DTSC Organizational Structure
Budget Overview
Proposed FY 2016-17 Budget
prepared for the
Independent Review Panel

January 13, 2016
Barbara Lee, Director
Organizational Chart

Director
Barbara Lee

Chief Deputy Director
Francesca Negri

Office of Civil Rights
Manager
Albert Hernandez

Assistant Director of Environmental Justice
Ana Mascareñas

Office of Legislation
Legislative Director
Joshua Tooker

Special Assistant for Program Review
Terri Hardy

Safer Products & Workplaces Program
Deputy Director
Meredith Williams

Brownfields & Environmental Restoration Program
Deputy Director
(Vacant)

Hazardous Waste Management Program
Deputy Director
Elise Rothschild

Office of Environmental Information Management
Deputy Director
George Okamoto

Office of Administrative Services
Deputy Director
Andrew Collada

Office of Communications
Deputy Director
Jim Marxen

Environmental Chemistry Lab Research Scientist Manager
Bruce LaBelle

Department of Toxic Substances Control
Cal/EPA
Organizational Chart

- Executive Branch

- Assistant Director for Environmental Justice
  Ana Mascareñas

- Director
  Barbara Lee

- Chief Deputy Director
  Francesca Negri

- Office of Civil Rights
  Albert Hernandez

- Office of Legislation
  Legislative Director
  Joshua Tooker

- Special Assistant for Program Review
  Terri Hardy
Organizational Chart

Brownfields & Environmental Restoration

Deputy Director (Vacant)

Div Chief, CEA

Cypress
Berkeley
Schools Evaluation & Brownfields Outreach

Office of Geology
Chatsworth
Grants & Program Support

Engineering & Special Project
Human & Ecological Risk
San Joaquin

Sacramento
Santa Susana Field Lab Project Support
Legacy Landfills

331.75 Total

Cal/EPA
Organizational Chart

Safer Products & Workplace Program

Deputy Director
Meredith Williams

45 Total

Product Research
24

Operations
6

Health & Safety
12
Organizational Chart

Office of Administrative Services

Deputy Director
Andrew Collada

150 Total

Accounting 40
Financial Planning/ Business Management 30
Human Resources/ Training 26.5
Regional Administration 52.5
Organizational Chart

Office of Legal Affairs

Chief Counsel
Reed Sato

51.5 Total

Office of Legal Affairs
37

Office of Planning and Environmental Analysis
12.5
Organizational Chart

Office of Environmental Information Management

Deputy Director
George Okamoto

63 Total

• Project Management Office: 20
• Applications Development & Support: 16
• Customer Support: 22
Organizational Chart

Office of Communications

Deputy Director
Jim Marxen

Communications
6

Public Participation & Community Relations
21.8

Media Relations
5

34.8 Total
Organizational Chart

Environmental Chemistry Lab

Research Scientist Manager
Bruce La Belle

52.5 Total

- Analytical Chemistry: 27.5
- Quality Assurance & Tech Support: 8
- Biomonitoring: 5
- Environmental Chemistry: 10
DTSC Funding History in Real Dollars

- Appropriation grew by 47%
- Inflation over same period: 98%
- Actual spending power has declined by 25%

Department of Toxic Substances Control
DTSC Legislative Mandate
DTSC Staff Levels Flat Over Time
(Authorized Positions)

* In FY 1993/94 the Hazardous Materials Laboratory was transferred from the Department of Health Services to DTSC (82.5 positions)
DTSC Funding Sources

DTSC Budget by Fund
Total = $216 million

*State Operations, excluding continuous appropriations, shown in millions of dollars
HWCA Revenues by Source

FY 2014-15
Total = $55.5 Million

(Figures in millions of dollars)

- Generator, $27.0
- EPA ID, $5.5
- Cost Recovery, $10.6
- Facility, $5.3
- Disposal, $4.8
- Manifest, $1.8
- Permit Application Fee, $0.6
- Manifest Correction, $0.1
- Interest, $0.01

Department of Toxic Substances Control

Cal/EPA
HWCA: Activities Funded

FY 2014-15
Total = $49.12 Million
(Figures in millions of dollars)

- Support Programs *
- Haz Waste Technical Assistance & Tracking, $5.1
- Corrective Action, $8.1
- Permitting, $2.7
- Environmental Chemistry Lab, $3.7
- BOE, $1.3
- Dept of Justice, $1.5
- CalEPA, 0.32
- Statewide Costs – ProRata, 1.8

*Support Programs include:
Legal Review, Health & Safety, CEQA, Public Participation, Billing & Accounting, Data Systems, etc. $12.2

Department of Toxic Substances Control
TSCA Revenues by Source

FY 2014-15
Total = $59.7 Million

(Figures in millions of dollars)
Fines & Penalties, $2.6
Interest & Unclaimed Checks, $0.1
Cost Recovery, $7.9
Environmental Fees (Tax), $49.1

Department of Toxic Substances Control

Cal/EPA
TSCA Activities Funded

FY 2014-15
Total = $58.8 Million

(Figures in millions of dollars)

Transfer to SRA for NPL/Orphan $10.2

- Biomonitoring $1.0
- CalFire $1.5
- Statewide Costs - ProRata $1.4
- Board of Equalization $3.4
- Department of Justice $1.5
- Facilities $5.8
- Support Services *$10.9
includes Executive, Admin, Legal, Health & Safety, Toxicology, Communications, operating costs,
- Safer Consumer Products $4.9
- State Response (Cleanup), $13.7
- Environmental Chemistry Lab $1.8
- Data Management $2.3
- Consumer Ban Enforcement $0.4
- Transfer to SRA for NPL/Orphan $10.2

Total = $58.8 Million

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Site Remediation Account

- State 10% funding match **required** for federal cleanup at contaminated sites on the construction of the remedy National Priorities List (NPL, a.k.a. Superfund sites).
- The State pays 100% during operation and maintenance.
- Cleanup of contaminated sites with no responsible party that are not on the NPL.
- Funding for cleanup at contaminated sites that are not on the NPL during cost recovery activities (recovered costs are returned to TSCA).
Federal Superfund Demands Compete with Orphan Site Cleanups*

NPL / Orphan Demand - Stable Funding Level
($ in thousands)

*Excludes legacy landfills.

Department of Toxic Substances Control

Cal/EPA
Orphan Sites

- US EPA estimates:
  - 450,000 contaminated sites nationwide
  - Between 96,000 and 212,000 contaminated sites in California

- DTSC has identified approximately 9,800 contaminated sites statewide.

- At most of these sites the responsible parties no longer exist, or have no ability to pay for the cleanup.
  - Potentially large number of orphan sites in California.
Impacts of Orphan Sites

- Many of these sites have already impacted groundwater designated for crops or drinking, or are migrating towards priority groundwater reserves.
- These sites often also release toxic vapors from underground contamination into buildings where people work and live, or children study and play.
Safer Consumer Product Program

How it Works: The SCP Regulations
# SCP Program Build-out

## Safer Consumer Products Program

<table>
<thead>
<tr>
<th>Framework</th>
<th>Current</th>
<th>Future</th>
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| **1** Candidate Chemical List | - Monitor 23 source lists  
- Update Informational Candidate Chemical Database | - Add Candidate Chemicals  
- Evaluate stakeholder petitions to add/remove chemicals |
| **2** Priority Products | - Research chemical/product combinations  
- Develop and implement Priority Product Work Plans every three years  
- Public engagement/workshops  
- Adopt Priority Products in regulations | - Accelerate Priority Product selection  
- Evaluate petitions to adopt new Priority Products |
| **3** Alternatives Analysis | - Draft Alternatives Analysis Guidance  
- Initiate Alternatives Analysis training | - Develop tools for Alternatives Analysis practitioners  
- Update Guidance  
- Give tech support for Responsible Entities doing Alternatives Analyses  
- Support small/medium businesses  
- Manage public comments on Alternatives Analyses |
| **4** Regulatory Response | - Develop model order/agreements for Regulatory Responses  
- Evaluate Alternatives Analyses and proposed Regulatory Responses if needed  
- Implement Regulatory Responses | |
| **5** Compliance & Enforcement | - Develop compliance and enforcement capabilities and tools  
- Work with ECL on enforcement supported needs; e.g. method development, monitoring and analysis  
- Evaluate Responsible Entity compliance | |
FY 2016-17
Proposed Governor’s Budget
Overview of the Process of the Budget once submitted to the Legislature

• January 10 – Governor submits proposed budget to the Legislature for upcoming fiscal year
• March-May – Budget Subcommittees in both the Assembly and Senate hold hearings on the Governor’s budget proposals, takes public testimony, and approves, rejects or modifies budget proposals.
• Mid-May – Governor submits May Revise, which updates General Fund revenues, expenditures, and reserve estimates based on the latest economic forecast.
• Mid-May to the end of May – Assembly and Senate full Budget Committees finalize action taken by the budget subcommittees.
• First two weeks of June – Budget Conference Committee reconciles differences between Assembly and Senate Budget actions.
• June 15 – Constitutional deadline for Legislature to pass budget and send to the Governor
• July 1 – Start of next fiscal year
AB 276 – Cost Recovery Ability to Pay

• Provides resources to complete “ability to pay” determinations.
• Requires responsible parties to provide financial information when they claim an inability to pay their cleanup costs.
• Results in additional ability to pay workload above what is currently performed by DTSC.
• Governor’s budget proposes 2 positions and $200,000 to address the increased workload.
SB 162 – Treated Wood Waste

• Provides two year funding related to the management of treated wood waste.

• Allows DTSC to conduct a comprehensive evaluation of handlers, their compliance with requirements and the effectiveness of current standards.

• Governor proposes $370,000 to address the workload associated with this bill.
Biomonitoring California

• Provides temporary funding to continue California’s efforts to measure and track human exposure to toxic chemicals.

• Governor’s budget proposes to extend for two years, 2 limited-term positions and $350,000.
Attorney General Independent Review Panel Costs

- Provides funding for the Attorney General to assist the Independent Review Panel with legal support services
- Governor’s budget proposes $50,000 in FY 2016-17 and $25,000 in FY 2017-18, at which time the panel sunsets.
Enhanced Permitting Capacity and Support

• Governor’s budget provides resources to continue to review and act on expired permits.
• Governor’s budget proposes converting from limited-term to permanent 8 positions and $1,167,000.
Permitting Actions and Volume of Continued Permits at Authorized Staff Levels

- Continued (Expired) Permits
- Incoming Permit Applications
- Permit Decisions

Counts per Fiscal Year:
- Year 14-15
- Year 15-16
- Year 16-17
- Year 17-18
- Year 18-19
- Year 19-20
- Year 20-21
- Year 21-22
- Year 22-23
- Year 23-24

- Permits Continued > 2 Years Past Expiration
- Permits Continued > 5 Years Past Expiration

Department of Toxic Substances Control
Permitting Actions and Volume of Continued Permits at Anticipated Staff Levels

- **All continued (expired) permits**
- **Incoming Permit Applications**
- **Permit Actions**
- **Permits Continued > 2 Years Past Expiration**
- **Permits Continued > 5 years past expiration**

**Count per Fiscal Year**

- Year 16-17
- Year 17-18
- Year 18-19
- Year 19-20
- Year 20-21
- Year 21-22
- Year 22-23
- Year 23-24
DTSC working on

- Priority issues being addressed:
  - Permitting Program
  - Environmental Justice Program
  - Exide
  - Safer Consumer Products
  - Expiring “limited-term” positions
  - Orphan funds