will work with DTSC's team of professionals to ensure the future development is safe.
5. **Pay:** An advance payment is required when the Agreement is executed.
6. **Meet:** The DTSC Project Manager reviews property information, and holds a scoping meeting to discuss schedule, tasks, regulatory requirements, and goals.
7. **Technical Work:** DTSC technical experts review documents provided by your consultant, provide oversight of field work, perform public engagement activities, and coordinate other tasks as needed. Activities will vary from property to property.
8. **Invoice:** DTSC's accounting office sends invoices of DTSC's charges on a quarterly basis.

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Voluntary Agreements – Assessment and Cleanup Process Quick Reference Guide



Possible End Points:

1. Based on site evaluation, projects may conclude without need for any further action;
2. Based on site evaluation, projects may conclude with the need for a Land Use Covenant, in which case a public notice process will be implemented through a Preliminary Endangerment Assessment , Report of Findings, or equivalent documents; and,
3. Cleanups may either be conducted to unrestricted land use levels, or may require long term stewardship.

DTSC's Voluntary Agreements - Scoping Meeting Quick Reference Guide

The purpose of an initial scoping meeting is for the California Department of Toxic Substances Control (DTSC), the party with whom DTSC is entering into an agreement (Proponent), and the Proponent's environmental consultant to discuss project objectives.

The following elements may be addressed during the scoping meeting:

- **Project Objectives**: Redevelopment plans, real estate transactions, environmental conditions, etc.
- **Schedule and Funding Needs**: Proponent's deadlines that may be affected by assessment, investigation, or cleanup of the property.
- **Property History**: Ownership, historic operations and land use; chemical use; regulatory status; permits; prior assessments; investigations; cleanup or mitigation; etc.
- **Property Details**: Size, location, geology, lithology, hydrogeology; known/potential hazardous substance releases; areas of concern; contaminants of concern; historic sampling locations and results; data gaps; risk assessments; off-site concerns; etc.
- **Data Quality Objectives and Remedial Action Objectives**: Discussion of data quality objectives to ensure that appropriate data of sufficient quality is collected to facilitate decision-making; discussion of potential cleanup goals and objectives.

- **Risk Assessment**: Evaluation of the use of published screening levels or site-specific risk assessments, risk management, and risk communication strategies.
- **Conceptual Site Model (CSM):** Discussion of the relationship between contaminant sources and receptors through migration and exposure paths. Helps identify data gaps and focus data collection efforts. Updated as new information is collected throughout the project.
- **California Environmental Quality Act (CEQA) requirements**: Identification of existing CEQA documents and project requirements and how to integrate CEQA needs within the overall project.
- **Public Participation Requirements**: Discussion of previous outreach activities, public/tribal interest, and current perceptions in the community, as well as DTSC's community involvement and public outreach process, methods, and schedule.
- **Project Schedule**: Agreed-upon submittal and review dates and timelines for Work Plans and other key documents; development of optimal sequencing of activities to efficiently reach project goals.
- **Available Resources**: Policies and procedures; sample documents, checklists, and other resources available.
- **Exit Strategy and Closure**: Proposed future land use; property acquisition and construction dates; funding limitations or requirements; approval for site occupancy, etc. to ensure alignment of stakeholder and DTSC goals.
- **Action Items:** Proponent or environmental consultant should provide action items to DTSC for review and concurrence, or the DTSC Project Manager may elect to prepare a meeting summary to document key decisions.

Voluntary Agreements - Initial Scoping Meetings

When should scoping meetings be held?

Scoping meetings should be held during agreement negotiation or shortly after the voluntary agreement has been executed. This meeting serves as "kick-off" for the project, and to establish a strong working relationship between DTSC, the Proponent, and the environmental consultant hired by the Proponent. It is recommended that the initial scoping meeting be conducted in person.

Who should attend scoping meetings?

The initial scoping meeting should include both DTSC's project team and the Proponent's project team.

When should site visits be conducted?

Meetings should be held prior to submitting any work plan, report or cleanup plan to DTSC for review. Pre-document submittal meetings may be limited to staff who are specifically involved in that task. The goal of the pre-submittal scoping meetings is to ensure that both the writers of the document and the DTSC team have clarity on expectations and requirements.

Should additional scoping meetings be held through the life of the project?

Meetings should be held prior to submitting any work plan, report or cleanup plan to DTSC for review. Pre-document submittal meetings may be limited to staff who are specifically involved in that task. The goal of the pre-submittal scoping meetings is to ensure that both the writers of the document and the DTSC team have clarity on expectations and requirements.

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Preliminary Endangerment Assessment (PEA) Process Quick Reference Guide

PEA Background Research

The purpose of the background research is to collect pertinent information about the following:

a) Location, including legal description;
b) Regulatory status;
c) Physical/environmental characteristics;
d) Zoning, including any potential zoning or general plan changes;
e) Current and past property uses;
f) Facility operations;
g) Recorded environmental cleanup liens;
h) Chain of title documents;
i) Current and past cleanup actions;
j) Engineering controls;
k) Institutional controls;
l) Current and past uses of hazardous substances/materials;
m) Hazardous substance/waste/material management practices;
n) Land use in the immediate area; and
o) Environmental permits

The PEA Guidance Manual recommends the following to complete the Background Research:

I. Records review –Regulatory agency files, county and local offices, fire department, public health records, owner/operator records, historical maps and photographs, etc.
II. Site Inspection – Visual inspection of property and surroundings
III. Interviews – Communication with current and former property owners, operators, employees, and neighbors

For detailed information, refer to the 2015 PEA Guidance Manual

The PEA is defined in California Health and Safety Code Division 20, Chapter 6.8, Section 25319.5 (HSC §25319.5)

The Preliminary Endangerment Assessment (PEA) process determines if there has been a release of a hazardous substance that presents a risk to human health or the environment. The PEA provides basic information, includes a Work Plan that describes the work to be done and a Report of the results, and makes conclusions about the PEA data. The PEA Report may serve as a Phase I Environmental Assessment and may meet the "All Appropriate Inquiries" requirement to allow for liability protections under federal regulations. If the PEA work does not define the full nature and extent of contamination, the Department of Toxic Substances Control (DTSC) may determine that a Supplemental Site Investigation or Remedial Investigation is necessary. A PEA may also conclude that a Land Use Covenant is required, in which case, a public notification process is implemented.

The PEA includes:

1) **Introduction, Site Background, and Description**: The PEA includes a rigorous background evaluation. Refer to inset at left.
2) **Conceptual Site Model (CSM):** Information about property conditions and potential impacts to receptors, commonly in a graphic format. The CSM should include contaminant transport mechanisms and exposure pathways from air, soil, sediments, water, soil vapor, groundwater, and surface water.
3) **Data Quality Objectives (DQOs) and Rationale for Sampling Strategy:** An approach to collect data to support decision-making. The DQOs include the reason for choosing the locations, depths, types of sample matrices, number of samples (including quality assurance/quality control samples), and analytical parameters such as target analytes, detection limits, and field screening methods.
4) **Sampling & Analysis:** Description of sample collection, storage, record keeping and analytical methods. Identification of chemicals of potential concern.
5) **Human Health Screening Risk Evaluation:** Description of complete exposure pathways. Source of risk-based screening levels. Calculation of exposure point concentrations. Summary of cumulative screening risk and hazard.
6) **Ecological Screening Evaluation:** Site and biological characterization. Pathway assessment and qualitative summary.
7) **Conclusions and Recommendations**

For more information, contact: Lynn.Nakashima@dtsc.ca.gov

DTSC's Supplemental Site Investigation Work Plan Quick Reference Guide

The Department of Toxic Substances Control (DTSC) requires a Supplemental Site Investigation (SSI) to further delineate impacts encountered during previous investigation(s). The SSI Work Plan describes the proposed investigation and sampling procedures, with consideration of applicable health and safety protocols.
The plan is intended to provide a detailed description of the sampling and measurement to be conducted during the SSI implementation, in accordance with ASTM Standard E1903.

Site limitations should be identified, and the plan should:

- incorporate these limitations;
- avoid further impact on the environment, and preclude the site from becoming a pathway for contaminants to migrate;
- clearly state the objectives of the investigation or sampling effort;
- identify the location of each sample or measurement;
- include specific sampling or measuring methods, and
- consider the merits of a quality assurance/quality control (QA/QC) program.

SSI Work Plan Content

a. Executive Summary – Help the reader to quickly understand project objectives, scope of work, and all the main findings.
b. Introduction – Review property identifiers, location and setting, project contacts, and site history and use.
c. Summary of previous site actions – Recap prior assessments, evaluate analytical data quality, and discuss fate and transport for all media.
d. Conceptual Site Model (CSM) – Discussion of the relationship between contaminant sources and receptors through migration and exposure paths
e. Sampling & Analysis Plan – Include description of media, methodology, depths and location of samples to be collected and analytical methods to be used.
f. Proposed Risk Assessment Process – The Preliminary Endangerment Assessment process may be acceptable, or additional calculations may be required.
g. Community Profile – A community profile report may be used to meet the public participation requirements.
h. Project Schedule – Outline an implementation schedule assuming normal turnaround times.

If previous investigation(s) did not achieve complete delineation of impacts both on- and off-site, then an SSI is necessary. The SSI Work Plan is a road map for implementing the SSI.

SSI Work Plan Figures Conceptual Site Model

Figures should include a North arrow, scale, legend, measurement units, and annotated clarification as necessary. At a minimum, the following figures should be included:

- Vicinity map
- Site plan
- Previous investigations' (PEA etc.) sampling locations and results
- Proposed supplemental sampling locations

SSI Work Plan Tables

At a minimum, the following tables should be included:

- Summary of previous sampling and analysis program
- Summary of previous detections and findings
- Summary of previous health risk screening evaluation (PEA)
- Proposed SSI soil gas/soil/ groundwater sampling program
- Project schedule

SSI Work Plan Appendices

The following may be included:

- Field sampling plan
- Baseline risk assessment work plan
- Public participation plan
- Quality assurance plan
- Health and safety plan

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Supplemental Site Investigation Report Quick Reference Guide

The objectives of the Department of Toxic Substances Control (DTSC) Supplemental Site Investigation (SSI) Report are to document supplemental site characterization activities and identify data gaps for future work in addition to assessing risk and presenting possible remedial action strategies.

SSI Report Content

Include as applicable:

- **Executive Summary** – Project objectives, scope of work, main findings.
- **Summary of Site Background** – Location, setting, project contacts, site history.
- **Sampling Activities** – soil gas; matrix and groundwater sampling and analysis; locations and rationale; collection and handling.
- **Sampling Results and Discussion –** Sampling results; discussion of investigations completed; site geology; hydrogeology, fate, and transport; updates to Conceptual Site Model (CSM).
- **Risk Evaluation** – Exposure pathways and media of concern; evaluations or updates of potential risk to human and ecological receptors; qualitative summary and comparison to screening levels.
- **Summary, Conclusions and Recommendations** – Discuss results and comprehensiveness of site characterization(s) for cleanup or interim actions. Make recommendations for next phase of work, if warranted.

SSI Report Tables

Site Data – Summary of historical and current analytical and field-measured data. Use multiple tables, if necessary, to break data out by media type (soil, soil gas, groundwater).

SSI Report Figures

- Vicinity Map – show property in relation to surrounding region.
- Site Maps – Identify boundaries, buildings/facilities, historical features, underground storage tanks, locations of hazardous substances, existing well/sampling locations.
- Cross section(s) – show actual/inferred site-specific geology and hydrogeology.
- Conceptual Site Model (CSM) – show original CSM and any changes to CSM.

SSI Report Appendices

- Logs (borehole/test pit, etc.)
- Permits
- Laboratory analytical data and chain of custody
- Sampling and Analysis Plan (SAP)/ Quality Assurance Project Plan (QAPP)
- Field procedures
- Details of statistical methods
- Waste manifests

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Remedial Investigation & Feasibility Study Process

The Remedial Investigation & Feasibility Study (RI/FS) is a process focusing on defining the nature and extent of contamination, assessing risk to human health and the environment, and developing a cleanup strategy to eliminate potentially harmful human health and environmental impacts. The RI/FS process generally applies to larger, technically complicated projects anticipating cleanup action; smaller, more focused projects may prefer to implement the Supplemental Site Investigation process. Data collected in the RI influence the development of remedial alternatives in the FS, which in turn affects the data needs and scope of treatability studies and additional field investigations. This phased approach minimizes the collection of unnecessary data and maximizes data quality.

RI/FS tasks include the following:

- Evaluate existing site data
- Conduct a site visit
- Conduct a limited site investigation
- Define the conceptual site model
- Develop risk assessment parameters
- Identify preliminary applicable or relevant and appropriate requirements (ARARs)
- Develop preliminary remedial action objectives and goals
- Develop preliminary analysis of remedial technologies
- Develop specific objectives of the RI/FS
- Develop data quality objectives (DQOs)
- Prepare an RI/FS Work Plan and sampling and analysis plan
- Prepare a Quality Assurance Project Plan (QAPP)
- Prepare a health and safety plan
- Prepare a community relations plan
- Conduct Phase I site investigations
- Evaluate Phase I data
- Refine remedial action alternatives
- Conduct Phase II site investigations, if necessary
- Evaluate remedial action alternatives
- Present details of implemented activities, findings and recommendations in an RI/FS Report

RI/FS Work Plan

The typical content of the Work Plan includes:

- Introduction – Site information and background, goals and objectives, regulatory framework, and stakeholder identification
- Conceptual Site Model
- Data Quality and Management Plan
- Remedial Investigation Tasks – project planning, sample collection and analysis, data validation and evaluation, and assessment of risks
- Feasibility Study Tasks – Development and screening of alternatives
- Schedule
- Project Management Plan

An RI/FS Work Plan includes the following site-specific supporting documents:

- **Field Sampling Plan –** Provides the guidance for all field work by defining in detail the sampling and data-gathering methods to be used on a project. The field sampling plan should be written so that a field sampling team unfamiliar with the property would be able to gather the samples and field information required.
- **Quality Assurance Project Plan (QAPP) –** Describes the policy, organization, functional activities, and quality assurance and quality control protocols necessary to achieve the data quality objectives dictated by the intended use of the data.
- **Health and Safety Plan (HASP) –** Supports the field effort and must conform to the firm or agency's health and safety program that must, in turn, be in compliance with requirements of Cal/OSHA.

Remedial Investigation & Feasibility Study Process

(CONTINUED)

For detailed information, be sure to refer to:

- U.S. EPA guidance document for conducting a Remedial Investigation/Feasibility Study (RI/FS) under CERCLA
  RI/FS is defined in Title 40 Code of federal Regulations Chapter I Subchapter J Part 300 Subpart E Section 300.430
- Triad: Systematic Planning, Dynamic Work Strategies, and Real-Time Measurement
- DTSC's Proven Technologies and Remedies Guidance

For more information, contact Fernando.Amador@dtsc.ca.gov

DTSC's Remedial Investigation Report Quick Reference Guide

The Remedial Investigation (RI) Report documents the findings of the implementation of the RI Work Plan in characterizing the nature and extent of contamination at a site, assessing the resulting risk to human health and the environment, and evaluating the relative effectiveness of cleanup alternatives. The objective of the RI Report is to present specific information to support risk management decisions on whether a cleanup is required for protection of public health and/or the environment.

RI Report Content

- **Executive Summary –** Help the reader to quickly understand project objectives, scope of work, and all the main findings.
- **Introduction –** Summarize property identifiers, location and setting, project contacts, and site history and use.
- **Conceptual Site Model (CSM)** – Illustrate contaminant release, fate and transport, exposure pathways, and receptors.
- **Nature and Extent of Contamination –** Summarize scope of environmental investigations completed, site geology, and hydrogeology.
- **Sampling Analytical Results –** Evaluate analytical data quality, detail likely fate and tran 143sport, relate field and lab data with CSM.
- **Summary and Conclusions –** Use technical diagrams to illustrate and summarize updated CSM; discuss completeness of RI for feasibility analysis of cleanup alternatives or interim actions; present objectives and recommendations for next phase of work.

RI Report Appendices

Include as applicable:

- Exploratory logs (borehole/test pit, etc.)
- Laboratory analytical data and chain of custody
- Limitations that apply to the work should be summarized, including references to the originally proposed Work Plan with project objectives and scope of work
- Sampling and Analysis Plan (SAP)/Quality Assurance Project Plan (QAPP), if not previously submitted with a Work Plan
- Details of statistical methods

RI Report Figures

Figures should include North arrow, scale, legend, measurement units, and annotated clarification as necessary.

- **Vicinity Map –** Show property in relation to surrounding region. Include surface topography, natural areas, surrounding land uses, location of groundwater supply, and monitoring wells within a one-mile radius.
- **Site Maps –** include relevant information such as boundaries; buildings/facilities; historical features; underground storage tanks; locations of hazardous substance treatment, storage, or disposal; previous cleanup; existing well/sampling locations. Show current and applicable historical chemical concentrations and extent of contamination. Illustrate hydrogeological flow, show sample location/depth, etc.
- **Cross section(s) –** Show actual/inferred site-specific geology (and hydrogeology). Cross-section transects should be shown on a plan view map. Include applicable information from boring logs; show wells, screened intervals, water levels, and extent and concentration of contamination for all site media, if applicable.
- **Conceptual Site Model (CSM) –** Show original CSM and any changes to CSM. The CSM figure(s) should contain the following information: (1) site contaminants and sources; (2) the nature and extent of contamination; (3) fate and transport processes; (4) exposure pathways; and (5) potential and/or actual receptors.

Remedial Investigation Report Quick Reference Guide

RI Report Tables

- Site data – Include historical and current analytical and field-measured data. Tables should include units, sample name, dates/time of sample collection and lab analysis, sample depth, groundwater elevation, analytical method, analyte, and applicable cleanup levels. Use multiple tables if necessary to break data out by media type.
- Include cleanup levels with any contaminant exceedances clearly indicated using bold font or shading.
- Nondetectable levels should be noted as "U" with the numerical laboratory reporting limit (RL) provided, rather than "ND."
- Sampling information/laboratory methods – include sampling methods, analytical methods, reporting limits, and any special sampling protocols.
- Cleanup Levels – When establishing cleanup levels, include potential and final Applicable or Relevant and Appropriate Requirements (ARARs) and screening levels for all applicable media.

For detailed information, be sure to refer to:

- U.S. EPA guidance document for conducting a Remedial Investigation/ Feasibility Study (RI/FS) under CERCLA
  RI/FS is defined in Title 40 Code of federal Regulations Chapter I Subchapter J Part 300 Subpart E Section 300.430
- Triad: Systematic Planning, Dynamic Work Strategies, and Real-time Measurement
- DTSC's Proven Technologies and Remedies Guidance

For more information, contact
Fernando.Amador@dtsc.ca.gov

DTSC's Voluntary Oversight Program – CLRRA* Quick Reference Guide

*California Land Reuse and Revitalization Act

The California Land Reuse and Revitalization Act (CLRRA) (Health and Safety Code Chapter 6.82 and 6.83) provides liability protections to:

- Bona Fide Purchasers
- Innocent Landowners
- Contiguous Property Owners
- Prospective Purchasers; and
- Bona Fide Ground Tenants

The liability protections are intended to promote the cleanup and redevelopment of blighted contaminated properties. The law establishes a process for eligible property owners to obtain immunities, conduct a site assessment, and implement a response action as necessary, to ensure that the property can be reused or redeveloped. Immunities begin when a party enters into a CLRRA agreement. CLRRA was first effective January 1, 2005. The sunset date for the original CLRRA bill has been extended multiple times. The current sunset date is January 1, 2027.

How different is the CLRRA process from other DTSC voluntary agreements?

- CLRRA encourages streamlined environmental approaches
- CLRRA requires both applicant and site to meet specific eligibility criteria
- Prior to entering into a CLRRA agreement, the Department of Toxic Substances Control (DTSC) notifies relevant regulatory agencies of the upcoming agreement, and that immunities will attach
- By entering into the CLRRA agreement, the Applicant receives specific immunities
- Through CLRRA, subsequent owners or lessees may benefit via Assignment & Assumption or Successor Agreements
- The CLRRA assessment and cleanup implementation is expedited, while being as protective as any other DTSC process
- DTSC public participation, California Environmental Quality Act, and tribal consultation requirements apply

All Appropriate Inquiries

One of the eligibility requirements for CLRRA is that All Appropriate Inquiries (AAI), per ASTM E1527-05, be conducted within one year before purchase, with the following components conducted or updated within 180 days of the date of purchase:

(i) interviews with owners, operators, and occupants;

(ii) searches for recorded environmental cleanup liens;

(iii) reviews of government records;

(iv) visual inspections of the property and surroundings; and

(v) the declaration by the environmental professional responsible for the assessment or update.

(See H&S Code Section 25395.65)

Who can enter into a CLRRA Agreement?

1. Must be a Bona Fide Purchaser (BFP), Innocent Land Owner (ILO), and/or Contiguous Property Owner (CPO) who:
   - Took title after January 1, 2005
   - Did not cause or contribute to contamination
   - Is not affiliated with the party responsible for contamination
   - Conducted AAI as per ASTM E1527-05 prior to purchase
   - Is planning redevelopment and/or reuse
2. Can also be a Prospective Purchaser (PP) who meets the applicable requirements, provides notice to DTSC when title has been transferred, and provides a copy of AAI prior to purchase to confirm eligibility
3. Can also be a Bona Fide Ground Tenant (BFGT) who meets the applicable requirements, has a lease term of at least 25 years, and completed AAI prior to signing the lease.

(See H&S Code Sections 25395.69, .70, .75, .91 and .102 (a)(2).)

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Voluntary Oversight Program – CLRRA* Process Quick Reference Guide

*California Land Reuse and Revitalization Act

Applicant Eligibility

Applicant must be a Bona fide Purchaser (BFP), Innocent Land Owner (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 100,000 or more
- ✓ 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

POSSIBLE END POINT

Remedy

- Response Plan
- Response Plan Implementation Report

- Host jurisdiction notification
- Public Comment
- California Environmental Quality Act

Certification

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

POSSIBLE END POINT

Stewardship

- Land Use Restriction
- Operation and Maintenance with Financial Assurance

POSSIBLE END POINT

Possible End Points:

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 more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Voluntary Oversight Program – CLRRA* Documents Quick Reference Guide

*California Land Reuse and Revitalization Act

Site Assessment Plan/Report and Report of Findings

Under the California Land Reuse and Revitalization Act (CLRRA) the Site Assessment Plan is the first step of the process, with information about the Site including, when appropriate, a risk assessment. Information regarding reasonably anticipated foreseeable uses of the Site based on current and projected land use and zoning designations should be included. If the release has impacted groundwater, reasonable characterization of underlying groundwater is needed, including present and anticipated beneficial uses of that water.

After completion of a Site assessment, a CLRRA project may move on to a Response Plan or a Report of Findings (which is equivalent to a Preliminary Endangerment Assessment). The Report of Findings may recommend no further action or no further action with a Land Use Covenant (LUC). If an LUC is the only remedy needed, the Report of Findings will undergo the public notice process.

Response Form

Upon approval of a response plan, a party who qualifies for immunity under CLRRA needs to submit a form to the Department of Toxic Substances Control (DTSC) with the following information:

i. description, address, and location of the Site;

ii. description of the type and extent of releases and threatened releases identified for response in the response plan;

iii. estimate of the cost of the response action identified in the response plan;

iv. description of the present and proposed use of the Site, including current and potential future zoning and land use designations;

v. description of any land use restrictions; and

vi. description and the concentrations of the release and threatened release that will not be remediated pursuant to the response plan.

Response Plan (Cleanup Plan)

The CLRRA Response Plan (Health & Safety Code 25395.96, equivalent to a Removal Action Work Plan) shall:

1. clearly identify the release or threatened release that is the subject of the Response Plan, and document that the plan is based on an adequate characterization of the Site. CLRRA immunities will apply only to media and contaminants addressed by the Response Plan;
2. identify the response objectives and the proposed remedy, identify future land uses of the Site, and identify current and projected land use and zoning designations which need to be confirmed by the host jurisdiction;
3. include a description of activities that will be implemented to control any risk to human health and safety or the environment that may occur during the response action at the Site;
4. include a description of any land use control that is part of the response action;
5. include provisions for DTSC to require further response actions based on the discovery of hazardous materials that pose an unreasonable risk to human health and safety or the environment that are discovered during the course of the response action or subsequent development of the Site;
6. include DTSC's standard public participation process, and if desired, propose the use of alternative methods for public participation. DTSC shall coordinate its public participation activities with those undertaken by other agencies associated with the development of the property to avoid duplication of efforts;
7. include information on how decisions about the Site are made and the recourse that is available for those who may disagree with DTSC's decision; and,
8. consider the issue of environmental justice before taking action on the response plan
9. DTSC will notify all appropriate regulatory agencies of the approval of the Response Plan. If the use of the property changes to one that requires a higher level of protection, DTSC may require the preparation and implementation of a new response plan.
10. If an Operation and Maintenance plan is required to maintain the long-term efficacy of a response, DTSC will request a CLRRA Operation and Maintenance Agreement. Note that five-year reviews are not required for CLRRA projects."

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Polychlorinated Biphenyl (PCB) Evaluation Quick Reference Guide

Polychlorinated biphenyls (PCBs) are mixtures of 200-plus individual chlorinated compounds (known as congeners). PCBs were used in many applications like coolants and lubricants in transformers, capacitors, and other electrical equipment because they don't burn easily and are good insulators. The manufacture of PCBs ended in the U.S. in the late 1970s because they can cause harmful effects to human health and the environment. PCBs can be found in sources such as fluorescent light ballasts and electrical devices with PCB capacitors, hydraulic oils, and building materials. PCBs are toxic, highly persistent in the environment, and bioaccumulate. There are no known natural sources of PCBs.

Although the Department of Toxic Substances Control (DTSC) is a lead regulatory agency for site cleanups in California, engagement with the U.S. Environmental Protection Agency (U.S. EPA) is required when addressing PCB-contaminated sites. Since Toxic Substances Control Act (TSCA) PCB regulations are not delegated, U.S. EPA is the regulatory lead for the cleanup of PCBs under the TSCA PCB cleanup requirements in 40 CFR 761. For more details, see Section A(4)(e), PCB FAST (PCB Facility Approval Streamlining Toolbox.)

If PCBs are detected at levels that may require cleanup:

1. DTSC will notify U.S. EPA of PCB contamination before full characterization/cleanup plan formulation.
2. U.S. EPA may require additional PCB characterization and/or information to determine if TSCA applies.
3. If U.S. EPA determines PCBs are not subject to TSCA, DTSC will remain the lead, and U.S. EPA may be available for technical support.
4. If subject to TSCA, U.S. EPA will assume the lead only for the cleanup of PCBs, will review reports and other deliverables, and will continue to closely coordinate with DTSC on site-specific PCB matters.
5. Some contaminants (e.g., chlorobenzene) that U.S. EPA cannot address under TSCA may enhance the mobility of PCBs. In those situations, U.S. EPA will work closely with DTSC in the context of impacts on the cleanup of PCBs.
6. If an institutional control is needed because PCBs are left in place above the unrestricted land use goals, DTSC will implement a Land Use Covenant in consultation with U.S. EPA; see Section III-B.10, PCB FAST.

Resources

There are several documents to guide the data collection/evaluation of PCBs in California:

Human Health Risk Assessment (HHRA) Note 8: Recommendations for Evaluating Polychlorinated Biphenyls (PCBs) at Contaminated Sites in California – April 2018

U.S. EPA Regional Screening Levels

Preliminary Endangerment Assessment Guidance Manual

Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers

U.S. EPA's PCB Facility Approval Streamlining Toolbox (PCB FAST)

The PCB Facility Approval Streamlining Toolbox (PCB FAST), used for U.S. EPA-lead projects, is designed to help parties interested in cleaning up a PCB-impacted site. PCB FAST focuses on establishing a collaborative working relationship and includes tools to prepare adequate and appropriate cleanup notifications and applications. A discussion on cleanup levels is also included. DTSC recommends the use of PCB FAST along with aforementioned DTSC resources.

Analytical Methodology and Action Levels

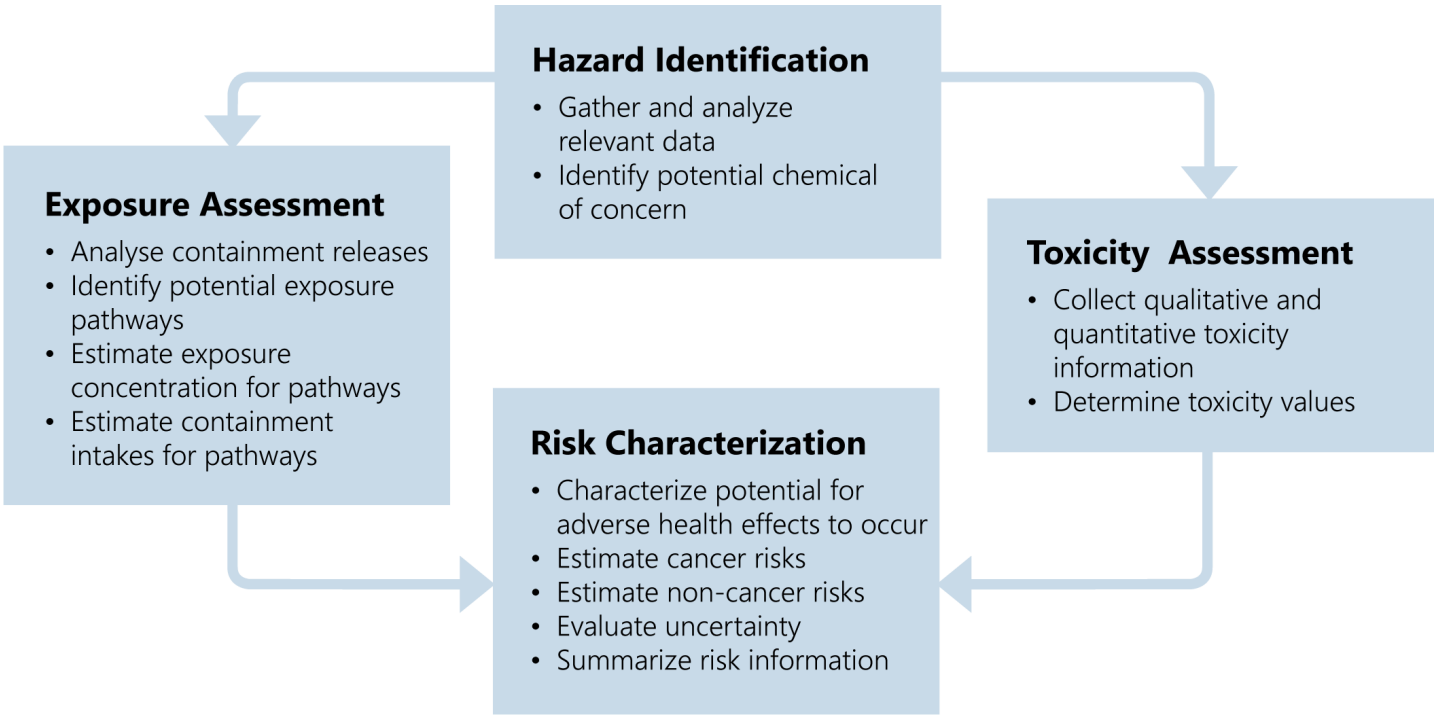
DTSC and U.S. EPA require Method 8082 for PCB analysis, and recommend Method 1668 or 680 on select samples to provide a detailed speciation of PCBs in certain situations. U.S. EPA's regulations require the use of Method 3540C (Soxhlet) or 3550C (Ultrasonic) for extraction of PCBs. U.S. EPA prefers the use of PCB extraction Method 3540C.

U.S. EPA publishes Regional Screening Levels (RSLs) for total PCBs (0.23 and 0.94 mg/kg for residential and commercial/industrial use, respectively) and individual Aroclors and dioxin-like congeners. For detailed information on the application of RSLs refer to the resources list above).

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov or Santos.Carmen@epa.gov (U.S. EPA Region 9 PCB Coordinator)

DTSC's Human Health Risk Assessments Quick Reference Guide

A Human Health Risk Assessment (HHRA) is a process to determine if contaminants detected at a site are of concern to human health and the environment. The HHRA falls under the evaluation step of the voluntary agreement process, and involves using environmental data to estimate the nature, magnitude, and probability of adverse health effects on people who may be exposed to the contaminated environmental media (e.g., soil, soil gas, groundwater, surface water), now and in the future. Voluntary agreement projects use the HHRA to make decisions about allowable use or reuse of the property, and to facilitate an effective assessment and cleanup strategy to ensure safe end use. DTSC's Human and Ecological Risk Office (HERO) should be involved in the scoping meeting for new voluntary agreements in order to provide feedback and guidance on the HHRA process.



Source: Risk Assessment Guidance for Superfund (RAGS)

There are four steps to the HHRA process:

- **Hazard Identification:** Data collected at a site are used to determine what chemicals are present and whether they can cause effects (both cancerous and noncancerous) harmful to people who may come in contact with the contaminated media.
- **Exposure Assessment:** This step identifies current and potential future populations who may come in contact with the site's contaminants; the various media that may have been affected by the contamination; pathways of exposures for potentially exposed populations (through ingestion, inhalation, or absorption through the skin); and estimated contaminant concentrations (intake rates) that may be taken up via the various exposure pathways.
- **Toxicity Assessment:** This step incorporates toxicity information of the chemicals into the HHRA process. DTSC recommends first consulting Appendix I of the Toxicity Criteria Rule. The Toxicity Criteria Rule is a list of required toxicity values for specific chemicals to be used in human health risk assessments, risk-based screening levels and the development of risk-based remediation goals. If toxicity values for the chemical of interest are not listed in the Toxicity Criteria Rule, consult U.S. EPA's Regional Screening Level tables. Please consult HERO for additional guidance.
- **Risk Characterization:** This step combines information from the previous steps to evaluate cumulative cancer risks and noncancer hazards posed by contaminants at the site to potentially exposed humans. This information is used to determine whether the site is safe, or if contaminants are present at levels posing unacceptable risks to people and the environment,

requiring remediation of contaminated media. Risk management decisions are developed based on the results of cumulative cancer risk and noncancer hazard estimates for the site.

An Uncertainty Analysis is included as part of the risk assessment process to discuss: (a) the sources and degrees of uncertainty associated with the data collected at the site; (b) exposure assumption and toxicity information used to estimate cancer risks and noncancer hazards to populations; (c) and assumptions and input variables associated with the models employed in the assessments. This information should also be used by the risk managers and incorporated into the risk management decisions for the site, such as the need for remediation and/or operation and maintenance.

Please visit DTSC's HERO website for details on risk assessment guidance and documents, including:

DTSC's Preliminary Endangerment Assessment Guidance Manual for the Human Health Screening Evaluation, as well as DTSC's perspective on data collection, analysis, and reporting

DTSC HHRA Note 1: Recommended DTSC Default Exposure Factors for Use in Risk Assessment at California Hazardous Waste Sites and Permitted Facilities

DTSC HHRA Note 2: Soil Remedial Goals for Dioxins and Dioxin-like Compounds for Consideration at California Hazardous Waste Sites

DTSC HHRA Note 3: DTSC-modified Screening Levels (DTSC-SLs)

DTSC HHRA Note 4: Screening Level Human Health Risk Assessments

DTSC HHRA Note 5: Health-based Indoor Air Screening Criteria for Trichloroethylene (TCE)

DTSC HHRA Note 6: Recommended Methodology for Evaluating Site-Specific Arsenic Bioavailability in California Soils

DTSC HHRA Note 8: Recommendations for Evaluating Polychlorinated Biphenyls (PCBs) at Contaminated Sites in California and DTSC's PCB Evaluation Quick Reference Guide

Ecological Risk Assessment section on the HERO website for details on the Ecological Risk Assessment process

For more information, contact:
Shukla Roy-Semmen, Senior Toxicologist, HERO Southern California Unit Chief
(714) 484-5448
Shukla.Roy-Semmen@dtsc.ca.gov

DTSC's Quick Reference Guide for Public Engagement & Tribal Engagement

The Department of Toxic Substances Control (DTSC) requires public engagement activities to be conducted for projects undergoing cleanup. However, public engagement strategies are developed on a project-by-project basis and may be requested for projects in other phases as well.

The public and Tribal engagement process is discussed with the party entering into the agreement (Proponent) during the voluntary agreement scoping meeting. Each project is different, and the public outreach process may vary based on community demographics, the level of community or media interest, the proposed land use, and other considerations. Learn more about public participation at DTSC.

A DTSC representative addresses a community meeting.

Tribal Engagement

DTSC has implemented a collaborative process to ensure respectful engagement with Native American tribes recognized by the federal government or the California Native American Heritage Commission. DTSC Tribal Liaisons work with tribal governments identified by the Commission as being traditionally and culturally affiliated with a geographic area where project sampling or cleanup is anticipated. Previous site disturbance or the presence of fill material does not preclude the implementation of this process. DTSC will approve sampling or cleanup plans once this phase of tribal engagement is complete. Learn more about tribal engagement at DTSC.

If there are no special circumstances, DTSC follows California Health and Safety Code sections 25358.7, 25356.1(e), and 25395.96(1) to support the cleanup process as follows:

- DTSC conducts a community assessment using a variety of methods, including site visits, letters, surveys, and interviews with community members, stakeholders and elected officials to evaluate community interest.
- The Proponent develops an informational flyer and mailing list. Upon DTSC approval, the Proponent also conducts the mail-out and translation, if needed.
- Proponent develops a notice on the cleanup document availability for public review. Upon DTSC approval, the Proponent publishes the notice in local newspapers.
- The public comment period lasts at least 30 days.
- DTSC may require the Proponent to set up a community meeting to provide information and encourage feedback.
- After the public comment period closes, DTSC will prepare a document responding to the comments received.
- Cleanup documents may be revised based on the comments received.
- If significant changes to the cleanup documents are required, additional activities, including an additional review and public comment period, may be required.
- DTSC will approve the cleanup document for implementation upon completion of the public outreach processes and other statutory requirements.

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Removal Action Work Plan (RAW) Quick Reference Guide

A Removal Action Work Plan (RAW) is one of two types of cleanup selection documents that may be prepared for a site, pursuant to Health and Safety Code Section 25356.1. It applies to cleanups that are projected to cost less than two million dollars.

A RAW may be required when DTSC determines, based on information obtained during characterization activities, that further action is required to address contamination at levels that pose a health risk to existing and/or future property users or that may be an ongoing source of contamination to the environment. Cleanup goals established in the RAW must be compatible with current and planned uses and ensure protection of human health and the environment. Contaminated sites are generally cleaned up to levels that allow for unrestricted, commercial/industrial, or recreational uses. A deed restriction (Land Use Covenant) will be required for cleanups that do not meet unrestricted use levels.

RAW Objectives

- Present and evaluate existing site conditions;
- Establish appropriate cleanup goals;
- Evaluate alternatives; and
- Identify recommended alternative that is protective of human health and the environment.

RAW Public Participation Requirements

Specific requirements will vary, but generally if there are no special circumstances, DTSC follows California Health and Safety Code Sections 25358.7, 25356.1(e), and 25395.96(1).

1. Conduct a survey to determine community needs and preferences
2. Develop a mailing list, approx. ¼ mile radius around the site
3. Hold a public comment period and invite community feedback
4. Develop and distribute an informational flyer
5. Publish a notice in local newspapers
6. Revise the RAW based on comments received

DTSC will approve the cleanup document for implementation upon completion of the public outreach processes and other statutory requirements.

RAW Content

- Site Description – Include current site conditions, ownership and operational history, site characterization activities conducted, any response actions taken, nature and extent of contamination, and risk assessment/evaluation.
- **Conceptual Site Model (CSM)** – Discussion of the relationship between contaminant sources and receptors through migration and exposure paths.
- Removal Action Objectives (RAOs) – Identify goals or objectives to be achieved by the removal action.
- Identify Removal Action Alternatives – Develop and analyze removal action alternatives, at a minimum, consider effectiveness, implementability, and cost.
- Engineering Evaluation/Cost Analysis (EE/CA) – Provide a comparison of alternatives, technical and cost evaluation, selection of a preferred alternative, and explanation of the basis for the selection.
- Implementation Details – Include details on all aspects of removal action implementation, including confirmation sampling and waste disposal.
- Sampling and Analysis Plan – Provide confirmation sampling, along with corresponding Quality Assurance Plan to confirm effectiveness of RAW, if applicable.
- Long Term Stewardship – Describe deed restrictions and any operation & maintenance requirements, if applicable.
- Health and Safety Plan – Outline methods that will be employed during the removal action to ensure the health and safety of workers and the public.
- Schedule of Activities – Include a detailed project schedule.
- Public Involvement Process – Describe public participation activities.
- **California Environmental Quality Act** – Outline the CEQA approach for the removal action.
- Administrative Record – Provide a list of all documents and information relied on or considered during the removal action selection process

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's California Environmental Quality Act (CEQA) Quick Reference Guide

What is CEQA?

The California Environmental Quality Act (CEQA) is a statute that requires all California public agencies to identify and disclose the potentially significant environmental effects of their proposed activities and avoid or mitigate those effects, if feasible. CEQA applies to all actions or activities managed under Department of Toxic Substances Control (DTSC) Voluntary Agreements.

When is it needed?

DTSC must comply with CEQA when considering the approval (a discretionary decision) of a cleanup plan. This discretionary decision is only defined under CEQA as a "project" if there is either a direct or indirect physical effect on the environment. DTSC remedies/cleanups under the voluntary program are outlined in a "decision document" (e.g., Removal Action Work Plan or Response Plan). Examples of activities subject to CEQA evaluation include soil or pavement capping, excavation and off-site treatment and/or disposal, on-site treatment, or the installation of engineering controls such as vapor barriers.

Basic requirements

DTSC Project Managers work with DTSC Environmental Planners to ensure CEQA compliance by implementing an internal consultation process to determine the CEQA strategy as soon as sufficient information is available. First, DTSC will determine if the project qualifies for an exemption (Notice of Exemption). If the project does not qualify for an exemption, DTSC will prepare an Initial Study (IS) to determine if a Negative Declaration or a Mitigated Negative Declaration is the appropriate CEQA document. If there are impacts that are still above thresholds, an Environmental Impact Report (EIR) is developed. In some instances, DTSC's cleanup is included as part of a larger project and another agency acts as the "Lead Agency" under CEQA. In these cases, DTSC would then act as a "Responsible Agency." As a Responsible Agency, DTSC independently determines if the Lead Agency's CEQA document addresses all potential impacts from DTSC's project activities or if additional analysis is required. DTSC may prepare a Responsible Agency Checklist, Statement of Findings, Addendum, or a Supplemental (EIRs only) or Subsequent document to augment the Lead Agency's CEQA document. In all cases, potential environmental effects of the proposed action are identified and analyzed. For voluntary projects, DTSC staff usually take the lead on the development of CEQA documents.

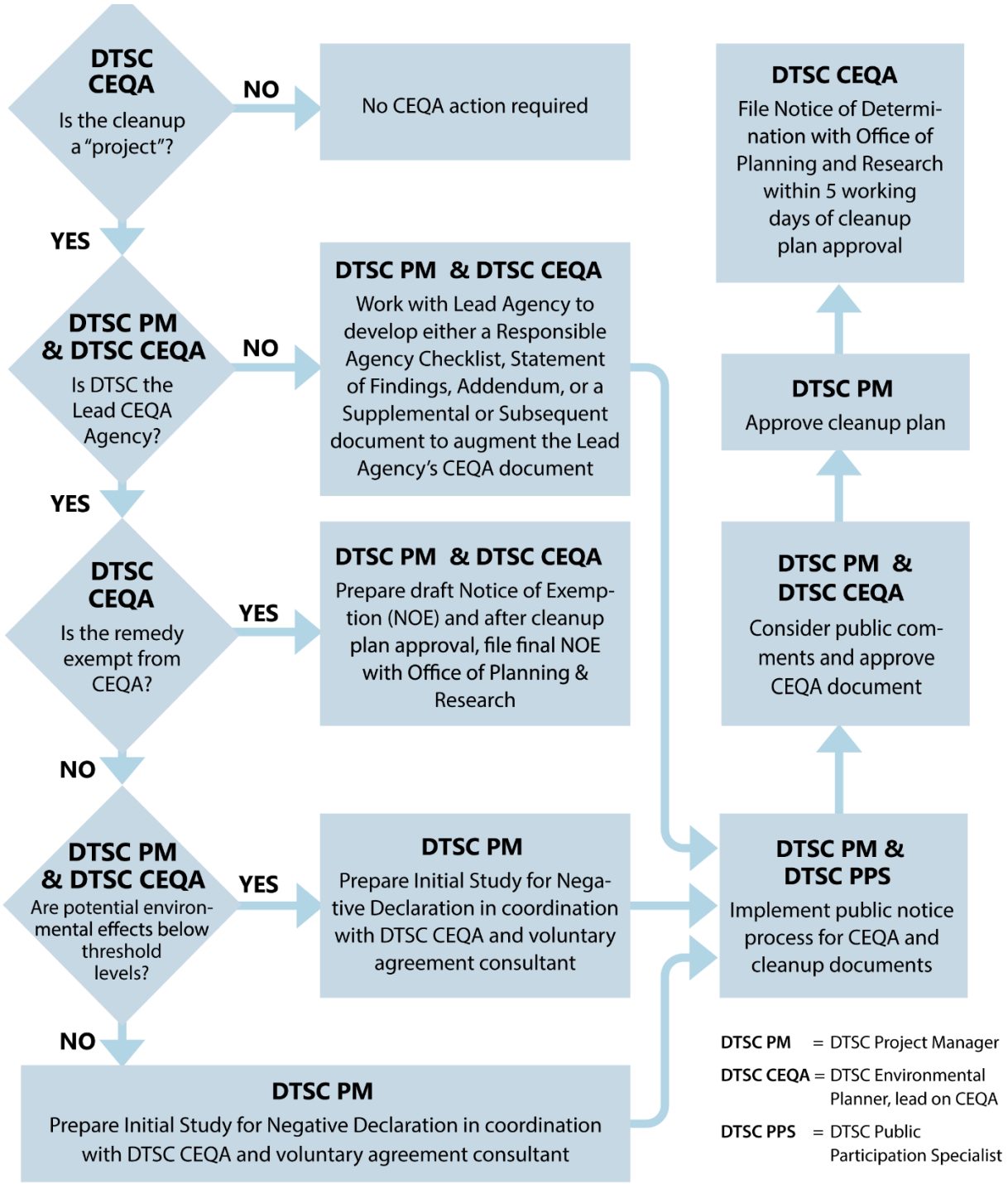
Public engagement

Both the cleanup decision and related CEQA documents, except for Notices of Exemption or Addendums, are subject to public review and comment; therefore, the public outreach and notification process for both are generally held concurrently.

Public Resources Code Sections 21000-21177 and State CEQA Guidelines 14 California Code of Regulations 15000-15387

For more information, contact: Jose.Salcedo@dtsc.ca.gov

DTSC's California Environmental Quality Act (CEQA) Process Quick Reference Guide for Voluntary Agreements



The cleanup is considered a CEQA project if both of the following apply: (1) Subject to a discretionary decision; (2) Results in either direct or indirect physical effects on the environment. Public Resources Code Section 21065; CEQA Guidelines Section 15378(a)

For more information, contact: Jose.Salcedo@dtsc.ca.gov

DTSC's Land Use Covenant Quick Reference Guide

What is a Land-Use Covenant (LUC)?

Under federal and state laws, institutional controls help protect against unsafe exposure to hazardous substances on public or private property. These restrictions are supported by toxicological evaluation or screening. Land Use Covenants (LUCs) are a tool that the Department of Toxic Substances Control (DTSC) utilizes when exposure to contamination can be controlled through specifically defined restrictions.

When is it needed?

LUCs are used when DTSC has determined that it is safe to leave specific types of contamination at a property as long as defined restrictions are adhered to. A decision document identifies the remedy for environmental contamination that best fits the site conditions (for example, a Removal Action Workplan, Corrective Measures Study, or a Preliminary Endangerment Assessment, or equivalent). A decision document identifies the restrictions of a LUC. DTSC and the property owner(s) enter a LUC that allows ongoing use of the property within the limits defined in the decision document. Common LUC provisions include stating that a remedial system should not be disturbed, limiting soil disturbance, or disallowing sensitive uses like schools or hospitals. Restrictions identified in LUCs apply to affected areas only and are not more restrictive than is needed to protect human health and the environment.

What is the process?

A LUC is subject to public participation requirements, like any other remedy. The decision document that includes the LUC is subject to public review and comment. Upon DTSC approval of the decision document, the approved LUC is filed with the local county recorder's office. LUCs "run with the property," meaning an LUC and its provisions are binding on all current and future property owners and users. All LUCs are subject to annual inspections and reporting to DTSC to ensure ongoing compliance. Some LUCs require an additional review every five years.

Can it be modified?

A LUC remains in effect until it is formally removed or modified. DTSC will review applications and information supporting a LUC termination or variance. For example, if a new owner completes additional cleanup to remove contamination, DTSC could go through the process of a public notice and terminate the LUC.

Authority

Civil Code section 1471 and Health and Safety Code section 25202.5, 25355.5, 25395.99, and California Code of Regulations, title 22, section 67391.1.

Per Assembly Bill 871, DTSC must notify the planning and building department of each city, county, or regional council of governments of any recorded land use restriction.

For more information, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

DTSC's Financial Assurance Quick Reference Guide

What is financial assurance?

Proponents working with the Department of Toxic Substances Control (DTSC) under voluntary agreements are required by statute and regulation to provide adequate financial resources to pay for the long-term operation of certain types of cleanup systems. These financial resources are known as financial assurance mechanisms. These mechanisms ensure that financial resources are available for DTSC to take over the management and stewardship of a cleanup in case a Proponent fails to meet its obligations due to financial insolvency or other reasons. DTSC can ensure that human health and the environment are protected without placing a burden upon California taxpayers.

When is financial assurance required for voluntary agreements?

DTSC requires financial assurance for projects where a long-term cleanup system is required to maintain environmental and human safety. Examples include (but are not limited to):

- Vapor barriers
- Sub-slab depressurization systems
- Certain types of in-situ treatment
- Certain types of engineered caps
- Systems that have an option for conversion from passive to active cleanup
- Systems that require routine sampling to ensure long-term efficacy and effectiveness

A financial assurance mechanism is required to be submitted to DTSC within 90 days of DTSC's approval of an operation and maintenance plan.

What are the allowable financial assurance mechanisms?

The regulations allow for the use of the following forms of financial assurance mechanisms (as per California Code of Regulations, Title 22, Section 66265.143):

- Trust fund
- Letter of credit
- Financial test
- Alternative financial mechanism
- Payment bond
- Insurance
- Corporate guarantee

DTSC's Financial Responsibility Unit has experts who will work the with Proponents to set up the required mechanisms and ensure regulatory compliance.

How is the financial assurance amount calculated?

DTSC reviews and approves the Proponent's financial assurance estimates on a case-by-case basis. The estimate must include costs associated with managing, operating, inspecting, and maintaining cleanup system(s), including Land Use Covenants, for a minimum of 30 years and/or until the remedial goals are met, as described in the cleanup plan and in coordination with the Proponent's technical team and DTSC staff.

When can the financial assurance mechanism be dissolved?

DTSC's Financial Responsibility Unit will work with the Proponent on a financial assurance mechanism release when:

- A Proponent submits an approved replacement of the mechanism
- The cleanup system is adjusted and requires significant modifications
- DTSC determines that the cleanup is complete and the system is no longer required for the protection of human health and the environment

As a matter of practice, long-term cleanup systems are reviewed by DTSC every five years.

For more information contact:

Julie Mullins
Department of Toxic Substances Control
Financial Responsibility Unit
Julie.Mullins@dtsc.ca.gov
(916) 255-3678

Refer to Division 4.5 of Title 22 of the California Code of Regulations

DTSC's Loans & Grants Quick Reference Guide

The Department of Toxic Substances Control (DTSC) offers loans and grants to assist with addressing environmental investigations and cleanups at properties throughout California. DTSC's goal with these funding resources is to empower communities and other stakeholders to work together in a timely manner to facilitate the return of blighted and underutilized properties to safe and productive uses.

Grants

Equitable Community Revitalization Grant (ECRG)

DTSC's Office of Brownfields Equitable Community Revitalization Grant (ECRG) will provide about $200+ million in grants through a competitive process for: community-wide assessments, environmental cleanups, and environmental investigations.

Targeted Site Investigation (TSI) Program

Under the TSI Program, DTSC selects sites to receive environmental services through a competitive application process. The TSI focuses on brownfield sites where redevelopment or reuse is being considered. The DTSC TSI Program is funded by the US EPA through a CERCLA 128(a) State and Trial Response Program Grant. For the selected properties, DTSC provides assessment, investigation, or cleanup planning services at no cost to the applicant.

Brownfields Revolving Loan Fund (RLF)

The RLF provides US EPA-funded grants up to $350,000 for brownfields sites where redevelopment or reuse is planned. Under this program, local government agencies, nonprofit organizations, and tribes who are not considered to be responsible parties could be eligible for a grant to help with the cost of implementing a hazardous substance or petroleum cleanup.

Loans

Revolving Loan Fund (RLF)

Through the RLF, DTSC provides below-market, low interest loans for cleanup of a hazardous substance or petroleum site where redevelopment or reuse is planned. Eligible borrowers include local agencies and municipalities, nonprofit organizations, tribes, and private entities who are not considered to be responsible parties.

Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program

Provides low-interest loans of up to $2.5 million for the cleanup of hazardous materials where redevelopment of abandoned and underutilized urban properties is likely to have a beneficial impact on the property values, economic viability, and quality of life of a community.

Investigating Site Cleanup Program (ISCP)

Provides low-interest loans of up to $100,000 to conduct preliminary endangerment assessments of underutilized urban properties. If redevelopment of property is determined not economically feasible, up to 75 percent of the loan amount may be waived.

Other Funding Support

DTSC holds webinars/workshops with other agencies to share information on different state and federal funding sources. Additionally, DTSC supports parties pursuing US Environmental Protection Agency (US EPA) brownfields grant by writing letters of acknowledgement which are a required aspect of the application process. DTSC also helps U.S. EPA grant applicants and recipients access federal brownfields funding by determining eligibility of petroleum-contaminated brownfields sites, under CERCLA section 101(39)(D).

For more information of technical aspects of this funding, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

For more information of financial aspects of this funding, contact: Jennifer.Black@dtsc.ca.gov

Which Funding Options Apply to my Brownfield?

GRANTS

Target Site Investigation (TSI)

Assessment, investigation or cleanup planning services at no cost to the applicant for sites with:

- ✓ Strong redevelopment potential
- ✓ real or perceived contamination
- ✓ Clear need and municipal/community support for the property's revitalization
- ✓ Redevelopment/reuse agencies, tribal governments, school districts and non profit organizations are eligible
- ✓ Annual competitive applicaion

Revolving Loan Fund (RLF)

- ✓ Must not be a Responsible Party
- ✓ Must own the property
- ✓ Local government agencies, nonprofit organizations or tribal governments are eligible
- ✓ Must have redevelopment plans
- ✓ Must have cleanup plan approved by a regulatory agency
- ✓ Maximum allowable grant:: $200,000 per site
- ✓ Applications accepted continuously

Equitable Community Revitalization Grant (ECRG)

- ✓ Must not be a Responsible Party
- ✓ Must have access to apply
- ✓ Local government agencies, nonprofit organizations or tribal governments are eligible
- ✓ Find more information at the ECRG website

LOANS

Revolving Loan Fund (RLF)

- ✓ Must not be a Responsible Party
- ✓ Must have access to the property
- ✓ Government and private entities are eligible
- ✓ Must have redevelopment plans
- ✓ Must have cleanup plan approved by a regulatory agency
- ✓ Applications accepted continuously

Cleanup Loans & Environmental Assistance to Neighborhoods (CLEAN)

- ✓ Must have cleanup plan approved by a regulatory agency
- ✓ Up to $2.5 million per site
- ✓ Up to $100,000 per site for assessment
- ✓ Must have redevelopment plans and cost estimate
- ✓ Applications accepted continuously

Investigating Site Contamination Program (ISCP)

- ✓ Up to $100,000 per site for assessment
- ✓ Must have Phase 1 Assessment within 3 years
- ✓ Applications accepted continously

For more information of technical aspects of this funding, contact: Maryam.Tasnif-Abbasi@dtsc.ca.gov

For more information of financial aspects of this funding, contact: Jennifer.Black@dtsc.ca.gov

LOCAL AGENCY NOTIFICATION PROCESS FOR ENVIRONMENTAL OVERSIGHT QUICK REFERENCE GUIDE

Assembly Bill 304 (AB 304) supplements existing legislation which authorizes responsible parties to enter into agreements with local agencies for oversight of investigation and remedial actions under the authority of the Public Health Officer. AB 304 requires additional criteria from local agencies before and after entering into an agreement for remedial action oversight. Detailed below is a summary of current requirements as updated by AB 304.

Notification Requirements

Local agencies must provide the following information prior to entering into a remedial action agreement with a responsible party for oversight:

1. Within the preceding 12 months, the local agency must submit the following information to the Department of Toxic Substances Control (DTSC) and the appropriate Regional Water Quality Control Board (Regional Water Board):
    a. A description of available staff resources[1]
    b. A description of technical expertise, including the resumes of appropriately licensed professionals[1]
    c. Certification that all applicable requirements of the Health and Safety Code and Water Code will be adhered to and that, if enforcement action is necessary, the appropriate enforcement action will be conducted or enforcement assistance will be requested
    d. Attestation that the State Water Board's GeoTracker electronic data management system is kept up to date and in compliance with electronic reporting requirements (California Code of Regulations, Title 23, Chapter 30)
2. Notify DTSC and the applicable Regional Water Board prior to entering into a remedial action by providing both the information above and a Notification Form. Both items should be uploaded to the State Water Board's GeoTracker after requesting a global identification number and public record for each site-specific request. The local agency must then send the link address to both DTSC's Regional Brownfield Coordinator and the appropriate Regional Water Board. If you need assistance locating the appropriate Regional Water Board contact, please email geotracker@waterboards.ca.gov.

[1] Any significant changes to staff resources must be reported to DTSC and Regional Water Quality Control Board within 30 days.

Notification Form

A Notification Form is attached and includes all the required fields to comply with Health and Safety Code notification requirements. However, if the local agency decides to provide its own notification, the following information must be provided to DTSC and the appropriate Regional Water Board:

1. Name and address of responsible party
2. Name and address of current owner, if different than (1)
3. Address and location of waste release site that is subject to the agreement
4. Description of known or planned local, state, or federal regulatory involvement
5. Preliminary description of waste release and, if known, anticipated investigation or remedial action(s) to be performed
6. Contact information for local agency's technical staff who are available for oversight. Must include name, phone number, and email address.

State Retention of Oversight

Upon receipt of a notification from a local agency to enter into a remedial action agreement, DTSC and Regional Water Board may respond within 30 days indicating whether the local agency may provide oversight. If DTSC and Regional Water Board do not respond within 30 days, the local agency may proceed with the remedial action agreement. If DTSC or Regional Water Board decides to retain oversight, they must provide written notification to the local agency that includes the following information:

1. A brief description of the reasons for retaining State oversight
2. Name, phone number, and email address of the technical staff who made the determination
3. Website address where public records will be posted for the retained site

DTSC and the Regional Water Board may not later retain regulatory oversight for a site they previously received notification for unless one of the following determinations is made:

1. A proposed remedial action will be insufficient to address the contamination
2. Staff resources, technical expertise, or technical capabilities are no longer available to the local agency
3. The responsible party is not in compliance with the remedial action agreement and the local agency lacks the enforcement authority to ensure compliance
4. The site is sufficiently complex and should be handled by DTSC or Regional Water Board
5. The site presents a significant potential hazard to human health, safety, or the environment

If one of the determinations above is made after a local agency has entered into a remedial action agreement, DTSC or Regional Water Board will assume regulatory oversight with a minimum 30-day written notice and the existing remedial action agreement will no longer be valid.

Contents of Remedial Action Agreement

When the local agency proceeds with a remedial action agreement, the local agency must ensure the following:

1. The remedial action agreement includes the following information[2] :
    a. Scope of investigation
    b. Reporting and public notification requirements
    c. Necessary cleanup goals
    d. Remedial actions
    e. Actions taken in the event of non-compliance
2. Local agency will establish a global identification number and public record in State Water Board's GeoTracker.

[2] Not all of this information may be available at the time of agreement execution. The agreement may be updated as more information becomes available.

Certification of Completion of Remedial Goal

To certify a completed remedial action at a site, the local agency must:

1. Conduct a public notification at least 30 days prior to certifying that cleanup is complete.
    a. The notification must go to DTSC, appropriate Regional Water Board, local permitting agencies, site owners, site occupants, and adjacent site owners and occupants
    b. The notification must be posted on GeoTracker
2. Provide a certification document to the responsible party and post the certification document on GeoTracker. The certification must include:
    a. Description of the release
    b. Description of remedial action(s) taken
    c. Certification that the cleanup goals established in the remedial action agreement have been achieved

Questions? Contact gregory.shaffer@dtsc.ca.gov or cheryl.prowell@waterboards.ca.gov.

LOCAL AGENCY SELF-CERTIFICATION

Date: _____

SECTION I: LOCAL AGENCY INFORMATION

Local Agency Name: _____

Local Agency Address: _____

Local Officer Information

Name: _____

Title: _____

Email: _____ Phone: _____

Licensed Professional Information (PLEASE ATTACH RESUME)

Name: _____ License Number: _____

License Type: ☐ Professional Engineer ☐ Professional Geologist

License State: _____ License Expiration: _____

Years of Cleanup Experience: _____

Description of Technical Expertise: _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

LOCAL AGENCY SELF-CERTIFICATION

Technical Staff Information

Please attach resumes, as needed, to demonstrate expertise.

Name	Role	Phone	Email

SECTION II: LOCAL OFFICER ACKNOWLEDGEMENTS

Acknowledgement that Water Code Requirements Will Be Addressed

I, _____, acknowledge that all applicable requirements of the California Water Code will be fully addressed while performing oversight of site cleanup.

_____
Signature of Local Officer

Acknowledgement of Enforcement Authority

Does the local agency referenced in Section I of this document have enforcement authority?

◯ Yes ◯ No

*If you answered "**Yes**" above, please sign the following acknowledgement.*

I, _____, acknowledge that my agency has the necessary authority to pursue enforcement, if needed. If our agency is not able to pursue enforcement, for any reason, we will notify the state and request assistance, as needed.

_____
Signature of Local Officer

LOCAL AGENCY SELF-CERTIFICATION

*If you answered "**No**" on the previous page, please sign the following acknowledgement.*

I, _____, acknowledge that my agency will request enforcement assistance from the state if my agency identifies the need to pursue enforcement.

_____
Signature of Local Officer

Acknowledgement that GeoTracker Records Will Be Current and Complete

I, _____, acknowledge that all GeoTracker records associated with any remedial action agreement for which my agency has entered into will be kept current and complete. I also acknowledge that I am aware that all records uploaded to GeoTracker are public domain and will be visible to the public.

_____
Signature of Local Officer

REMEDIAL ACTION AGREEMENT NOTIFICATION FORM

Date: _____

SECTION I: LOCAL AGENCY INFORMATION

Local Agency Name: _____

Local Agency Address: _____

Local Officer Information

Name: _____

Title: _____

Email: _____ Phone: _____

SECTION II: GENERAL SITE INFORMATION

Site Information

GeoTracker Site Name: _____ Global ID: _____

Is the GeoTracker Record Complete? ◯ Yes ◯ No

Local/State Agency Case Number(s): _____

Site Address: _____

Responsible Party or Project Proponent Information

Name: _____

Email: _____ Phone: _____

Address: _____

Property Owner Information (If Different from Responsible Party)

Name: _____

Email: _____ Phone: _____

Address: _____

SECTION III: AGENCY INVOLVEMENT AND BACKGROUND

Is there any past, current, or planned local, state, or federal regulatory agency involvement at the hazardous waste release site?

Yes No

If "Yes", please describe: _____

SECTION IV: OPERATIONAL AND RELEASE INFORMATION

Is the operational and/or land-use history known?

Yes No

Please describe the past, current, and planned future use: _____

Type of Contamination:

Petroleum PFAS/PFOAs Pesticides Chlorinated Solvents

PCBs Metals Dioxins/Furans Semi-Volatiles (e.g. PAHs)

Other _____

Extent of Contamination:

Limited to Source Property Extends Beyond Source Property Unknown

REMEDIAL ACTION AGREEMENT NOTIFICATION FORM

Threatened Receptors:

☐ Water Well ☐ Surface Waters/Wetland ☐ Residence ☐ Schools/Daycare

☐ Other _____

SECTION V: PLANNED INVESTIGATION AND REMEDIATION

Anticipated investigation type (if known):

☐ Groundwater ☐ Soil ☐ Soil Vapor ☐ Surface Water ☐ Air Quality

Anticipated active remediation type (if known): _____

Anticipated mitigation measures, long term monitoring, & deed restrictions (if known):

Please describe the cleanup goals defined in the remedial action agreement:

☐ Soil _____

☐ Groundwater _____

☐ Soil Gas _____

_____

_____

☐ Other _____

_____

_____

SECTION VI: LOCAL OFFICER ACKNOWLEDGEMENT

Acknowledgement that the Notification is Accurate and Complete

I, _____, acknowledge that all of the information provided within this notification are accurate and complete to the best of my knowledge.

_____
Signature of Local Officer

DTSC
Department of Toxic Substances Control

Cleanup in Vulnerable Communities Initiative

QUICK REFERENCE GUIDES

CLEANUP IN VULNERABLE COMMUNITIES INITIATIVE

ENCOURAGING ENVIRONMENTAL EQUITY

An environmental equity approach seeks to eliminate the unequal concentration of environmental pollution that some communities are exposed to. It addresses environmental risk to specific population groups and increases efforts to ensure that marginalized and impacted communities are represented and heard in environmental policy making. As a broader concept, an equity approach involves "leveling the playing field" and working to recognize and correct systemic barriers. California's 2021-22 Budget provides $500 million to the Department of Toxic Substances Control (DTSC) over four years to focus on properties that need investigation, assessment, and cleanup to aid overburdened communities, and to address environmental inequities. This funding is referred to as the "Cleanup in Vulnerable Communities Initiative."

DTSC will use the $500 million for the:

- Equitable Community Revitalization Grant (ECRG) Program to investigate and clean up brownfields in environmental justice communities;
- Discovery and Enforcement Program to investigate and clean up properties impacted by dry-cleaning contamination in environmental justice communities; and
- Workforce Development Program to engage, train and hire residents in cleaning up and revitalizing their communities

DTSC is developing additional initiatives to support environmental justice

DTSC's Cleanup in Vulnerable Communities Initiative Approaches:

Implementing a Small Business Program

DTSC is advocating for the use of small businesses to enhance equitable access to opportunities under the Cleanup in Vulnerable Communities Initiative. Engaging with small businesses, and women, minority, and disadvantaged businesses, creates opportunities for inclusion and can maintain and strengthen California's economy overall. DTSC will work with the Department of General Services and the California Office of the Small Business Advocate (CalOSBA) to increase our outreach with the small business community to provide meaningful inclusion opportunities.

Using CalEnviroScreen to Establish Spending Priorities

The Office of Environmental Health Hazard Assessment (OEHHA) developed CalEnviroScreen, which is a science-based mapping tool that helps identify California communities that are most affected by many pollution sources, and that are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce a numerical score for each census tract in the state. DTSC uses this tool to prioritize Cleanup in Vulnerable Communities Initiative spending.

Innovation in Community Engagement

The Centers for Disease Control's National Center for Environmental Health and the National Association of County and City Health Officials partnered to develop the Protocol for Assessing Community Excellence in Environmental Health (PACE EH). Federal agency, academia, research institutions, local environmental health organizations, and community organization representatives provided overall direction and oversight to develop this process. PACE EH draws on community collaboration and environmental justice principles to involve the public and other stakeholders to identify local environmental health issues, set priorities for action, target populations most at risk, and address the identified issues. DTSC, in collaboration with USEPA Region IX, will conduct a PACE EH process pilot test and will utilize this innovative approach to ensure community and government collaboration.

Meaningful engagement of California Native Tribes and Tribal Communities

All California Native American Tribes, communities, and organizations, regardless of federal recognition status, have environmental concerns that might be different than those of the general public. In order to continue DTSC's commitment to California's Native American tribes and communities to provide effective communication and consultation, the Department will provide outreach and facilitate conversations with Tribes on the potential for their involvement on the Cleanup in Vulnerable Communities Initiative. DTSC's Tribal program will coordinate with DTSC staff and provide necessary information on the Cleanup in Vulnerable Communities Initiative to assess Tribal interest and participation on the initiative across the state. DTSC will work closely with Tribes to inform them of the proposed site work and assure that communication is conducted in a government-to-government fashion when appropriate

Government Alliance on Race and Equity Membership

The Government Alliance on Race and Equity (GARE) is a national network of governmentmembers working to achieve racial equity and advance opportunities for all. GARE is a joint project of the Othering and Belonging Institute and the new Race Forward. The Othering and Belonging Institute at UC Berkeley brings together researchers, organizers, stakeholders, communicators, and policymakers to identify and eliminate barriers to an inclusive, just, and more sustainable society to enable transformative change toward a more equitable nation. Race Forward brings systemic analysis and an innovative approach to complex race issues to help people take effective action toward racial equity. DTSC will work with GARE members and partners to ensure that meaningful inclusion and equity approaches are included in the Cleanup in Vulnerable Communities Initiative.

Retaining a Brownfields Technical Assistance Provider

Many vulnerable communities that the Cleanup in Vulnerable Communities Initiative targets have limited resources and capacity. DTSC retained a Brownfield Technical Assistance Provider (BTAP) to help nonprofits, municipalities and other public entities, and tribes increase brownfield capacity. The Brownfield Technical Assistance Provider will help communities access grant funding. Additionally, they will support the "clean up to build-up" process and help communities navigate how to return underutilized properties to the productive uses needed by the people who live, work, play, and study there.

To learn more about the CVCI, visit the CVCI page or contact Patricia.Ochoa@dtsc.ca.gov.

OFFICE OF BROWNFIELDS

Department of Toxic Substances Control · Cleanup In Vulnerable Communities Initiative

EQUITABLE COMMUNITY REVITALIZATION GRANT

Helping California Communities Cleanup and Reuse Impaired Properties

Upcoming actions for the grant:

- **January 2022:** DTSC opens the Full Application. This round is open for 6 to 8 weeks.
- **April 2022:** DTSC announces the inaugural grantees. DTSC integrates input from the Pre-qualifying Application, initial phase of the Full Application and public feedback to enhance the community revitalization goals of the ECRG program.
- **Spring 2022:** DTSC uses information gathered to date to refine and enhance our service to communities through the ECRG program.
- **Summer 2022:** DTSC launches subsequent rounds of the ECRG application.

To stay informed about the ECRG program updates, **sign up for our mailing list.**

Visit **DTSC's Brownfield website** for more information

General questions about ECRG?
Please contact: **ECRGinfo@dtsc.ca.gov**

To contact ECRG's Tribal Coordinator:
TribalAffairs@dtsc.ca.gov

Revised: December 2021

NEW PROGRAM PROVIDES FUNDING AND EXPERT GUIDANCE

In 2021, Gov. Gavin Newsom signed legislation referred to as the Cleanup In Vulnerable Communities Initiative (CVCI), allocating $500 million to expedite the cleanup and beneficial reuse of contaminated properties, with priority given to properties in historically vulnerable and disadvantaged communities. The Department of Toxic Substances Control's Office of Brownfields Equitable Communities Revitalization Grant (ECRG) will provide more than $200 million in grants to incentivize cleanup and investment in disadvantaged areas of California.

To support these important goals, the ECRG program:

- Has streamlined the application process
- Makes grants for eligible expenses up to $7 million
- Does not require property ownership to participate
- Focus in environmental justice areas
- Supports applicants with free technical assistance and other expert guidance

California local governments, nonprofits and federally and non-federally recognized tribes are eligible to apply. Grants will be awarded following an application process, with funds available for community-wide assessments, environmental investigations, and environmental cleanups that support beneficial reuses, such as recreational uses (parkland, green open spaces), commercial enterprises and housing. Eligible organizations are encouraged to apply.

Who is Eligible: California local governments, nonprofits and federally and non-federally recognized tribes.

Eligible Properties: Generally, any property owned, controlled by or accessible to the applicant that is contaminated and slated for reuse, unless the applicant caused or contributed to the contamination of the property.

Key Information:

- Priority will be given to applicants in high poverty areas with the highest pollution burdens as defined by a CalEnviroScreen 3.0 (CES) score of 75%and higher.
- DTSC will consider applications below the CES score of 75% to support rural communities, Tribes, and other vulnerable populations. Examples include nonprofit community services, health clinics or medical services, cultural institutions and uses supporting unhoused or underhoused populations.
- Properties should meet the definition of a brownfield: properties where the presence of, or potential presence of, hazardous substances, pollutants, or contaminants may complicate expansion, redevelopment, or reuse.

Expert Guidance: The DTSC has selected the Center for Creative Land Recycling (CCLR) as DTSC's Brownfield Technical Assistance Provider. CCLR is available for free one-on-one and group support and assistance throughout the application process. More information about CCLR's services is available by contacting ECRG@CCLR.org or call (510) 269-7020.

Download a collection of all CVCI Program Quick Reference Guides

DTSC
Department of Toxic Substances Control

DISCOVERY AND ENFORCEMENT PROGRAM

FUNDING FOR CLEANING UP ENVIRONMENTAL JUSTICE COMMUNITIES APPROVED

In July 2021, Senate Bill 158 (SB 158) was signed, which appropriates$500 million for DTSC to investigate and clean up contaminated properties and revitalize environmental justice communities. A survey conducted by the State Coalition for Remediation for Dry Cleaners estimates that 75% of dry-cleaning facilities in the United States have caused significant soil and/or groundwater contamination. In California, there are approximately 7,500 known dry-cleaning facilities. The Discovery and Enforcement Program is being established as part of the Cleanup in Vulnerable Communities Initiative to assess and cleanup the dry-cleaning chemicals that have been released into the environment and could be affecting our communities. This program will prioritize investigation and cleanup of dry-cleaning sites in communities with high cumulative environmental burdens and close proximity to sensitive receptors.

TENTATIVE SCHEDULE

AUGUST 2021 – DECEMBER 2021
Conduct prioritization of sites for discovery in year 1; Initiate contracts
DECEMBER 2021 – MARCH 2022
Finalize contracts; Start site discovery process for year 1 sites
MARCH 2022 – JUNE 2022
Start discovery investigation for year 1 sites; Identify sites for discovery in year 2

The Discovery and Enforcement Program proposes the following actions to implement the initiative:

1. Prioritize sites based on CalEnviroScreen 3.0 scores and proximity to sensitive receptors.
2. Create a public and tribal engagement strategy to solicit input and make changes as appropriate.
3. Perform Phase I Environmental Assessments and limited discovery sampling to evaluate potential releases and risk associated with contamination.
4. Implement immediate response action, if necessary.
5. Perform additional environmental investigations and cleanups, as appropriate.
6. Initiate enforcement with responsible parties.
7. Cleanup contamination that threatens environmental justice communities. And community engagement.

Visit DTSC's CVCI website for more information.

To learn more about the Discovery and Enforcement Program and upcoming opportunities, contact Rafat.Abbasi@dtsc.ca.gov.

Download a collection of all CVCI Program Quick Reference Guides

Revised: December 2021

SMALL BUSINESS PROGRAM

In 2021, Gov. Gavin Newsom signed the Cleanup in Vulnerable Communities Initiative (CVCI), allocating $500 million to the Department of Toxic Substances Control (DTSC) to expedite the cleanup and beneficial reuse of idled properties that may be contaminated, with priority given to properties in historically vulnerable and disadvantaged communities. DTSC will use the $500 million for grants to investigate and clean up brownfields in environmental justice communities, a program to investigate and clean up properties impacted by dry-cleaning contamination in environmental justice communities, a workforce development program, and several programs focused on environmental equity, justice and community engagement. Visit DTSC's Brownfield website for more information

CVCI Small Business Advocacy Program

DTSC is advocating the use of small business and disabled veteran business enterprises to enhance equitable access to opportunities under the Cleanup in Vulnerable Communities Initiative, also referred to as "CVCI". Engaging with small businesses, especially women owned, minority, and disadvantaged businesses, creates opportunities for inclusion and can strengthen California's economy. DTSC will work with the Department of General Services (DGS) and the California Office of the Small Business Advocate (CalOSBA) to increase outreach with the small business community to provide meaningful opportunities to participate in the CVCI. As the various programs under the CVCI are developed, DTSC will be encouraging small business to respond to solicitations for various projects that will support DTSC's efforts to address environmental disparities in our most vulnerable communities. Following the three relatively simple steps outlined in this Quick Reference Guide will enable small businesses to compete for certain CVCI projects.

DTSC Encourages Small Business to Become Certified

The State established the Small Business (SB) and Disabled Veteran Business Enterprise (DVBE) Certification Programs to increase business opportunities for the SB and DVBE community.

Step 1: Become Certified

SB Eligibility Requirements

- Independently owned and operated
- Cannot be dominant in the field of operation
- Must have its principal office located in California
- Must have its owners (or officers in the case of a corporation) reside in California; and together with affiliates, be either: a business with 100 or fewer employees and have average annual gross receipts (GARs) of $15 million or less over the three most recent tax years or a manufacturer with 100 or fewer employees (GARs not required)

DVBE Eligibility Requirements

- The veteran must have a service-connected disability of at least 10% declared by the United States of Veterans Affairs or the United States Department of Defense
- At least 51% owned by one or more disabled veterans, except in the case of a Limited Liability Company (LLC). The LLC must be wholly owned by one of more disabled veterans
- The disabled veteran(s) who owns, manages, and controls the firm must reside in California
- Daily business operations must be managed and controlled by one or more disabled veterans

Principal office must be located in the United States and cannot be a branch or subsidiary of a foreign corporation, foreign firm, or other foreign based business

SB and DVBE registration and certification can be accessed at https://www.dgs.ca.gov/PD-SB-DVBE-Resources

Step 2: Become a California Multiple Award Schedules (CMAS) Contractor

The CMAS program is a procurement option. DGS establishes agreements with businesses who offer products and/or services based on terms of a current federal General Services Administration (GSA) multiple award schedule. A purchase using a CMAS contract may be awarded to multiple suppliers. CMAS competitively assesses contracts for products and services and lets state and local government agencies streamline their purchasing.

State and local government agencies shop and compare CMAS for the best value, e.g., gest price product, service, etc., and place orders directly with these businesses.

CMAS information and application can be accessed at https://www.dgs.ca.gov/PD-CMAS

Step 3: Find Contracting Opportunities

Cal eProcure is an online procurement service to help state agencies organize, automate and better manage purchasing processes on the web. Cal eProcure houses California State Contracts Register (CSCR) which is a one-stop central information source for state contracting opportunities. State agencies post solicitations on this website when they are seeking bids. CSCR connects businesses to government solicitations with an easy-to-use, online publication contract list.

Small business who are eligible to serve as sub-contractors can find contracting opportunities and place ads seeking work with potential prime contractors at no cost.

Additional information and resources can be accessed at https://caleprocure.ca.gov/pages/index.aspx

Additional Resources

California Office of the Small Business Advocate (CalOSBA) supports economic growth and innovation and ensures that all California small businesses and innovative startups have the information and direct support they need to better navigate resources, programs and regulations. CalOSBA serves as the voice of small business, representing their views and interests across the state and advocating for equitable access to capital, markets, and networks so that all California small businesses successfully start, manage, grow, and become more resilient. For more information on CalOSBA, visit https://calosba.ca.gov

California Capital Financial Development Corporation – Procurement Technical Assistance Center (PTAC) helps established SB prepare for, pursue, and perform on government contracts. PTAC services include one-on-one counseling, training workshops and an automated bid matching system. California Capital PTAC is funded in part through the Department of Defense therefore all services are provided at no cost. PTAC counselors assist small businesses to understand government contracting requirements, pursue California State (SB, SB-PW, DVBE) and Federal certifications (veteran-owned small business (VOSB), service-disabled veteran owned small business (SDVOSB), woman-owned small business (WOSB), economically disadvantaged women-owned small business (EDWOSB), 8(a), historically underutilized business zone (Hub Zone), etc..), applicable registrations, conduct market research, identify bid opportunities and proposal preparation. For additional information or to register, visit https://cacapital.org/ptac

Pacific Asian Consortium in Employment (PACE) is an economic development, nonprofit, community organization that is dedicated to the growth and economic expansion of diverse Los Angeles communities. This is accomplished through providing access to capital, financial literacy, business consultations and procurement assistance services. PACE offers aspiring and existing small business owners free one-on-one business consulting, free to low-cost workshops and trainings including business development & strategic planning, market research, financial packaging, lending assistance, manufacturing assistance, exporting & importing support, contract sourcing and Bid proposal assistance, small business certification support, disaster recovery resources and much more. For more information on PACE, visit http://pacelabdc.org/.

To learn more about the CVCI Small Business Advocacy Program and upcoming opportunities, contact Rana.Georges@dtsc.ca.gov.

Download a collection of all CVCI Program Quick Reference Guides

Revised: December 2021