



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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**Edmund G. Brown Jr.**  
Governor

February 15, 2013

Dear All,

As a measure of its commitment to good government and to transparency, the California Department of Toxic Substances Control has launched a comprehensive review of its permit process.

During the past two years, stakeholder feedback and our own internal observations have demonstrated that there is room for improvement in the process of permitting hazardous waste treatment, storage and disposal facilities. Twenty-two businesses are working with outdated permits for various reasons, critics have complained the department does not have clear guidelines for when to deny a permit and businesses complain standards are unevenly applied.

To continue providing a high level of protection, DTSC must review its hazardous waste management guidance and practices as they relate to our permitting program. As a result, we have contracted with California Personnel Services (CPS) to perform an outside review of our permit process. CPS is a self-supporting state agency, created in 1985 to improve the performance of government and non-profit agencies, as well as private companies. Bill Magavern, Senior Policy Advocate for the Coalition for Clean Air, and Tom McHenry, a member of Gibson, Dunn & Crutcher's Environmental Litigation and Mass Tort Practice Group, are serving as advisors to CPS.

A well-crafted and up to date permit provides a level playing field for California businesses and ensures those businesses are using the best available technologies to provide the maximum protection to surrounding communities. The purpose of the review is to provide recommendations for process improvements including standardized processes, clear decision-making criteria and corresponding performance standards. We are committed to following up with the report's findings and making the necessary changes.

Members of the CPS team will work directly with government, community, and industry stakeholders to identify areas for review and recommendations for process improvement. CPS will contact stakeholders, including many members of our External Advisory Group, and conduct feedback sessions in the near future. Recommendations and findings will be made public on the DTSC web site and are expected to be complete by June 30, 2013.

As Director of DTSC, I will value input that the review team collects from our stakeholders, and I am committed to using the team's recommendations and findings to improve the department.

Sincerely,  
Deborah O. Raphael  
Director, Department of Toxic Substances Control