



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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**Edmund G. Brown Jr.**  
Governor

May 6, 2016

Mr. Gideon Kracov, Chairman  
Independent Review Panel  
Department of Toxic Substances Control

### RCRA GRANT DATA INFORMATION REQUEST

Dear Mr. Kracov:

In the Independent Review Panel's (IRP) "Initial Report to the Governor and the Legislature Pursuant to Health and Safety Code Section 57014(f)" dated January 28, 2016, it asked DTSC to provide information on "progress with data management goals from its US EPA/Cal DTSC 2015-2017 RCRA Grant Work Plan pp. 28-30."

In response to this request, DTSC is providing 1) the relevant RCRA Grant data from its mid-year self-evaluation report for July 1, 2015 through December 31, 2015 submitted to US EPA on March 3, 2016; 2) updated RCRA Grant information for activities completed between January 1, 2016 and March 31, 2016; and 3) US EPA's "Hazardous Waste End of Year Evaluation Recommendations" for FY2014-2015 and DTSC's responses.

If you have any questions please contact Christopher Law at 916-322-0513 or via [Christopher.Law@dtsc.ca.gov](mailto:Christopher.Law@dtsc.ca.gov).

Sincerely,

Elise Rothschild, REHS  
Deputy Director  
Hazardous Waste Management Program

**Attachments:**

- 1. RCRA Data Information Extracted from the Mid-Year Self-Evaluation Report for July to December 2015 submitted to US EPA**
  - 2. RCRA Data Information Update for January 1 – March 31, 2016**
  - 3. US EPA Hazardous Waste End of Year Evaluation Recommendations with DTSC Responses**
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## ATTACHMENT 1

RCRA Data Information  
Extracted from DTSC's Mid-Year Self-Evaluation Report  
For  
July to December 2015 Submitted to U.S. EPA on March 3, 2016

**Office of Environmental Information Management  
FY 2015-16  
Mid-Year Self-Assessment Report**

**Information Management**

DTSC's EnviroStor Data Management System regularly reports enforcement, permitting, and corrective action outputs. These reports include the [Government Performance and Results Act (GPRA)] accomplishments to [US EPA's Resource Conservation and Recovery Act Information database (RCRAInfo)] to ensure accurate, timely, and complete tracking and reporting of RCRA core measures. DTSC continues to transfer data to RCRAInfo by exporting data in the approved [Extensible Markup Language (XML)] format and uploading the XML file to the Cal/EPA node, which is then transferred to US EPA's Central Data Exchange (CDX). From CDX, the data is then transferred to RCRAInfo. Data for Enforcement, Corrective Action, and Permitting is reported on a monthly basis on approximately the 15<sup>th</sup> of each month. Quality assurance and control was conducted after each successful upload to ensure that the data was successfully transferred. Below are the dates of each successful upload which include special requests for additional uploads beyond the regularly scheduled monthly process.

PERMITTING	CORRECTIVE ACTION	ENFORCEMENT
1/15/2016	1/15/2016	1/15/2016
12/15/2015	12/15/2015	12/15/2015
11/13/2015	11/13/2015	11/13/2015
10/15/2015	10/15/2015	10/15/2015
10/2/2015	10/9/2015	10/2/2015
9/30/2015	10/9/2015	9/30/2015
9/15/2015	10/9/2015	9/25/2015
8/14/2015	10/2/2015	8/14/2015
7/15/2015	9/30/2015	7/15/2015
	9/28/2015	
	9/25/2015	
	9/8/2015	
	8/31/2015	
	8/14/2015	
	8/7/2015	
	7/15/2015	

**RCRAInfo – CERS Data Uploads**

The Data Management Unit worked with representatives from US EPA and Cal/EPA to assist in setting up the California Environmental Reporting System (CERS) data submission of CUPA data to RCRAInfo. Information regarding DTSC's RCRAInfo submission process was provided to Cal/EPA to ensure that the EnviroStor and CERS Data flows do not overwrite each other.

# Office of Environmental Information Management

FY 2015-16

## Mid-Year Self-Assessment Report

### Permitting – Final Part B Applications

The Data Systems Unit began conversations with the Office of Permitting to enhance the EnviroStor system to make the final Part B applications available to the public and other interested parties.

### EPA ID Number Issuance – Policy & Program Support Division

DTSC assumed all responsibility for the issuance of the EPA ID numbers and data management services from the U.S. EPA contractor, Tetra Tech, EM Inc., beginning June 1, 2015.

Below is a list of the high-level tasks and activities that have been completed to date or are planned.

#### Progress Status:

- Updated existing EPA ID Number, Manifest, and Fees webpages, creating new web pages for the DTSC website for ID numbers including using point-and-click buttons.
- Developed a process for issuance of State and Federal ID numbers to be placed on the DTSC website.
- Provided information for the US EPA webpage to the US EPA for posting.
- Answered all administrative and technical telephone calls related to issuance of federal ID numbers.
- Identified DTSC users who will be assigned Key Data Entry activities into RCRAInfo, and coordinated with US EPA to obtain user access.
- Awaiting the Office of Administrative Law's approval to adopt regulation for incorporation of EPA ID number notification requirements into state regulations.

#### Federal ID Number Process Flow:

- Process mail and conduct both administrative and technical reviews of federal notification documents. As part of the review, DTSC ensures the accuracy of the information required for the generator profile as well as technical information on federal activities proposed on the federal notification.
- Key data entry notification information into both RCRAInfo (federal) and HWTS (state) databases.
- Perform quality control procedures on data entered into databases.
- Develop and distribute acknowledgment letters to handlers and DTSC retention files.
- Track all EPA ID number issuances in an Excel spreadsheet. After 90 days, inactivate Provisional EPA ID numbers.

# Office of Environmental Information Management

FY 2015-16

## Mid-Year Self-Assessment Report

For the period of July 1, 2015 – December 31, 2015, DTSC has completed the following related to Federal Notifications:

Provisional: 96

Initial: 223

Subsequent: 154

### Biennial Report - Policy and Program Support Division

2015-16 is the second Biennial Report (BR) cycle for the Policy and Program Support Division. The BR serves to gather information about the generation, transportation, and final disposition of hazardous waste in the state. The resulting BR is maintained and managed to evaluate and characterize RCRA hazardous waste management, generation, treatment, storage, disposal, minimization, and waste management capacity.

From July 1, 2015 – December 31, 2015 DTSC completed the following activities:

- On November 19, 2015, DTSC secured the EasiTrak software as a one-time transitional solution to replace the “Florida Software” used in the 2013 Report. EasiTrak was the U.S. EPA’s recommended software used by several other reporting states.
- On December 29, 2015, DTSC identified all RCRA [Large Quantity Generators (LQGs)] and [Treatment, Storage, and Disposal Facilities (TSDFs)] operating in California during the 2015 survey cycle.
- On December 31, 2015, EasiTrak became operational with California’s information on the State Information Page.

Planned activities from January 1, 2016 – March 31, 2016:

- In the week of January 4, 2016, the link to the EasiTrak software, as well as instructions, are to be included with the 2015 BR cycle updates to DTSC’s webpages.
- January 8, 2016 is the planned date for forms, instructions, and the EasiTrak software link and information posting to the DTSC website.
- The week of January 11, 2016 is set for courtesy emails to be sent to LQGs and TSDFs that were identified and required to file the 2015 BR.
- March 1, 2016 is the deadline for BR report filers.
- DTSC will provide the EPA with a copy of BR-related materials distributed to the regulated community that were not developed by the EPA. This will provide EPA links to documents once posted to our website.
- Efforts are currently underway to secure approval for the sole-source purchase for continuity’s sake.

## **Office of Environmental Information Management**

**FY 2015-16**

### **Mid-Year Self-Assessment Report**

Coordination with US EPA - Policy and Program Support Division:

- A minimum of one call per month occurred between DTSC and US EPA's Grant section. These calls were to update each agency on pressing issues, grant activity status, trainings, and funding.

ATTACHMENT 2

RCRA Data Information Update  
For  
January 1 – March 31, 2016

RCRA Data Information Update  
For  
January 1 – March 31, 2016

**Information Management**

DTSC’s EnviroStor Data Management System regularly reports enforcement, permitting, and corrective action outputs. These reports include the Government Performance and Results Act (GPRA) accomplishments to RCRAInfo to ensure accurate, timely, and complete tracking and reporting of RCRA core measures. DTSC continues to transfer data to RCRAInfo by exporting data in the approved XML format and uploading the XML file to the Cal/EPA node, which is then transferred to US EPA’s Central Data Exchange (CDX). From CDX, the data is then transferred to RCRAInfo. Data for Enforcement, Corrective Action, and Permitting is reported on a monthly basis on approximately the 15<sup>th</sup> of each month. Quality assurance and control was conducted after each successful upload to ensure that the data was successfully transferred. Below are the dates of each successful upload which include special requests for additional uploads beyond the regularly scheduled monthly process.

PERMITTING	CORRECTIVE ACTION	ENFORCEMENT
3/15/2016	3/31/2016	3/31/2016
2/16/2016	3/15/2016	3/15/2016
1/15/2016	2/16/2016	2/19/2016
	1/15/2016	2/16/2016
		1/15/2016

**RCRAInfo – CERS Data Uploads**

The Data Management Unit worked with representatives from US EPA and CalEPA to assist in setting up the California Environmental Reporting System (CERS) data submission of Certified Unified Program Agency (CUPA) data to RCRAInfo. Information regarding DTSC’s RCRAInfo submission process was provided to CalEPA and analysis was completed to ensure that the EnviroStor and CERS data flows do not overwrite each other.

**Permitting – Final Part B Applications**

The Data Systems Unit began conversations with the Office of Permitting to enhance the EnviroStor system to better identify instances where the final Part B application has not been uploaded and made available to the public and other interested parties. It is expected that system changes will be completed by June 2016 for loading of the information.

RCRA Data Information Update  
For  
January 1 – March 31, 2016

**EPA ID Number Issuance – Policy & Program Support Division**

DTSC assumed all responsibility for the issuance of the EPA ID numbers and data management services from the US EPA contractor, Tetra Tech, beginning June 1, 2015.

**Federal EPA ID Number Process Flow:**

- Process mail and conducts both administrative and technical reviews of the forms. As part of the review, DTSC ensures the accuracy of the information required for the generator profile.
- Review applications and input data into both RCRAInfo and HWTS by the same staff person.
- Perform QA/QC and correct any errors. Send a letter to the generator giving them information regarding the EPA ID number issued to the site. File all forms.
- Track all EPA ID number issuance into an Excel spreadsheet. After 90 days, inactivate Provisional EPA ID numbers.
- Quality Assurance Project Plan (QAPP) for RCRA grant and subsequent reports.

From January 1, 2016 – March 31, 2016, the following EPA ID numbers have been issued:

Provisional: 57  
Initial: 159  
Subsequent: 81

From January 1, 2016 – March 31, 2016

**Special Project:** DTSC received 200 Federal EPA ID number applications (EPA Form 8700-12) for new CVS Pharmacy stores in located in California. DTSC developed a workplan and timeline to incorporate processing the additional 200 CVS applications into its existing workload. DTSC notified CVS of its timeline. DTSC is coordinating with US EPA and DTSC OEIM staff to scope the feasibility of an electronic process for completing key data entry of Form 8700-12 application information, in lieu of manual input methods, for large volumes of applications received from a single entity.

**Biennial Report - Policy and Program Support Division**

2015-16 is the second Biennial Report (BR) cycle for the Policy and Program Support Division. The BR serves to gather information about the generation, transportation, and final disposition of hazardous waste in the state. The resulting BR is maintained and managed to evaluate and characterize RCRA hazardous waste management, generation, treatment, storage, disposal, minimization, and waste management capacity.

RCRA Data Information Update  
For  
January 1 – March 31, 2016

From January 1, 2016 – March 31, 2016 DTSC completed the following activities:

- The link to the EasiTrak software and instructions were included with the 2015 BR cycle updates to DTSC's website.
- DTSC sent courtesy emails to California's Large Quantity Generators and authorized treatment, storage, and disposal facilities subject to the 2015 Biennial Report requirements.
- March 1, 2016 was the deadline for Biennial Report filers.
- DTSC over saw the submittals of approximately 2,600 Biennial Report filers for the 2015 cycle.

**Coordination with US EPA on Data Activities**

Besides the normal discussions between the agencies' staff there are management coordination meetings and conference calls to identify issues and insure both agencies understand critical needs.

Conference calls with US EPA on Data Management	Meetings With US EPA on Data Management
2/10/2016	2/18/2016-Meeting
3/10/2016	

## ATTACHMENT 3

US EPA Hazardous Waste End of Year Evaluation Recommendations and DTSC  
Responses

US EPA Hazardous Waste End of Year Evaluation Recommendations  
DTSC Responses

On April 11, 2016, US EPA provided a Hazardous Waste End of Year Evaluation to DTSC in response to DTSC's Fiscal Year 2014/2015 Self-Evaluation End Of Year Report. Some of US EPA's comments were directed at DTSC's Data Management efforts, which DTSC has been compiling information about to provide to the Independent Review Panel. DTSC is providing information about US EPA's issues and recommendations regarding DTSC's reported activities, and DTSC's response to those issues and recommendations. The following presents the items extracted from US EPA's evaluation, and DTSC's responses:

**US EPA Issues and Recommendations Regarding Data Management**

**Issue 1:** DTSC contracted out handler notification data management until 6/1/2015. At that point, DTSC staff undertook the task of managing handler notifications for new handlers, changes and deactivations for current handlers, and emergency and provisional identification number issuance. US EPA hopes DTSC can maintain this level of operation.

**US EPA Recommendation**

- a. DTSC notifications staff should provide their manager and copy US EPA on the number of requests received and processed, and technical assistance provided on a monthly basis. (See your self-evaluation chart on page 56 for sample. For details, DTSC might use "History of Activity Handler Report" query available in RCRAInfo.)

**DTSC Response**

DTSC will develop metrics and reporting documentation to capture and monitor outputs on issuance of notifications.

**US EPA Recommendation**

- b. US EPA requests a confirmation email sent to the US EPA RCRAInfo regional database administrator when ID numbers requested by US EPA Region 9 are issued by DTSC.

**DTSC Response**

DTSC will send an email confirmation to the US EPA RCRAInfo regional database administrator when ID numbers requested by US EPA Region 9 are issued by DTSC.

**US EPA Recommendation**

- c. DTSC should work on comparing the universe of handlers in HWTS who qualify as LQGs or TSDFs against the list of LQGs and TSDFs in RCRAInfo such that universe data may be corrected.

**DTSC Response**

The data goes through the following activities:

## US EPA Hazardous Waste End of Year Evaluation Recommendations DTSC Responses

1. Download the data from RCRAInfo for the three areas Cleanup, Permitting, and Enforcement
2. Download the data from EnviroStor for all three EnviroStor systems (Cleanup, Permitting, and Enforcement)
3. Compare the two data sets for discrepancy
4. If there is discrepancy the issue will be highlighted and the leads will look into the discrepancy

Additionally, the DTSC CUPA evaluators use HWTS to obtain LQG information within a CUPA's jurisdiction. During the evaluation, they review the LQG data in CERS for that CUPA and if there are discrepancies between HWTS and CERS, we ask the CUPA to reconcile the data in CERS. We also provide the CUPA with a list of all active generators in their jurisdiction and ask that they compare this list with their known universe. If there are generators on our HWTS list that the CUPA is not aware of, we ask the CUPA to look into those generators so that they can be added to their universe. The generator universe issue is then followed up at the CUPA's next evaluation in 3 years.

The CUPAs will have entered 90% of all the LQGs in their jurisdictions by September 2016. This goal was agreed to between the CUPA Forum Board, CalEPA and US EPA at the 2015 CUPA Conference Executive Leadership meeting.”

**Issue 2:** CUPA Compliance Monitoring and Enforcement (CME) data is not being uploaded and historic data loads contain errors.

### **US EPA Recommendation**

- a. DTSC should participate in the discussions EPA and CalEPA are having about how to flow CERS data to RCRAInfo, and how to correct historic unresolved violations, particularly where a "returned to compliance" date is noted in CERS and missing from RCRAInfo.

### **DTSC Response**

With respect to violation issues in RCRAInfo, the evaluators review CERS data for Return to Compliance (RTC) information. If a CUPA has achieved an 80% rate of RTC across all generators, then this is considered acceptable and noted in the evaluation report. If a CUPA has not achieved an 80% rate, then this is cited as a deficiency and we work with the CUPA to develop a plan to increase their RTC rate within one year or less of the evaluation. We anticipate the RTC rate to increase above 80% as portal issues are resolved, the CUPAs become more adept at entering CERS data, and as CalEPA continues to emphasize the importance of correct CME data by issuing deficiencies for CERS data entry. DTSC will continue

US EPA Hazardous Waste End of Year Evaluation Recommendations  
DTSC Responses

to emphasize and work with the CUPAs on RTC for RCRA LQGs as we perform the CUPA evaluations.

To reinforce accurate data entry:

- a. CalEPA's revised CUPA evaluation process puts much emphasis on CERS data as the evaluators are now required to mine this data for compliance with Title 27 regulations. There has been an increase in deficiencies because of missing data elements.
- b. CUPAs receive training on CME data entry at the CUPA conference
- c. CUPAs receive training on violation classification at the CUPA conference
- d. CUPAs receive training on what counts to determine generator status at the CUPA conference
- e. CME data entry is discussed at the following committees that meet bimonthly or quarterly:
  - o Hazardous waste technical advisory committees (TAGs)
  - o Unified Program Administration and Advisory Group (UPAAG)
  - o Data Steering Committee
  - o Enforcement Steering Committee
- CERS violation library has a section dedicated to LQG violation data
- CalEPA is citing CUPAs for not having CME data in CERS

**Issue 3:** 2013 Biennial Report data was discovered to be incomplete during preparations for the 2015 Biennial Report. The absence of "wastes received" data compromises permitting and compliance monitoring of those handlers.

**US EPA Recommendation**

- a. DTSC should review the submittals from all TSDFs whose "wastes received form count= 0" to determine if biennial report data was not submitted by the facility or if it was not entered by DTSC. If the latter is the case, DTSC should enter the data. If the forms were never submitted, active TSDFs with manifested waste in HWTS should be considered for enforcement action.

**DTSC Response**

Current DTSC staff was unaware of the absence of "waste received" data. DTSC will work with US EPA to confirm and resolve any discrepancies.