

Status of Independent Review Panel Information Requests As of September 19, 2016

Description	Date of Request/Venue	Due Date	Fulfillment Date/Resolution
Overarching and Miscellaneous			
DTSC comment on statutory change to allow public comment on draft settlements	12/8/15 IRP Meeting	N/A	Request Withdrawn
Signed legislation affecting DTSC in the last two years	12/9/15 IRP Meeting	N/A	12/11/15
Regulations promulgated in past two years and anticipated regulations pertaining to DTSC	12/9/15 IRP Meeting	N/A	12/11/15
Departmental Procedures Memorandums issued by DTSC director in the last 18 months	12/9/15 IRP Meeting	2/29/16	3/9/16
DTSC statutory reporting obligations	12/18/15 IRP Meeting	N/A	1/12/16
Bullet-point summary of DTSC budget change proposals	1/13/16 IRP Meeting	N/A	Request Withdrawn
Permitting			
Written summary of relationship between staff levels and number of permit applications received and issued	12/8/15 IRP Meeting	N/A	Request Withdrawn
LAO report on financial assurances	12/9/15 IRP Meeting	N/A	12/11/15
Air monitoring excerpts from 2005 Quemetco permit	12/9/15 IRP Meeting	N/A	12/11/15
List of how many Hazardous Waste Facility Permit permittees now fall within AB1075's violation categories, with specifics	1/28/16 IRP Report	4/1/16	5/5/16
List of financial assurances for every full permit site	1/28/2016 IRP Report	3/1/16	3/1/16
Information that provides the following: (1) permitted sites that have provided financial assurances for corrective action, (2) permitted sites that have known contamination, and (3) any permitted sites for which DTSC lacks knowledge about whether there is or is not contamination	2/19/16 IRP Staff Request	3/21/16	3/23/16
Suggested metrics to evaluate Permitting Program performance (quantitative and/or qualitative)	2/22/16 IRP Staff Request	3/21/16	3/21/16
Initial ideas for draft regulations on permit violations scoring procedure	2/22/16 IRP Staff Request	3/9/16	3/9/16 IRP Meeting Presentation
Ideas for improving fee structure for permitting applications	2/22/16 IRP Staff Request	3/21/16	3/18/16
Additional Permitting Enhancement Work Plan action items	3/9/16 IRP Meeting	N/A	3/21/16

Adequately address IRP questions raised at April 7, 2016 meeting concerning March 23, 2016 data received from DTSC on financial assurances for corrective action. Provide clear information on which hazardous waste facility permit holders with known site contamination have provided financial assurances for site corrective action and identify the form and amount of each financial assurance for corrective action.	4/21/16 IRP Report	5/1/16	6/7/16
Update on status of state Hazardous Waste Management Plan as well as county hazardous waste management plans and recommend any advisable changes to the HSC Section 25135	4/21/16 IRP Report	7/1/16	Overdue
List of sites on continued permit status	4/21/16 IRP Report	7/1/16	7/6/16
Information on whether a Statement of Overriding Considerations was used, what type of CEQA document (EIR, addendum, negative declaration, exemption, etc.) was used, and whether a human health risk assessment was prepared for each permitted hazardous waste facility	4/21/16 IRP Report	9/1/16	Overdue
Report on whether DTSC is complying with the HSC Section 25200.8 requirement to initiate proceedings to deny a permit application if an applicant does not respond to three or more notices of deficiency, or responds with substantially incomplete or unsatisfactory information on three or more occasions. If DTSC is not currently complying, it should explain the reasons for not doing so and indicate whether code section should be amended.	4/21/16 IRP Report	1/1/17	Pending
DTSC work plan on financial assurances	IRP Staff Request 5/2/16	N/A	5/10/16
Enforcement			
Relevant enforcement code sections	12/8/15 IRP Meeting	2/29/16	2/29/16
Data on compliance with 65-day inspection report and 175-day return to compliance/referral requirements under HSC section 25185(c), including data for every permit site from 2014-2015 on: inspections, violations, and enforcement outcomes	1/28/16 IRP Report	5/1/16	5/10/16
Progress with data management goals from USEPA/ DTSC 2015 -2017 RCRA Grant Work Plan pp. 28-30	1/28/16 IRP Report	5/1/16	5/9/16

How environmental justice (EJ) and health risk are prioritized in enforcement under AB 1329, particularly HSC section 25180.2, including identification of planned EJ enforcement initiatives	1/28/16 IRP Report	5/1/16	5/6/16
Data on "cases" created in EnviroStor for CY 2014 and CY 2015, including number of referrals to the Attorney General, local District Attorney, and City Attorney for prosecution	1/28/16 IRP Report	5/1/16	5/5/16
Summary of various DTSC reporting mechanisms to other CalEPA, US EPA, and any other agencies	6/8/16 Meeting	7/13/16 Meeting	Information supplied to Vice Chair Vizzier for 7/26/16 IRP Report
Funds budgeted by DTSC for Attorney General's Office prosecutions in recent years	6/8/16 Meeting	7/13/16 Meeting	7/11/16
Statutory authority for penalties for DTSC administrative enforcement orders	6/8/16 Meeting	7/13/16 Meeting	6-29-16 (IRP Staff)
OCI and EERD staff levels in 2008 compared to present	6/8/16 Meeting	7/13/16 Meeting	7/8/16
SB 1249 regulatory status	1/28/16 IRP Report	5/1/16	5/5/16
Measure and evaluate the violations found during comprehensive inspections of hazardous waste treatment, storage, and disposal facilities	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the percentage of hazardous waste treatment, storage, and disposal facilities with comprehensive inspections in which a Summary of Violation was made	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the percentage of formal enforcement actions taken within 360 days of Summary of Violation, with a goal of exceeding the national average	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the number of final formal enforcement actions and associated penalties	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the referral time for OCI cases with a goal of referring 95 percent of the cases within 180 days from the date the violation was determined	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the percentage of EERD administrative enforcement actions completed within 180 days from the date the violations were determined when the calculated penalties are less than \$75,000, with the goal of completing 90 percent within 180 days	7/26/16 IRP Report	9/30/17	Pending

Measure and evaluate the number of enforcement actions taken and amount of money collected from fines	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the number of criminal enforcement proceedings undertaken	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the amount of enforcement fines diverted to environmental justice SEPs	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the average length of time for violators to return to compliance or fulfill corrective action	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the frequency of inspections conducted at each permitted hazardous waste facility	7/26/16 IRP Report	9/30/17	Pending
Measure and evaluate the percentage of enforcement actions and inspections taken in environmental justice communities	7/26/16 IRP Report	9/30/17	Pending
Public Outreach			
Best practices for translating meeting documents		2/29/16	5/2/16
UCD Work Plan for Public Participation	12/9/15 IRP Meeting	N/A	12/11/15
Update on the "actions DTSC is taking to strengthen its commitment to supporting diversity and fostering cross-cultural understanding"	1/28/16 IRP Report	6/1/16	6/3/16
Public participation budget, staffing, and language skills	1/28/16 IRP Report	6/1/16	8/10/16 IRP Meeting Presentation
Procedures for formal public feedback and evaluation of each public participation project and how such evaluation is used to evaluate and improve the overall public participation program	1/28/16 IRP Report	6/1/16	8/10/16 IRP Meeting Presentation
Share DTSC's opinion on the five 1/28/16 report recommendations that pertain specifically to public participation .	8/10/16 Meeting	N/A	Pending
Report on UC Davis recommendations to improve public outreach.	8/10/16 Meeting	N/A	Pending
Fiscal Management			
Status of Fi\$cal implementation and billing status	1/28/16 IRP Report	2/15/16	3/9/16 IRP Meeting Presentation
Status of limited-term cost recovery positions	1/28/16 IRP Report	11/1/16	Pending
Data on how much of DTSC's collections are billed and outstanding in all areas/programs and solutions to barriers	1/28/16 IRP Report	11/1/16	Pending

Goals and timelines in DTSC's internal cost recovery improvement programs, including: (1) sustainable cost recovery systems, (2) Audit Backlog Work Plan, and (3) Envirostor Enhancements to improve cost recovery	1/28/16 IRP Report	11/1/16	Pending
Report on any follow-up examination or comments by the State Auditor on DTSC's cost recovery procedures and improvement efforts	1/28/16 IRP Report	7/1/16	7/6/16
Site Mitigation			
Response to People's Senate 2015 site-specific concerns	4/21/16 IRP Report	6/1/16	Overdue. DTSC informed IRP that it would respond to Panel with an update in mid-August, 2016.
Update on DTSC discussions with CalEPA and its boards, departments and offices as well as with local air districts on addressing fugitive dust impacts from site cleanup	4/21/16 IRP Report	1/1/17	Pending
Existing requirements, guidance documents, and other pertinent information on fence-line/aerial deposition monitoring during site mitigation in situations where there are adjacent receptors	4/21/16 IRP Report	1/1/17	Pending
Update on the status of the Exide Technologies facility closure and post-closure and residential cleanup, including funding for the efforts	4/21/16 IRP Report	1/1/17	Pending
Oral presentation in collaboration with the Department of Public Health on disposal requirements for radioactive waste that is above background levels, including discussion of the disposal of radioactive and mixed waste from the SSFL in Simi Valley	4/21/16 IRP Report	2/17 IRP Meeting	Pending
Oral presentation on sampling and analysis methods used for site characterization and mitigation, including criteria and methods used for "no further action" determinations as well as lessons learned from the follow-up sampling at Riverside Agricultural Park in 2015, why the DTSC concluded that 66 acres were safe to building residential homes at Ag Park in 2014, and why the DTSC and US EPA investigations came to different conclusions about levels of PCB contamination at the site	4/21/16 IRP Report	2/17 IRP Meeting	Pending