

# DTSC's Role in the CUPA Evaluations

To evaluate the CUPAs performance and to provide tools to CUPAs so they can properly and effectively implement the hazardous waste program.



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# Resources Provided

- Technical assistance
- Document development
- Participation in committees and regional meetings
- Participation in CUPA evaluations



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# Trainings Provided to CUPAs:

- Member of the Unified Program Training Steering Committee
  - Composed of state and local training coordinators
  - Addresses CUPA training issues.
  - EERD staff works closely with the CUPAs to assess training needs and to plan and coordinate CUPA training.



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# Specific Trainings Provided Statewide for 2014 and 2015

- Hazardous Waste Generator: 16 classes – 333 attendees
- Tiered Permitting: 9 classes – 134 attendees
- Recycling Exemptions and Exclusions: 4 classes – 161 attendees
- Household Hazardous Waste Regulatory Issues: 2 classes - 75 attendees



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# Additional Trainings Provided Statewide Through..

- Advanced Environmental Crimes Training Program
- California Compliance School
- CalEPA Basic Inspector Academy
- Continuing Challenge Hazmat Workshop
- CUPA Unified Program Annual Training Conference
- California Hazardous Materials Investigators Association Conference
- Environmental Enforcement Field Sampling
- Hazardous Waste Tracking System

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## Provided Assistance via Phone Calls/Emails etc.

For 2013, 2014, and 2015:

- DTSC received 1400 calls and e-mail questions from CUPAs.



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# Development of Technical Documents

- Guidance Document for Inspection and Enforcement
- Sample Hazardous Waste (HW) Generator CUPA Inspection Report
- Permanent Household Hazardous Waste Collection Facility Inspection Checklist
- Temporary Household Hazardous Waste Collection Facility Inspection Checklist
- Sample Hazardous Waste Large Quantity Generator Inspection Report
- Inspection Report Writing Guidance Document
- Violation Classification Guidance Document
- CUPA Enforcement Program Evaluation Criteria
- Sample Policy with Matrices for Administrative Penalties
- Administrative Enforcement Order (AEO) Guidance Document



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# Technical Documents contd..

- AEO Forms
- AEO Frequently Asked Questions
- HW Consent Order
- HW Show Cause Letter
- HW Stipulation and Order
- HW Unilateral Order

These documents can be found at:

- <http://www.calepa.ca.gov/CUPA/Resources/>
- <http://www.calepa.ca.gov/CUPA/Orders/default.htm>



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# DTSC Participation in Unified Program Committees

- Unified Program Administrative and Advisory Group (UPAAG)
- The State Agency Managers Group
- Enforcement Steering Committee
- Data Steering Committee



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# Unified Program Committees contd..

- Hazardous Waste Steering Committee
- Hazardous Waste Technical Advisory Group (TAG)
  - Northern California TAG
  - Southern California TAG.



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# Unified Program Committees contd..

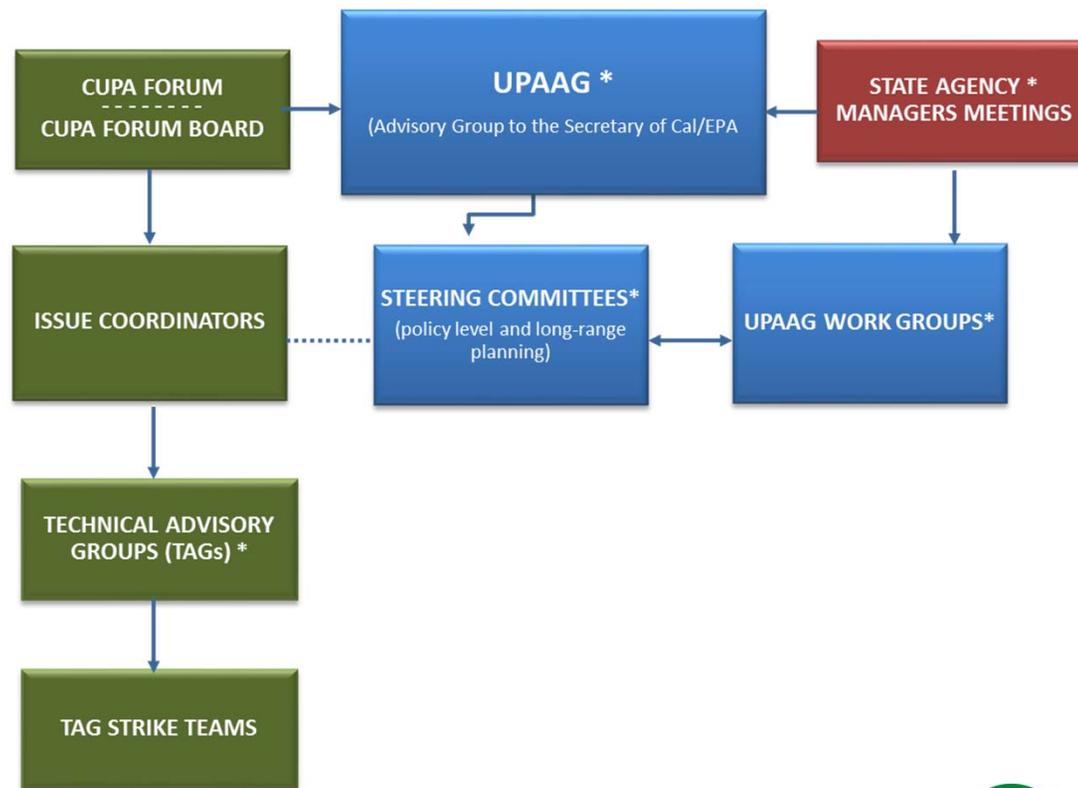
- Regional CUPA Forum Meetings
  - Northern
  - Bay Area
  - Central
  - Southern.
- CUPA Evaluation Workgroup



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# Committee and Work Group Relationships



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# DTSC Participation In CUPA Evaluations

- Administrative Review
- Field Oversight Inspections



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# CUPA Administrative Documents Reviewed By DTSC

- Inspection and Enforcement Plan
- Self Audit Reports
- Staff Training Records
- 2 or 3 recently settled formal enforcement cases (hazardous waste)
- Organization Chart
- Administrative Procedures
- Permitting Policy
- Facility files (inspection reports)

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# Facility File Information Reviewed

- Facility file information is reviewed for:
  - Inspection reports
  - Return to compliance documentation and correspondence
  - Repeat violations and enforcement taken
  - Tiered permitting notifications



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# CERS Review Of Data

- Inspection Frequency
- Are the facilities returning to compliance within the required timeframes?
- Does the CUPA have any Class I or II violations? What percentage of inspections result in CI, CII, Minors?
- Has formal enforcement been taken for all Class I violations?
- Number of AEOs issued and penalties collected/assessed



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# Field Oversight/Verification Inspections

- Oversight inspection - shadow CUPA inspector
- Evaluate on preparation, regulatory knowledge, violation determination, and summary of violations
- Verification inspection – DTSC conducts inspection
- Select a facility that was inspected 3-6 months before the evaluation date
- Determine CUPA training needs and performance improvements



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# CUPA Inspection Statistics (data from CERS)

Number of Inspections Conducted by CUPAs

Program	FY12/13	FY13/14	FY14/15	FY15/16
Hazardous Waste Program	33,613	33,628	33,359	31,775
LQG (RCRA Large Quantity Generators)	631	1107	957	624
Onsite Hazardous Waste Treatment (PBR, CA, CE)	550	1302	1000	765
HHW (Household Hazardous Waste)	76	88	92	52



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