

Department of Toxic
Substances Control

Permitting Process Review and
Analysis

Part II – Appendices

Final Report

Submitted by:
Richard E. Mallory, MM, PMP
Project Manager
CPS HR Consulting
241 Lathrop Way
Sacramento, CA 95815
Tel: (916) 471-3128
E-mail: rmallory@cpshr.us
www.cpshr.us



Contents

Appendix A: Subject Matter Experts

Bill Magavern – Project Advisor - Profile

Thomas J. P. McHenry – Project Advisor - Profile

Richard E. Mallory, MM, PMP – Project Manager

Appendix B: Permitting Regulatory Requirements – White Paper

Appendix C: Permitted Facilities

Appendix D: Field Audit Case Records

Appendix E: Permit Renewal Team Closure Report

Appendix F: List of Tasks

Appendix G: Detailed Flow Chart of Part B Technical Review

Appendix H: Interview with Caleb Shaffer

Appendix I: Identified Stakeholders

Appendix J: Stakeholder Survey

Appendix K: Stakeholder Comments – Group Comparison Summary

Appendix L: Stakeholder Raw Survey Comments

Appendix M: Violation Regulations/Law

Appendix N: Arizona Violation Categories

Appendix O: Employee Survey

Appendix P: Supervisor by Non-Supervisor Survey Data

Appendix Q: Non-Supervisor by Work Location Survey Data

Appendix R: Employee Survey: Open End Questions

Appendix S: Macro-analysis Facility Demographics

Appendix T: Macro-analysis Variables

Appendix U: Analysis of Audited Case Hours

Appendix V: Documented and Anticipated Workload

Appendix A: Subject Matter Experts

Interview Participant	Title	Date
Tom McHenry*	Project Advisor	January 23, 2013
Bill Magavern*	Project Advisor	January 23, 2013
Odette Madriago	DTSC Chief Deputy	February 12, 2013
Ann Carberry	Senior Environmental Scientist (Specialist)	February 15, 2013
Rizgar Ghazi	Chief, Permitting Office	February 19, 2013
Paul Kewin	Division Chief, Enforcement	February 20, 2013
Ray LeClerc	Assistant Deputy Director for Brownfields and Environmental Restoration	February 25, 2013
Peter Bailey	Senior Engineering Geologist	February 25, 2013
Jim Pappas	Supervising Hazardous Substances Engineer II (retired)	February 28, 2013
Yolanda Garza	Supervising Engineer	March 1, 2013

*Resume Provided

Bill Magavern – Project Advisor - Profile

PROFESSIONAL EXPERIENCE

Coalition for Clean Air, Sacramento, CA

Policy Director (2013). I lead the policy advocacy work of a statewide clean air group.
Senior Policy Advocate (2012). I coordinated the California Cleaner Freight Coalition.

Sierra Club California, Sacramento, CA

Senior Legislative Representative (2001–2007), *Director* (2008-2011). I advocated for the Sierra Club in the California legislature and state agencies on environmental issues including toxics, solid waste and recycling, clean air and water, pesticides, environmental justice and civil justice. I also oversaw Sierra Club California’s political activities for 5 election cycles and represented the group in the media, in coalitions and at public events. As Director, I managed the group, working with a volunteer Executive Committee.

Environmental Advocacy Practice, Sacramento, CA

Advocate in Private Practice (1999-2000). I represented environmental groups as an advocate before the California Legislature and other state and federal agencies. I also researched, wrote, analyzed and educated the public on public policy issues. Clients included Sierra Club California and the Committee to Bridge the Gap.

Public Citizen, Washington, DC

Director, Critical Mass Energy Project (1992-1997). I lobbied Congress and executive agencies, wrote and edited reports and articles, organized coalitions, raised funds, and supervised staff as leader of this safe energy group.

Director, Congress Watch (1996). I managed a 20-person lobbying group working on campaign finance reform, regulatory rollback, health care and civil justice issues.

U.S. Public Interest Research Group, Washington, DC

Staff Attorney (1988-1992). I lobbied, researched, wrote and organized on energy issues.

EDUCATION

J.D., magna cum laude, 1988, SUNY Buffalo Law School.

A.B., magna cum laude, phi beta kappa, 1982, Brown University, American Civilization.

Thomas J. P. McHenry – Project Advisor - Profile

Thomas McHenry is a partner in Gibson, Dunn & Crutcher's Los Angeles office and a member of the firm's Environmental Practice Group. Mr. McHenry practices general environmental law with an emphasis on air quality, climate change, hazardous waste, environmental diligence, land use and energy issues. He represents clients in negotiations with state and federal environmental agencies including air quality management districts, regional water quality control boards, the Department of Toxic Substances Control and the California and U.S. Environmental Protection Agencies.

Mr. McHenry has served on a number of California governmental advisory bodies including the California EPA Blue Ribbon Commission for a Unified Environmental Statute, the Department of Toxic Substances Control CEQA Guidance Advisory Committee, the DTSC Regulatory Structure Update, Fee Reform and Site Mitigation Update Committees. He currently serves as Co-Chair of the DTSC External Advisory Group and on the Executive Committee of the Environmental Law Section of the State Bar of California.

Mr. McHenry served as a law clerk to the Honorable Lawrence K. Karlton, Chief United States District Judge of the Eastern District of California, in Sacramento from 1984 to 1986. He graduated from New York University Law School in 1983 where he served on the *Journal of International Law and Politics*. He received a Master of Forest Science Degree from the Yale School of Forestry and Environmental Studies in 1980 and a Bachelor of Arts degree in history from Yale College in 1977.

Mr. McHenry is a Visiting Associate Professor of Government at Claremont McKenna College where he has taught environmental law and policy since 1990 and he is a summer faculty member at Vermont Law School.

Contact:

333 South Grand Avenue
Los Angeles, CA 90071-3197
Tel: 213.229.7135
tmchenry@gibsondunn.com

Richard E. Mallory, MM, PMP – Project Manager

Principal Consultant/ Sr. Project Manager, CPS HR Consulting

Profile

Mr. Mallory specializes in management analysis, performance measurement, program analysis, business process review, staffing and workload analysis, strategic planning, and organizational improvement. Mallory is nationally-recognized expert in public sector management and serves as the Chair of the Government Division of the American Society for Quality (ASQ). He is the principal author of the “Guidelines for Public Sector Process Certification,” published by that organization. He is a Certified Lead Examiner for application of the Malcolm Baldrige National Quality Award Standards, and has served six times as an Examiner and Senior Examiner for the California Quality Awards from 1995 to the present. He served as an Examiner for the U.S. National Quality Award in 2007. He was a past Judge for the California Team Excellence Award (2004 and 2005). Mallory is author of the book, *Management Strategy: Creating Excellent Organizations*. He has spent over 25 years as a senior government executive, consultant, trainer, and performance coach. Recent client organizations include the California Franchise Tax Board, the California State Water Project, and the Housing Authority of the County of Santa Clara.

Employment History

- Principal Consultant, CPS HR Consulting, Sacramento, CA (2002 – present)
- Principal Consultant, Citygate Associates, Folsom, CA (1999 - 2001)
- Director, California Department of Housing and Community Development (1997 & 1998)
- Senior Vice President, LEADS Corporation, Arlington, VA (1993 - 1996)
- CA-NV State Director, USDA Farmers Home Administration (now Rural Development Service), Woodland, CA (1986-1992)

Education

- BA from the California State University, Fresno, with a communications major.
- Masters of Management degree from University of Phoenix, May, 2006.

Certifications

- Project Management Professional®, certified by Project Management Institute
- Certified Lead Examiner for application of the Malcolm Baldrige National Quality Award Standards, UC Riverside Extension.
- Examiner for the U.S. National Quality Award in 2007
- Examiner and Senior Examiner for the California Quality Awards from 1995 to the present.

Professional Affiliations

- Chair of National Leadership Council, Government Division, American Society for Quality (ASQ).
- Chair, Sacramento Council for Excellence, California Council for Excellence

Appendix B: Permitting Regulatory Requirements – White Paper

Department of Toxic Substances Control (DTSC) Regulatory Requirements for Permits

DTSC’s Authority Under RCRA:

In 1982, the California Legislature declared that “it is in the best interest of the health and safety of the people of the State of California for the state to obtain and maintain authorization to administer a state hazardous waste program in lieu of the federal program . . . pursuant to the Resource Conservation Recovery Act of 1976.” (RCRA, 42 U.S.C. 6926.)¹ The Legislature further declared that the Department of Toxic Substances Control (DTSC) shall have “those powers necessary to secure and maintain interim and final authorization of the state hazardous waste program” pursuant to RCRA and “to implement such program in lieu of the federal program.” (Health & Saf. Code, §25101(d).) In adopting standards and regulations, DTSC is required to make standards and regulations conform with corresponding regulations adopted by the US EPA pursuant to RCRA and may adopt standards and regulations that are more stringent or more extensive than federal regulations. (Health & Saf. Code, § 25159.5(a).)²

DTSC’s Permitting Authority:

DTSC is authorized to issue hazardous waste facilities permits to use and operate one or more hazardous waste management units at a facility. DTSC is required to impose conditions on each hazardous waste facilities permit specifying the types of hazardous waste that may be accepted for transfer, storage, treatment, or disposal. In addition, DTSC may impose any other conditions on a hazardous waste facilities permit that are consistent with DTSC’s mission to protect human health and environment. (Health & Saf. Code, § 25200; Cal. Code Regs., tit. 22, § 66270.32(b)(2).) The ability to impose conditions consistent with DTSC’s mission is known as the “omnibus provision.”³ Under the omnibus authority,

¹ The Resource Conservation and Recovery Act of 1976 (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), provides for authorization of State hazardous waste programs under Subtitle C. (42 U.S.C § 6926.) Congress designed RCRA so that the entire Subtitle C program would eventually be administered by the States in lieu of the federal government. Congress did this because States are closer to, and more familiar with, the regulated community and therefore are in a better position to administer the programs and respond to local needs effectively. (Overview of the RCRA Authorization Program, p. 1-1.)

² On July 23, 1992, California received final authorization from the United States Environmental Protection Agency to implement the RCRA hazardous waste management project, effective August 1, 1992.

³ By way of example, DTSC has used its omnibus authority to require air monitoring and risk assessments based on conditions of operation and community interest. Recognizing some facility operations require “site specific determinations”, on many occasions EPA has required multipathway site-specific risk assessment to provide information needed to determine if additional permit conditions are

Appendix B: Regulatory Requirements

permit writers determine on a site-specific basis what, if any, additional permit conditions are necessary to assure protection of human health and the environment. DTSC can review, modify or revoke a permit at any time during its term in accordance with applicable requirements. (Health & Saf. Code, § 25200(c)(3).)

Any hazardous waste facilities permit issued by DTSC must be for a fixed term which cannot exceed ten years.⁴ (Health & Saf. Code, § 25200(c)(1)(a).) Before a fixed term of a permit expires, the owner or operator of a facility intending to extend the term of the permit is required to submit a new, complete application. (Health & Saf. Code,

§ 25200(c)(1)(B)).⁵ The conditions of an expired permit continue in force until the effective date of the a new permit if the permittee has submitted a timely and complete application and DTSC, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of the previous permit. (Cal. Code Regs., tit. 22 § 66270.51.) DTSC has the authority to impose any additional or different permit conditions on an extended permit necessary to protect human health and the environment by way of a permit modification. (Health & Saf. Code §§ 25200(c)(1)(C) & (D).) When prioritizing pending renewal applications and in determining the need for any new condition on an extended permit, DTSC is required to consider any input received from the public. (Health & Saf. Code, § 25200(c)(1)(E).) In addition, when reviewing any application for a permit renewal, DTSC is required to consider improvements in the state of control and measurement technology as well as changes in applicable regulations. (Health & Saf. Code, § 25200(d)(1).) Each permit issued or renewed is required to contain the terms and conditions that DTSC determines necessary to protect human health and the environment. (Health & Saf. Code, § 25200(d)(2).)

Issuance of a Permit:

Any person required to have a permit (including new applications and permittees with expiring permits) is required to complete, sign, and submit a Part A and Part B permit application to DTSC as set forth in regulation. (Cal. Code Regs., tit. 22, § 66270.10(a).) When a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit, except that the owner shall also sign the permit application. (Cal. Code Regs., tit. 22, § 66270.10(b).)

Depending on the type of hazardous waste management units and the type of facility presented in the application, the regulations set forth a series of items required to be in the Part A and Part B Permit Application. (Cal. Code Regs., tit. 22, § 66270.13-26.) The regulations also set forth conditions that are applicable to all permits which DTSC incorporates by reference. (Cal. Code Regs., tit. 22, § 66270.30.)

The time for processing a hazardous waste facility permit project depends on the role DTSC plays in the CEQA process and the type of facility proposed to be permitted. An initial completeness review must be

necessary to assure protection of human health and the environment. (OSWER No. 9498-1996(06), (5/23/96).)

⁴ In the case of land disposal facilities, DTSC is required to review a permit every five years and determine whether the permit needs to be modified to assure the facility continues to be in compliance with all applicable requirements. (Health & Saf. Code, § 25200(c)(2).)

⁵ The automatic extension of a permit if a timely and complete application has been received is based on the federal Administrative Procedures Act (5 USC. 558, subd. c; see also 48 Fed. Reg. 39622-39623 (9/1/83).)

completed by DTSC within 30 days of receipt of all applications. (Health & Saf. Code, §§ 25199.6(b) and (c).) If DTSC determines the application is incomplete, DTSC issues a “Notice of Deficiency”, notifying the applicant regarding the portion of the application that is incomplete and providing the applicant with an opportunity to submit additional materials necessary to complete the application. (Cal. Code Regs., tit. 22, § 66271(c)(2).) If the applicant does not respond adequately to three notices of deficiencies, DTSC is required to initiate proceedings to deny the permit application. (Health & Saf. Code, § 25200.8.) Typically, DTSC works closely with a facility to avoid having to issue a third notice of deficiency. If the application is both administratively and technically complete, then DTSC must tentatively decide whether to prepare a draft permit or to deny the application. (Cal. Code Regs., tit. 22, § 66271.5(a))

Enforcement of a Permit:

Notwithstanding any term or condition in a hazardous waste facility permit, DTSC has the authority to adopt or amend regulations which impose additional or more stringent requirements than those existing at the time the permit was issued. DTSC may enforce both the permit and additional or more stringent requirements against the permittee. (Health & Saf. Code, § 25202(a); see also, Cal. Code Regs., tit. 22, § 66270.4(b).) The permittee cannot use the permit as a “shield” against any more stringent regulatory requirement.⁶ (Cal. Code Regs., tit. 22, § 66270.4(b).)

When DTSC determines there has been a violation of a permit, DTSC has the authority to seek an order enjoining violations and ordering compliance by means of a permanent or temporary injunction, restraining order or other order granted by the court. (Health & Saf. Code, § 25181(a).) DTSC has the authority to bring an administrative or civil action against a permittee deemed in violation of a permit and may seek penalties associated with the alleged violation. (Health & Saf. Code, §§ 25182, 25187.) Violations are also subject to criminal sanctions. (See Health & Saf. Code §§ 25189.5, 25189.6, 25189.7, 25190, 25191 and 25195.) DTSC also has the authority to seek a quarantine order. (Health & Saf. Code, § 25187.6.) Penalties for violation of a permit condition can be as high as \$25,000 for each violation and for continuing violations for each day that the violation continues. (Health & Saf. Code, §§ 25189, 25189.2.) Any person who knowingly or with reckless disregard acts in a manner which causes unreasonable risk of fire or death may be criminally convicted, imprisoned and fined up to \$250,000 for each day of violation. (Health & Saf. Code, § 25189.6.)

Denial, Suspension or Revocation of a Permit:

In general, pursuant to Health and Safety Code section 25186, DTSC has the authority to deny, suspend or revoke a permit where the permittee has engaged in violations of or demonstrated noncompliance

⁶ Under RCRA, permittees are generally able to use a permit as a “shield” against any new requirements that were not established in the original permit. In general, compliance with a RCRA permit is considered compliance with the RCRA regulations for enforcement purposes. This gives permittees the security of knowing that if they comply with their permits, they will not be enforced against for violating new requirements. However, some regulatory requirements, such as land disposal restrictions (LDR) standards, are deemed important to the protection of human health and the environment that EPA will make a determination, at the time of promulgating a new standard, that compliance is required upon adoption of the new standard. (RCRA Orientation manual (1998) p. 111-110.)

Appendix B: Regulatory Requirements

with environmental protection statutes and regulations, if the violation or noncompliance shows a repeating or recurring pattern or may pose a threat to public health or safety or the environment. In addition, any aiding, abetting or permitting of any violations of or noncompliance with environmental protection statutes is another ground for denial, suspension or revocation of a permit. Finally, violation of or noncompliance with administrative or court orders; misrepresentation or omission of significant information or information reported to DTSC, activities resulting in conviction of a crime significantly related to the application's fitness to perform under the permit; and activities resulting in the revocation or suspension of any related permit are all grounds for denial, suspension or revocation of a permit. A temporary suspension can also be sought when necessary to prevent or mitigate an imminent and substantial danger to the public health or safety or the environment pursuant to Health and Safety Code section 25186.2.

In addition, the regulations provide additional grounds for revocation of a permit during its term and denial of a renewal permit including noncompliance with any condition of a permit; failure to fully disclose all relevant facts or misrepresentation of relevant facts; a determination the permitted activity endangers human health or the environment and can only be regulated by acceptable levels by a permit denial, modification or revocation. (Cal. Code Regs., tit. 22, § 66270.43.)

Appendix C: Permitted Facilities

Permitted Facility	Field Office
ADVANCED ENVIRONMENTAL INC	R2 - BERKELEY
AERC COM INC	R2 - BERKELEY
AEROJET-GENERAL CORPORATION	R1 - CAL CENTER
AMERICAN EARTH MANAGEMENT INC DBA AMERICAN OIL	R3 - CHATSWORTH
ASBURY ENVIRONMENTAL SERVICES	R2 - BERKELEY
ASBURY ENVIRONMENTAL SERVICES-CHICO II LLC	R2 - BERKELEY
ASBURY ENVIRONMENTAL SERVICES-FORTUNA	R2 - BERKELEY
ATLAS PRECIOUS METALS INC	R2 - BERKELEY
BAKERSFIELD TRANSFER INC	R2 - BERKELEY
BAYSIDE OIL II INC	R2 - BERKELEY
BENSON RIDGE FACILITY	R1 - CAL CENTER
BIG BLUE HILLS PESTICIDE CONT DISPOSAL	R1 - CAL CENTER
BKK SANITARY LANDFILL	R3 - CHATSWORTH
BOEING SATELLITE SYSTEMS INC	R3 - CHATSWORTH
BP WEST COAST PRODUCTS LLC	R3 - CHATSWORTH
BUTLER OIL CO	R2 - BERKELEY
CHEMICAL WASTE MANAGEMENT INC	R1 - CAL CENTER
CHEVRON 1001651-EL SEGUNDO REFINERY	R3 - CHATSWORTH
CHEVRON CHEMICAL CO	R3 - CHATSWORTH
CHEVRON PRODUCTS CO	R2 - BERKELEY
CLEAN HARBORS BUTTONWILLOW LLC	R1 - CAL CENTER
CLEAN HARBORS ENVIRONMENTAL SERVICES INC PORT OF REDWOOD CITY	R2 - BERKELEY
CLEAN HARBORS LOS ANGELES LLC	R1 - CAL CENTER
CLEAN HARBORS SAN JOSE LLC	R2 - BERKELEY
CLEAN HARBORS WESTMORLAND LLC	R1 - CAL CENTER
CLEAN HARBORS WILMINGTON LLC	R3 - CHATSWORTH
CONOCO PHILLIPS	R3 - CHATSWORTH
CRANE'S WASTE OIL INC	R2 - BERKELEY
CROSBY & OVERTON - PLANT #1	R1 - CAL CENTER
D K DIXON	R2 - BERKELEY
D/K ENVIRONMENTAL	R1 - CAL CENTER
DAVID H FELL AND COMPANY INC	R2 - BERKELEY
DEMENNO/KERDOON	R3 - CHATSWORTH
DEPT OF AIR FORCE VANDENBERG AFB	R3 - CHATSWORTH
DUCOMMUN AEROSTRUCTURES	R3 - CHATSWORTH
DYNEGY MOSS LANDING	R1 - CAL CENTER
E I DUPONT DE NEMOURS & COMPANY INC	R1 - CAL CENTER

Appendix C: Permitted Facilities

ECOLOGY CONTROL INDUSTRIES	R1 - CAL CENTER
ECS REFINING LLC	R2 - BERKELEY
EDWARDS AIR FORCE BASE	R1 - CAL CENTER
EPC WESTSIDE DISPOSAL FACILITY	R1 - CAL CENTER
EVERGREEN ENVIRONMENTAL SERVICES CARSON	R2 - BERKELEY
EVERGREEN OIL INC	R2 - BERKELEY
EVERGREEN OIL INC DAVIS	R2 - BERKELEY
EVERGREEN OIL INC FRESNO	R2 - BERKELEY
EVERGREEN OIL INC SANTA MARIA	R2 - BERKELEY
EXIDE TECHNOLOGIES	R3 - CHATSWORTH
FILTER RECYCLING SERVICES INC	R2 - BERKELEY
FORWARD LANDFILL	R1 - CAL CENTER
GEM OF RANCHO CORDOVA LLC	R1 - CAL CENTER
GENERAL CHEMICAL CORP/BAY POINT WORKS	R1 - CAL CENTER
GENERAL ELECTRIC INTERNATIONAL INC	R3 - CHATSWORTH
GOLDEN EAGLE REFINERY	R1 - CAL CENTER
HERAEUS METAL PROCESSING LLC	R2 - BERKELEY
HITACHI GLOBEAL STORAGE TECHNOLOGIES	R3 - CHATSWORTH
HONEYWELL INTERNATIONAL INC	R3 - CHATSWORTH
INDUSTRIAL SERVICE OIL CO INC	R3 - CHATSWORTH
INTERNATIONAL LIGHT METAL CORP	R3 - CHATSWORTH
J&B ENTERPRISES	R2 - BERKELEY
JOHN SMITH ROAD LANDFILL	R1 - CAL CENTER
KEARNEY-KPF	R1 - CAL CENTER
KINSBURSKY BROTHERS SUPPLY INC	R3 - CHATSWORTH
KW PLASTICS OF CALIFORNIA	R1 - CAL CENTER
LAWRENCE R2 - BERKELEY NATIONAL LABORATORY	R2 - BERKELEY
LAWRENCE LIVERMORE NATIONAL LAB	R2 - BERKELEY
LIGHTING RESOURCES LLC	R2 - BERKELEY
LOS ANGELES REFINERY, CARSON PLANT	R3 - CHATSWORTH
LOS ANGELES REFINERY, WILMINGTON PLANT	R3 - CHATSWORTH
MCCORMICK SELPH INC	R1 - CAL CENTER
MONTEZUMA HILLS FACILITY	R1 - CAL CENTER
NAVAL AIR STATION NORTH ISLAND	R3 - CHATSWORTH
NAVAL AIR STATION NORTH ISLAND MWSF	R2 - BERKELEY
NAVAL AIR WEAPONS STATION	R1 - CAL CENTER
NAVAL STATION SAN DIEGO	R3 - CHATSWORTH
OCCIDENTAL OF ELK HILLS INC	R1 - CAL CENTER
P KAY METAL INC	R3 - CHATSWORTH
PACIFIC GAS & ELECTRIC/ DIABLO CANYON	R1 - CAL CENTER
PACIFIC RESOURCE RECOVERY SERVICES INC	R3 - CHATSWORTH

Appendix C: Permitted Facilities

PANOCHÉ FACILITY	R1 - CAL CENTER
PHIBRO-TECH INC	R3 - CHATSWORTH
QUEMETCO INC	R1 - CAL CENTER
RAMOS ENVIRONMENTAL SERVICES	R3 - CHATSWORTH
RAYTHEON SPACE AND AIRBORNE SYSTEMS	R3 - CHATSWORTH
RHO-CHEM LLC	R3 - CHATSWORTH
RIVERBANK OIL TRANSFER, LLC	R3 - CHATSWORTH
SAFETY-KLEEN	R1 - CAL CENTER
SAFETY-KLEEN	R1 - CAL CENTER
SAFETY-KLEEN	R1 - CAL CENTER
SAFETY-KLEEN SYSTEMS INC	R1 - CAL CENTER
SAFETY-KLEEN SYSTEMS INC EL MONTE ACCUMULATION CENTER	R1 - CAL CENTER
SAFETY-KLEEN SYSTEMS INC HIGHLAND SERVICE CENTER	R1 - CAL CENTER
SAN DIEGO GAS & ELECTRIC CO MIRAMAR WASTE MANAGEMENT FACILITY	R3 - CHATSWORTH
SAN DIEGO GAS & ELECTRIC COMPANY	R1 - CAL CENTER
SANDIA NATIONAL LABORATORIES	R2 - BERKELEY
SHELL OIL PRODUCTS/US MARTINEZ REFINERY	R2 - BERKELEY
SIEMENS INDUSTRY INC	R3 - CHATSWORTH
SITE 300 LAWRENCE LIVERMORE NATIONAL LABORATORY	R2 - BERKELEY
SOUTHERN CALIFORNIA EDISON CO SAN ONOFRE	R2 - BERKELEY
SOUTHERN CALIFORNIA GAS CO	R1 - CAL CENTER
SOUTHERN CALIFORNIA GAS CO	R1 - CAL CENTER
SQUARE D COMPANY	R3 - CHATSWORTH
TECHALLOY CO INC	R1 - CAL CENTER
TELAIR INTERNATIONAL INC	R1 - CAL CENTER
TESORO REFINING & MARKETING COMPANY-LOS ANGELES REFINERY	R3 - CHATSWORTH
THE BOEING CO-CANOGA PARK	R1 - CAL CENTER
THE BOEING CO-CANOGA PARK	R1 - CAL CENTER
THE DOW CHEMICAL COMPANY	R2 - BERKELEY
TP INDUSTRIAL INC	R3 - CHATSWORTH
TRAVIS AIR FORCE BASE	R1 - CAL CENTER
UNITED TECHNOLOGIES PW SPACE PROPULSION	R2 - BERKELEY
USS-POSCO INDUSTRIES	R1 - CAL CENTER
VEOLIA ES TECHNICAL SOLUTIONS LLC	R3 - CHATSWORTH
VEOLIA ES TECHNICAL SOLUTIONS LLC	R1 - CAL CENTER
VINE HILL COMPLEX	R1 - CAL CENTER
WEST COUNTY LANDFILL INC	R1 - CAL CENTER
WIT SALES & REFINING	R2 - BERKELEY
WORLD OIL - SAN JOAQUIN LLC	R2 - BERKELEY
XSTRATA RECYCLING INC	R2 - BERKELEY

*Bold facilities were used during field audits

Appendix D: Field Audit Case Records

Analysis of Benchmark Dates and Processing Times in Audit Files - 8/6/13

Key Process Benchmarks	McCormick Selph Inc.		Shell Oil Products-Martinez		Rho Chem LLC		Aerojet General		AERC Com Inc.		Naval Air Station-North Island	
	Date in EnviroStor	Confirmed in Admin Record	Date in EnviroStor	Confirmed in Admin Record	Date in EnviroStor	Confirmed in Admin Record	Date in EnviroStor	Confirmed in Admin Record	Date in EnviroStor	Confirmed in Admin Record	Date in EnviroStor	Confirmed in Admin Record
Previous Permit Expires	7/29/03		12/30/05		9/27/95		6/10/07		12/27/07		1/5/08	
Call in Letter – sent			1/6/05				5/5/99**		7/19/06		7/29/06	7/10/06
Application Parts A/B Received			3/1/05	3/17/05	3/29/95	3/29/95	8/15/06		1/22/08		2/27/07	2/27/07
Administrative Review Complete	6/28/02		3/18/05	3/18/05	6/14/97		11/5/06	10/5/06		1/16/07	3/12/07	
Final Part A and B	1/4/06	1/4/06	7/16/07	6/27/07	4/2/08	4/2/08	4/14/08	4/14/08	8/24/09	8/24/09	2/10/10	2/10/10
Draft Permit Renewal			1/14/08	8/29/07	4/7/08	4/3/08	1/5/09		8/28/09		2/16/10	
Technical Complete Letter	2/22/06		7/16/07	7/16/07	4/2/08					8/24/09		
Public Comment – Begin	2/28/06	2/28/06	1/14/08		4/7/08		1/5/09		8/28/09	8/28/09	2/16/10	2/16/10
Public Comment– End	4/14/06	4/14/06	2/28/08		5/21/08	5/21/08	2/18/09		10/12/09		4/2/10	
Final Permit Effective	5/12/06		5/21/08		8/28/08		*2/27/09	*2/26/09	2/12/09	2/12/09	*6/22/10	*6/22/10
Total Processing Time	3 years, 10 months		3 years, 5 months		13 years, 5 months		2 years, 6 months		3 years, 7 months		4 years	

* Shows 'Renewal' - not 'Renewal Effective'

** Assumed that data entry must refer to previous renewal cycle.

Record of Audit

Renewal Request from: AERC COM Inc.	Permittee Location: Hayward, CA
EPA # 982-411-993	DTSC Office Location and Date: Berkeley Office 7/16/2013
Facility Description: AERC is a lamp recycler for florescent and high intensity discharge lamps.	

AERC COM Inc.			
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	12/27/2007		
Call in Letter – sent	7/19/2006		Not found in file. Found undated "Standardized Permit Notification" Form DTSC`093A.
Application Parts A/B Received - actual	1/22/2008		No record of acceptance found in Admin file.
Administrative Review Complete		1/16/2007	Note in file: "AERC submitted a renewal application in Dec. 28, 2006 and therefore continues to operate under the expired permit." Found "Project Transition Memo" dated 1/26/2007 that included a project chronology that notes: "Administrative Completeness Determination 1/16/2007."
1 st Notice of Deficiency issued	4/11/2008		No record in Admin file or scanned.
Response to 1 st NOD received			
2 nd Notice of Deficiency issued			
Response to 2 nd NOD received			
3 rd Notice of Deficiency issued			
Response to 3 rd NOD received			
Final Part A and B	8/24/2009	8/24/2009	DTSC Technical Complete Letter in Admin File
Draft Permit Renewal	8/28/2009		
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter		8/24/2009	DTSC Technical Complete Letter in Admin File
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	8/28/2009	8/28/2009	Notice of Public Comment Period found in Admin file date 8/28/2009. Stated 45 day cocmment period ending Oct. 12, 2009.
Hold Public Meeting/ Hearing			
Public Comment – End	10/12/2009		
Respond to Comments			
Disclosure Cleared	12/7/2009		
CEQA Cleared			
Final Permit Renewal	2/12/2010	2/12//2010	Found permit in Admin File dated 2/12/2010.
Final Permit Effective	2/12/2010	2/12/2010	

Record of Audit

Renewal Request from: Rho Chem	Permittee Location: Inglewood, CA
EPA # 008-364-432	DTSC Office Location and Date: Chatsworth Office 6/20/2013
Facility Description: Storage and treatment of toxic liquids on 1.5 acre parcel in an industrial/ commercial complex north of Los Angeles International Airport. Facility has been in operation since 1953. In 1985 LA Regional Water Control Board initiated leak detection investigation, and a problem was discovered. In 1988 its application for permit renewal triggered the RCRA Corrective Action program. Enforcement actions initiated groundwater and soils cleanup and operations were grandfathered under existing permit until the company filed bankruptcy in 2003. DTSC then worked with the courts to obtain a Consent Order. New owners assumed operations and continued on permit until its approval on 7/25/2008.	

Rho Chem LLC			
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	9/27/1995		9/29/1992 EPA had cited (previous) owner for soils contamination. "Report of Violation and schedule of compliance" issued 1/6/1995.
Call in Letter – sent			No record of a letter in Admin record. Not noted in EnviroStor.
Application Parts A/B Received - actual	3/29/1995	3/29/1995	Dec. 1995 Class 2 Permit Modification - adding waste code activities.
Administrative Review Complete	6/14/1997		
1 st Notice of Deficiency issued	4/26/1997		5/23/1997 - Revised interim measures work plan for soil.
Response to 1 st NOD received	6/14/1997		
2 nd Notice of Deficiency issued	6/24/1997		
Response to 2 nd NOD received	8/13/2004		8/13/2004 - "Recommendations for the draft permit renewal application."
3 rd Notice of Deficiency issued	10/20/2004		10/21/2004 Letter to owner (CMEX) - "please submit revised health and safety plan."
Response to 3 rd NOD received	11/15/2004		10/20/2004 - "Submittal for review." 10/18/2006 Corrective Action Consent Agreement
Final Part A and B	4/2/2008	4/2/2008	
Draft Permit Renewal	4/7/2008	4/3/2008	
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter	4/2/2008		
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	4/7/2008		
Hold Public Meeting/ Hearing	5/7/2008	5/7/2008	
Public Comment – End	5/21/2008	5/21/2008	
Respond to Comments			
Disclosure Cleared	7/16/2008		
CEQA Cleared	7/24/2008	7/24/2008	Final negative declaration - 7/24/2008
Final Permit Renewal			
Final Permit Effective	8/28/2008		

Record of Audit

Renewal Request from: Shell Oil Products - Martinez	Permittee Location: Martinez, CA
EPA # 009-164-021	DTSC Office Location and Date: Berkeley Office 7/16/2013
Facility Description: Oil refining and chemical manufacturing complex on 1,000 acres. Began operations in 1914.	

Shell Oil Products - Martinez			
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	12/30/2005		
Call in Letter – sent	1/6/2005		Admin file had record of initial meeting with permittee on 1/5/2005, but there was no record of a call-in letter.
Application Parts A/B Received - actual	3/1/2005	3/17/2005	Transmittal letter - received. Meeting record noted discussion of fees. Record showed follow up meeting 2/17/2005.
Administrative Review Complete	3/18/2005	3/18/2005	Letter in Admin file
1 st Notice of Deficiency issued		8/12/2005	Record below indicates that several notices of deficiency were issued but they were not recorded in EnviroStar or Admin Record. Discussed with PM (W.Ahmad) who found copies in his personal file, dated 8/12/2005 and 5/16/2006. Auditor requested those be copied and filed in Adm file and input into EnviroStar.
Response to 1 st NOD received			
2 nd Notice of Deficiency issued		5/16/2006	
Response to 2 nd NOD received			
3 rd Notice of Deficiency issued			
Response to 3 rd NOD received			
Final Part A and B	7/16/2007	6/27/2007	See note below
Draft Permit Renewal	1/14/2008	8/29/2007	Draft Hazardous Waste Permit sent to applicant for comment on 8/29/2007. No record was found in Administrative record to explain the notation in EnviroStar.
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter	7/16/2007	7/16/2007	Letter in Admin file, to L.Harris at Shell, dated 7/16/2007 stating: "Subsequently, DTSC sent out several notices of deficiency that requested additional information of clarification of the Part B Application. Shell has responded and submitted the revised Part B Application on June 27, 2007".
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	1/14/2008		Public Notice of Comment Period and Project Fact Sheet was mailed Sept. 28, 2007, and comment period was established from Oct 1 - Nov 14, 2009. Note in file stated that Martinez News Gazette did not publish public notice on Oct. 1, so comment period was re-opened 1/14/2008.
Hold Public Meeting/ Hearing	11/1/2007		
Public Comment – End	2/28/2008		
Respond to Comments			
Disclosure Cleared			
CEQA Cleared			
Final Permit Renewal	4/15/2008	4/15/2008	Transmittal letter in Adm. File.
Final Permit Effective	5/21/2008		

Record of Audit

Renewal Request from: Aerojet General	Permittee Location: Rancho Cordova, CA
EPA # 000 030 494	DTSC Office Location and Audit Date: Sacramento (Cal Center) 6/26/2013
Facility Description: Treatment and storage of chemicals associated with explosives, oxidizers, acids, plastics and solvents. Occupies 5900 acres.	

Aerojet General Corporation - Rancho Cordova			
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	6/10/2007		
Call in Letter – sent	5/5/1999		No Call in letter in Admin record. Record included several permit modification requests, unit (injection well) closures, and a change of ownership.
Application Parts A/B Received - actual	8/15/2006		
Administrative Review Complete	11/5/2006	10/5/2006	Memo in Admin file
1 st Notice of Deficiency issued	8/20/2006	8/20/2006	
Response to 1 st NOD received			
2 nd Notice of Deficiency issued			
Response to 2 nd NOD received			
3 rd Notice of Deficiency issued			
Response to 3 rd NOD received			
Final Part A and B	4/14/2008	4/14/2008	
Draft Permit Renewal	1/5/2009		
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter			
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	1/5/2009		
Hold Public Meeting/ Hearing			
Public Comment – End	2/18/2009		
Respond to Comments			
Disclosure Cleared	7/30/2008		
CEQA Cleared	2/27/2009		
Final Permit Renewal	2/27/2009	2/26/2009	
Final Permit Effective			

Record of Audit

Renewal Request from: McCormick Selph	Permittee Location: Hollister, CA
EPA # 009-220-898	DTSC Office Location and Date: Sacramento (Cal Center) 6/26/2013
Facility Description: Storage and treatment of hazardous wastes associated with manufacturing of explosive devices, including solvents, toxic chemicals, metal powders, reactive compounds, corrosive liquid and solids, and similar materials. The facility is on 290 acres southwest of Hollister.	

McCormick Selph, Inc.			
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	7/29/2003		
Call in Letter – sent			
Application Parts A/B Received - actual			
Administrative Review Complete	6/28/2002		
1 st Notice of Deficiency issued	8/9/2002	8/9/2002	
Response to 1 st NOD received			
2 nd Notice of Deficiency issued			Admin Record included "Site Visit Report" dated 7/25/2003 and Review of Operations Plan dated 12/15/2003.
Response to 2 nd NOD received			
3 rd Notice of Deficiency issued			
Response to 3 rd NOD received			
Final Part A and B	1/4/2006	1/4/2006	Final Part B included in Administrative Record was labeled "Revision E" - implying the fifth version. This did not logically conform to just a single Notice of Deficiency.
Draft Permit Renewal			
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter	2/22/2006		
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	2/28/2006	2/28/2006	Date corroborated by Fact Sheet including the beginning of public comments on this date.
Hold Public Meeting/ Hearing	4/14/2006	4/14/2006	Date confirmed by Fact Sheet.
Public Comment – End	4/14/2006	4/14/2006	
Respond to Comments			
Disclosure Cleared			
CEQA Cleared			
Final Permit Renewal	5/12/2006		Did not find in Admin file.
Final Permit Effective	5/12/2006		

Record of Audit

Renewal Request from: Naval Air Station, North Island	Permittee Location: Poway, CA
EPA # 170-090-016	DTSC Office Location and Date: Chatsworth Office 6/20/2013
Facility Description: Tank storage and treatment area within fenced area. During the permit renewal there were review and approval of two permit modifications, and submission of closure and post-closure plans for several specific units at the facility. There was also a significant revision of the initially submitted operating plan (and associated Part B application).	

	Naval Air Station - North Island		
	Date from EnviroStor Record	Date from Administrative Record	Comments
Previous Permit Expires	1/5/2008		
Call in Letter – sent	7/29/2006	7/10/2006	Letter in Admin Record dated 7/10/2006.
Application Parts A/B Received - actual	2/27/2007	2/27/2007	
Administrative Review Complete	3/12/2007		
1 st Notice of Deficiency issued	5/21/2007	5/21/2007	Hard copy in admin file. Scanned copy in EnviroStor.
Response to 1 st NOD received	11/2/2007	11/2/2007	Interim Revised Permit Part A and Part B - dated 11/2/2007.
2 nd Notice of Deficiency issued	7/1/2008	7/1/2008	Second Notice of Deficiency for the Part B Application.
Response to 2 nd NOD received			
3 rd Notice of Deficiency issued			
Response to 3 rd NOD received			
Final Part A and B	2/10/2010	2/10/2010	Technical Completeness Determination - 2/10/2010
Draft Permit Renewal	2/16/2010		
CEQA review and action plan			
Department Compliance Check			
Technical Complete Letter			
Technical Review Complete			
Prepare Fact Sheet/ Project Materials			
Public Comment – Begin	2/16/2010	2/16/2010	Notice of Publication in San Diego Union dated 2/16/2010.
Hold Public Meeting/ Hearing			
Public Comment – End	4/2/2010		
Respond to Comments		6/22/2010	Document in file: Response to Comments.
Disclosure Cleared			
CEQA Cleared			
Final Permit Renewal	6/22/2010	6/22/2010	
Final Permit Effective	7/25/2010		

Appendix E: Permit Renewal Team Closure Report

PERMIT RENEWAL TEAM CLOSURE REPORT

1. Permit Renewal Team (PRT) History

Between the 1990's and 2004, the average time to finalize a hazardous waste facility permit was 4.4 years. One selected permit took over 19 years to complete. This prior track record prompted DTSC's director, Maureen Gorsen to form a team devoted to improving the quality and timeliness of hazardous waste facility permits issued by DTSC. Some of the causes for pre-PRT project delays included the following:

- a) Project Managers were burdened with too many tasks – conducting corrective action, permit modifications, and permitting; limiting the attention given to any one task.
- b) Project Managers competed with non-permitting, DTSC programs for the same expert support staff.
- c) Delay in the decision process due to the layers of management.
- d) Lack of Project Management ownership.
- e) Inconsistent direction on projects and controversial issues.

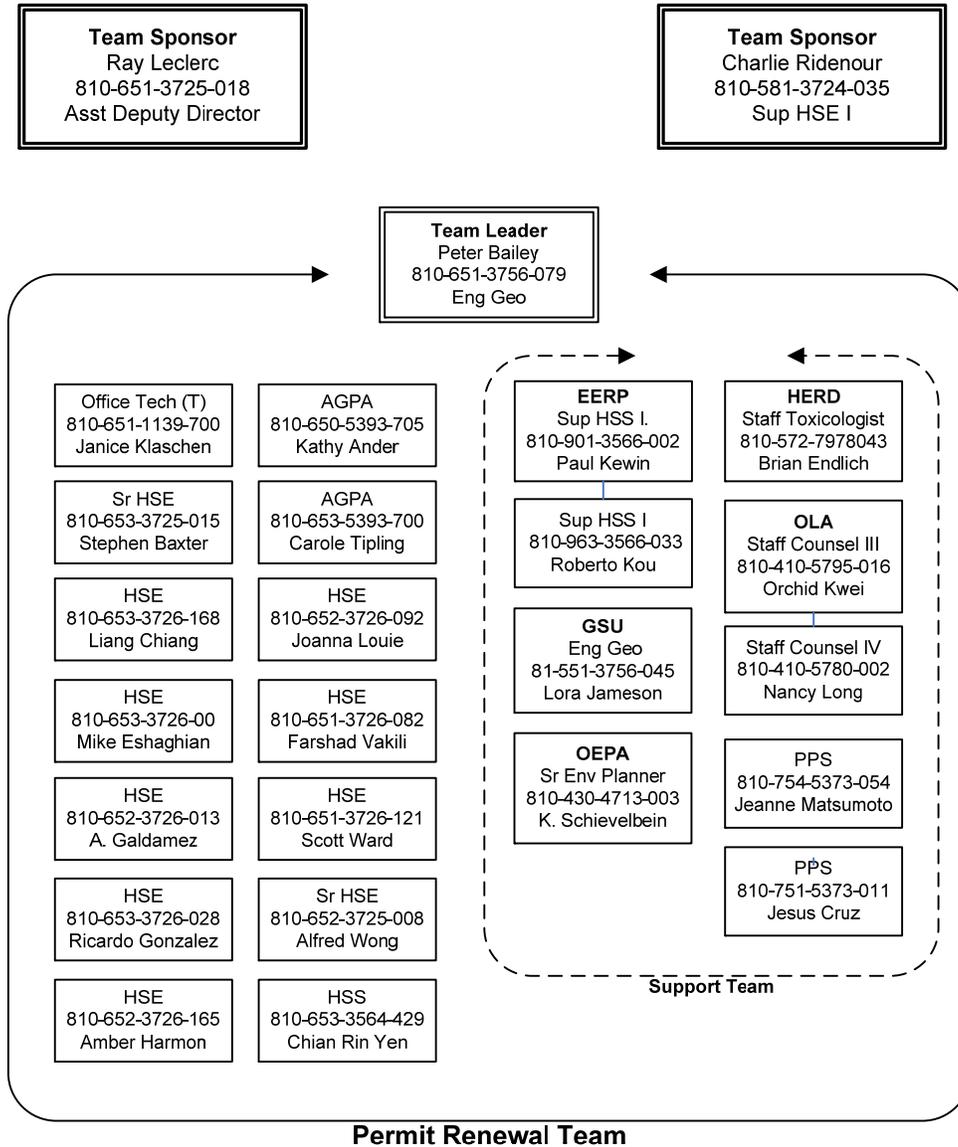
In addition, DTSC's inspection records indicated permit conditions were often not enforceable due to the inconsistencies in the permit conditions and lack of clarity in the language.

As a result, the PRT was formed to focus on improving the quality and reducing the time required to make final permit determinations; to dedicate resources to issuing permit determinations that are technically sound, legally enforceable, protective of human health and the environment, CEQA compliant and issued in a timely manner.

The PRT was formed in February 2007 and finished June 2009. Nearing its closure, the team consists of 11 project managers, one team leader, two team sponsors and 13 support staff including toxicologists, attorneys, geologists, public participation specialists, enforcement staff, CEQA specialists, and administrative staff as shown on page 2.

The team's schedule was to complete 47 permit decisions from a pool of 76. Projects were distributed among 11 project managers based on the type of permit and the project manager's experience. Once the projects were distributed, a site specific project schedule was developed by the project managers based on the file review and discussions with the previous project managers and facilities. The project schedules were posted on SharePoint.

Permit Renewal Team



2. Team Goals

In February 2007, the Team met and collectively prepared Mission and Goal statements as part of the team charter. As stated in the team charter, the PRT goal was to complete 47 permit decisions during the Team's duration. Furthermore, the average time to complete permit renewal decisions was proposed to be within 18-24 months from the date of administrative completeness for non-controversial facilities that did not require an Environmental Impact Report and did not require major modifications.

Goal Accomplishments

As of June 30, 2009, PRT completed 38 permit renewal decisions, or approximately 80 percent of the team goal of 47 as shown in Chart 1.

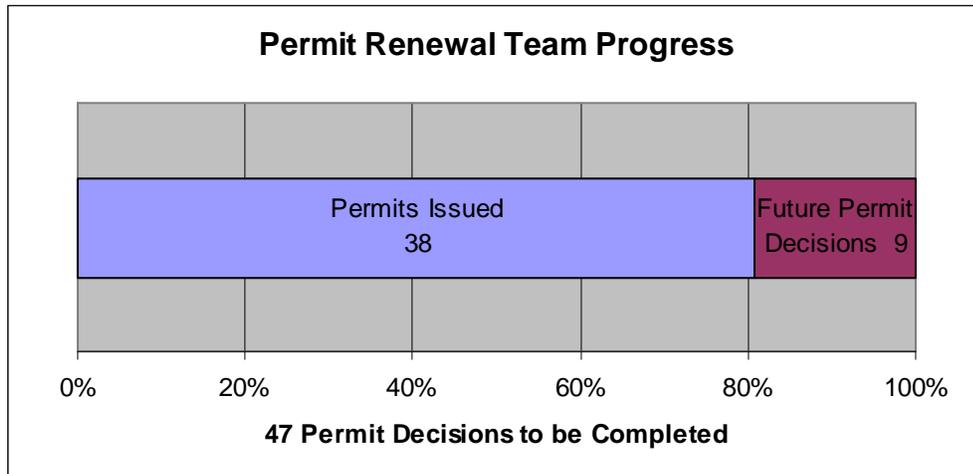


Chart 1 - Total Permits Issued by PRT

The team accomplishments are shown by team member in Chart 2. It should be noted that some team members were occasionally asked to provide support on other Hazardous Waste Management issues or permit modifications due to their familiarity with the specific project, hence reflecting less time shown.

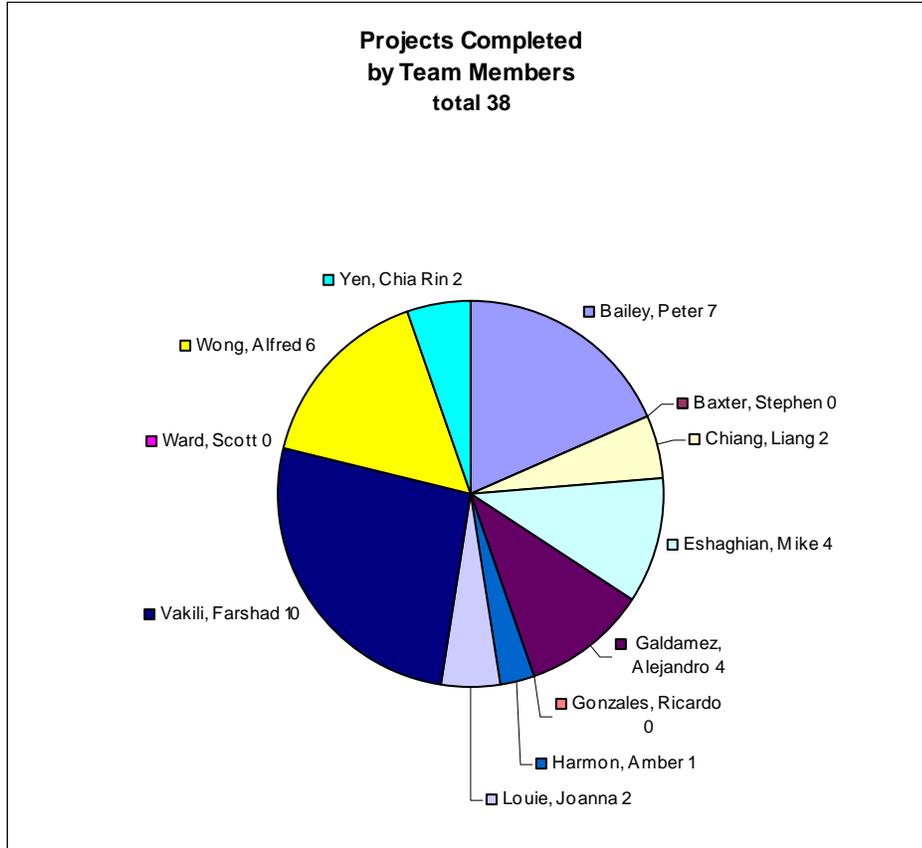


Chart 2 – Permit Issuance by Team Member

By the end of the Team's tenure the average time to complete a permit decision for 2008 and 2009 was approximately 1.8 years; down from years prior to the team. This was a goal in the team charter that was successfully achieved as shown in Chart 3.

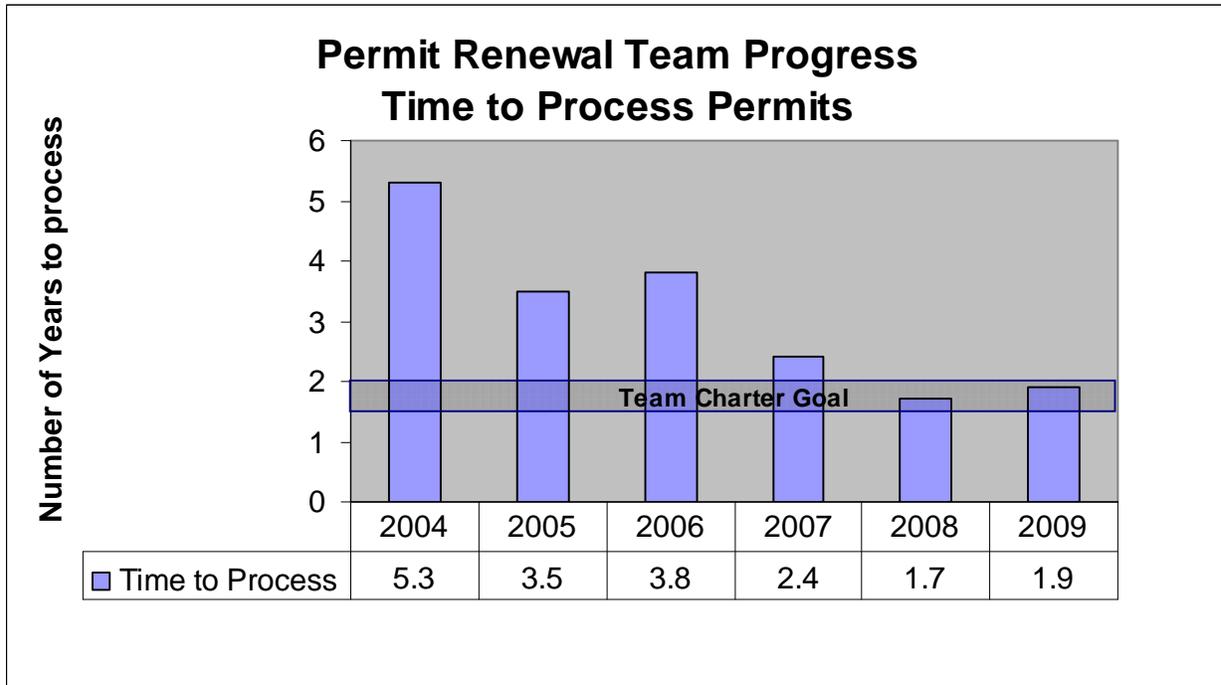


Chart 3 – Time to Process Permits

One of the byproducts of the team’s success is that the number of permits issued by the team in 2008 was 14, approximately 60 percent more than expected by the U.S. EPAs GPRA goals.

The team’s success for meeting the timeliness goal and completing 80 percent of the permit issuances goal can be attributed to the following:

- Self Direction and Professionalism** - PRT had fewer managers, more project managers autonomy, and a more efficient decision making process as a result of delegation. The team members trusted each other to work, participate, and exchange ideas as professionals. By flattening the management structure and empowering staff, delegation activities were spread evenly among team members. This allowed managers to focus on staff administrative issues. Fewer managers meant fewer steps to complete project related tasks without impacting quality.
- Dedicated Resources** – Support team members aligned their work load to meet the objectives of the PRT mission and goals. This required the encouragement and support of DTSC executive staff. This realignment in some cases impacted projects outside of PRT.

- **Periodic Meetings** – Meetings were held to discuss the project goal accomplishments and recommendations for process improvements.
- **State Wide Collaboration** – Team unified and shared views from three regions of the state to promote consistency in permit decisions, technical issues, and management.
- **Model Permits** – PRT prepared three model permits to promote and improve consistency of permits that are enforceable, legally defensible, and protective of human health.
- **Bi-Monthly Conference calls** - were held to discuss the project schedule and issues that team members were facing. Solutions to the issues were suggested in the meeting.
- **Ad hoc Conference call** – were held to address specific technical issues.
- **Use of Technology** - The PRT used the following technology for communications, schedule monitoring and goal accomplishments:
 - SharePoint – this was made available during PRT’s inception through EPA’s intranet which allowed the tracking of project schedule and goal accomplishments. Later Sharepoint became available to all DTSC staff. In addition, several previously issued documents such as permits, CEQA documents, response to comments were also posted in the team’s sharepoint library as a resource for team members to minimize redundant research.
 - Laptops, VPN access and cellular phones were distributed to allow the flexibility in working hours and locations.
 - DTSC’s website and Envirostor (recently implemented) posting was implemented to allow the public to access the project status and documents. In addition Hazardous Waste Program (HWP) database was utilized to track projects by the PRT (this program was phased out in early 2009).
 - The Inspections Complaints and Enforcement (ICE) database used as part of the disclosure statement approval process.
 - CostPro and RACER were used for estimating closure costs.

Goal Impediments

Two key components of issuing permits include public review and disclosure statements. Within the public review process, PRT members were required to issue radio and news paper announcements of draft permits. These announcements were directly contracted by DTSC and consequently affected by the State budget crisis and contract freezes. Permit notices were delayed or were not issued during periods of State budget deliberations as can be seen in the late summer/fall months on Chart 4. This inactivity was not within PRT control.

As part of the Disclosure Statement process, PRT members relied on the Department of Justice (DOJ) to conduct background checks of facility owners for possible criminal history. DOJ’s review time was unpredictable and frequently delayed. This task accounted for numerous delays beyond PRT control. One of the longer reviews conducted by DOJ caused a delay of over six months for one project. Again this impediment was not within the PRT’s control.

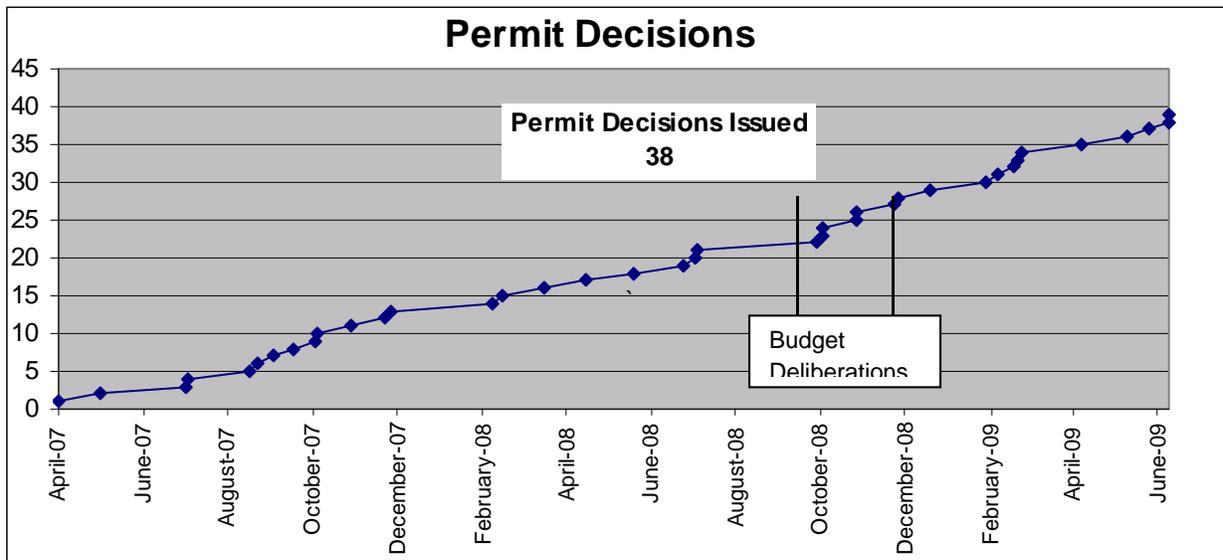


Chart – 4 Total Permits Issued During PRTs Tenure

3. Team Mission

As stated in the Team Charter, the mission of the team was to improve the timeliness and quality of permit decisions. The team was dedicated to reviewing permit applications, drafting permits, completing environmental analyses and processing the permit decisions that were enforceable, CEQA compliant, legally defensible, technically sound, and environmentally protective, and that involved the public. The team would identify and evaluate strategies to improve the quality and time required to make final permit determinations.

Mission Accomplishments

The timeliness portion of the mission statement was comparatively simple to measure, as evidenced in section 2, Team Goals, of this report. Measuring permit quality, however, is not quantitative. To review permit quality, PRT solicited Permit Quality review and input from PRT members and PRT customers, mainly the Enforcement and Emergency Response Program, the Operating Facilities Team, and the Permitting Appeals Team. This input was submitted via memorandums, emails, surveys, meetings, sub-team teleconferences, and workshops.

PRT Members – PRT conducted teleconferences, meetings and ad-hoc meetings to discuss issues. Some of these issues included the following

- aisle space
- container stacking
- secondary containment for storage and loading/unloading areas
- disclosure statements
- the ending of the public comment period
- appeal process
- PRT transition
- PRT 360 reviews

In December 2008, PRT held a workshop dedicated to defining the purpose of a permit and identifying problems or areas needing improvement. One of the workshop exercises included preparing affinity diagrams which were useful in arranging complex problems into manageable categories. Questions were posed to the Team “What is the purpose of a permit?” and “What are the key elements of a Permit?” Team members posted a list of responses on a presentation board. The responses were then grouped and identified by consensus by the team. Team members voted on the level of importance and the need for improvement for each category. The results of these activities are presented in Charts 5 and 6.

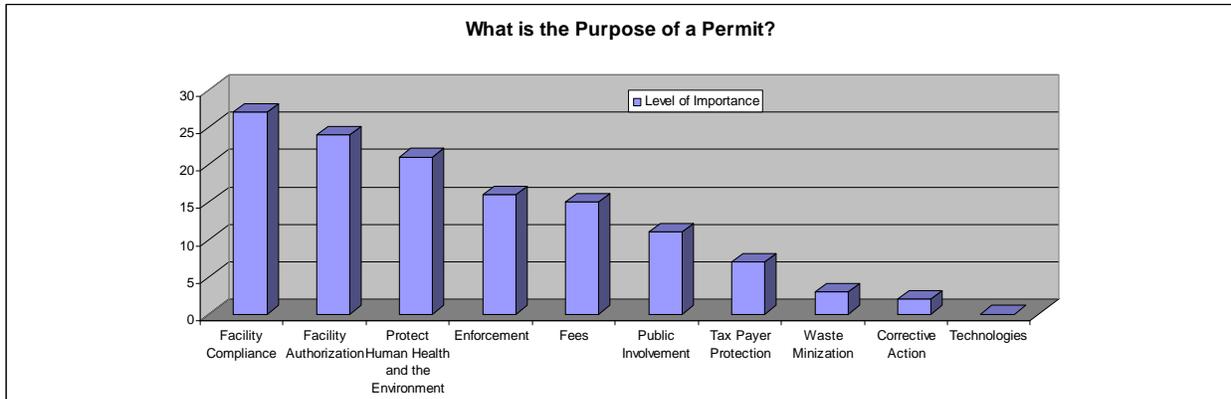


Chart 5 – Affinity Diagram Team Exercise for Defining the Purpose of a Permit

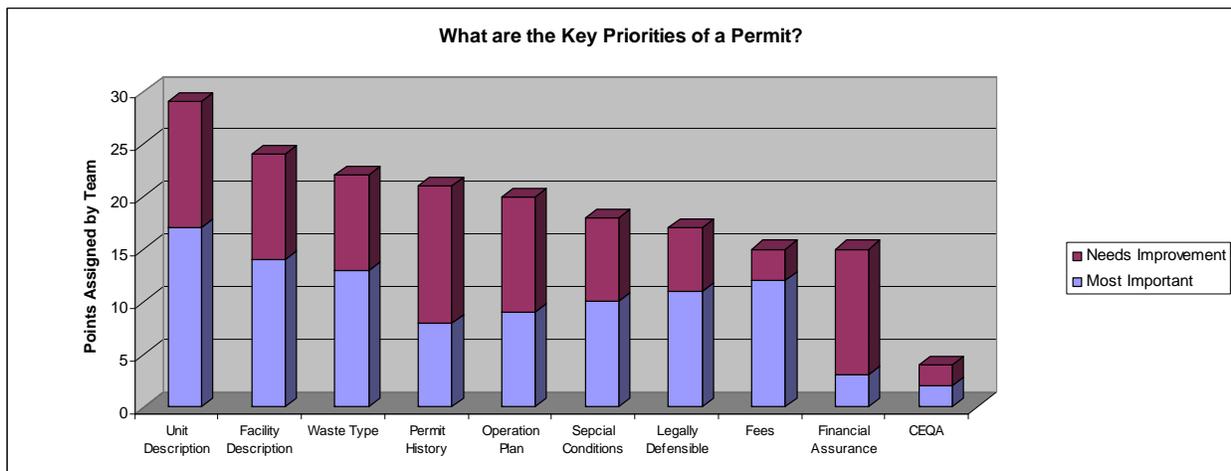


Chart 6 – Affinity Diagram Team Exercise for Identifying Key Elements of a Permit that are Important and that Need Improvement

The team learned from the exercise that the categories and the level of importance were much clearer, and that attention could be focused in these areas more affectively. Also, a foundation had been prepared for the future Permit Process Improvement Team.

Enforcement and Emergency Response Program (EERP) – EERP conducted a survey of enforcement inspectors to assess the “enforceability” and quality of permits issued by PRT. Some of the comments from individual inspectors are outlined below. The complete survey results are posted in PRT’s sharepoint under PRT Closure.

A. Inspecting against permits issued by the Permit Renewal Team

- The Part B applications was not available at the facility
- One of the original Permit Writers had never been to the facility
- The current version of the permit documents was not always clear
- Recommend that Permit Writers participate inspection with inspectors to get an understanding of their issues

B. Working with the Permit Renewal Team

- Permitting did not contact the inspector regarding an upcoming permit renewal.
- PRT Project Managers were responsive to questions.
- Not enough lead time to conduct a permit review.
- Insufficient feed back from PRT whether inspector's comments/revisions were included in the revised permit.

Other general comments form EERP included the following:

- Insufficient written guidance to conduct permit reviews
- There are varying levels of expertise in Permitting staff which can affect permit consistency
- EERP staff need refresher training for inspections.

Operating Facilities Team (OFT)

On July 1, 2009, PRT staff held a closure meeting and invited the OFT to provide comments and input. Most of the comments provided by OFT were focused on the negative impacts of dividing the duties of PRT and OFT. PRTs efforts are devoted to meeting a "process" goal, renewing 47 permits, for example, while OFT's goals were not so focused. Additional issues that are caused by the division of PRT and OFT tasks also include the following:

- The permit writer should maintain the role as project manager for facilities after the permit is issued so that special conditions, monitoring, modifications, or maintenance will be handled smoothly.
- Multiple project managers (PRT, OFT, and Corrective Action) increases the potential for project and task inconsistencies and intra-department contradictions for each facility
- Lack of continuity for the facilities

OFT staff indicated inequities in the allocation of resources; 11 project managers, for example, were allocated on the PRT for a universe of 76 permits, while OFT was allocated 7 project managers for more than 130 facilities. Other comments included problems with billing fees, facilities requesting modifications immediately after a permit is issued, model permits do not accommodate or clarify historic modifications, and closure cost estimates are not completed in all cases.

Permitting Appeals Team

PRT requested the Permit Appeals Team (PAT) to provide some feedback as to the quality of PRT permits. PAT provided this feedback in during PRTs closure meeting on July 1 and 2, 2009 and in the form of a memorandum dated July 8, 2009. The memorandum is posted in PRT's sharepoint under PRT Closure. Some of the comments from PAT are outlined below:

- The 45 day public comment period should be consistent
- Public notice documents such as the Fact Sheet or the Public Notice should be dated based on the date they are issued or mailed
- Provide the basis for special permit conditions
- The administrative record should be more clear to the public
- Include a column for the organization that an individual may be representing in d sign up sheet at public hearings and meetings.
- The Response to Comments (RTC) document should provide complete and full response to all comments received.

- Identify how corrective action requirements of H&SC 25186 and 25200.10 are being satisfied.
- Refer to the Permit Writers manual for things such as:
 - Key questions
 - Administrative Record checklist
 - Understanding the difference between the Administrative Record and the Permitting files.

It should be noted that these comments provided by the PAT are based on all permit appeals (about 11) they received since the initiation of their team and may not reflect comments specific to PRT's work product. Five of the 38 permits issued by PRT were appealed. Regardless, all of the comments submitted by the PAT will be considered in process improvement in future permitting teams.

4. Quality Control and Assurance

To ensure that the permits were legally enforceable, technically defensible and issued in timely manner, the following tools and procedures were used by the team to ensure the quality of the permit:

- a) Permit applications and end products were peer reviewed to ensure the document was technically and administratively adequate.
- b) At a minimum all permits were reviewed by Enforcement and Legal Staff to ensure that the permit was legally enforceable and that the language in the permit was clear.

5. Lessons Learned and Recommendations for Future Improvements

On July 2, 2009, PRT held a workshop dedicated to understanding the Lessons Learned during PRTs tenure and the Recommendations for Future Improvements. Similar to the workshop conducted in December 2008, PRT members refined the scope of each piece by preparing affinity diagrams which were useful in arranging complex problems into manageable categories: “Lessons Learned” and “Recommendations for Future Improvements”. Team members posted a list of responses on a presentation board and the results were transcribed and posted on PRT Closure sharepoint site. Most of the results were also presented in chart format. Some of the results are shown below:

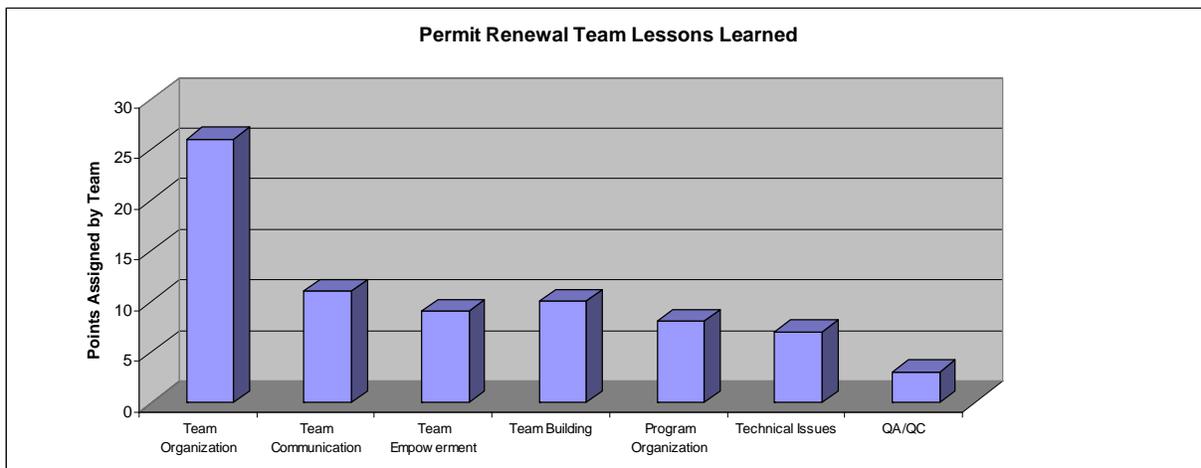


Chart – 7 Lessons Learned Categories determined during PRTs Affinity Diagram exercise

Using the categories determined in the Lessons Learned exercise (Chart 7), the team listed recommendations in each category for future improvement. A complete list of improvement items are posted on Sharepoint under PRT Closure. Some selected improvement suggestions include the following:

- **Team Organization**
 - Have assigned administrative person
 - Incorporate qualified team members based on tasks at hand and experience

- All teams shall have a charter with a time limit
- Have smaller teams with smaller scope.

- **QA/QC**
 - Consistent use of model permits
 - Consistent use of permit structure
 - Reference checklists and special conditions
 - Ensure consistency between similar facilities' permits

- **Team Empowerment**
 - Maintain adequate tech support
 - Utilize existing delegation table
 - Continue flattened structure

- **Tech Issues**
 - Prioritize workload and resources and kept to that priority
 - Cross training by area experts (internal training)
 - Utilize internal expertise for training

- **Team Communications.**
 - All team members participate
 - Minutes and action items
 - Set common in-office days per region
 - GroupWise proxy and calendar

- **Permitting Program Organization**
 - Goal oriented

- **Team Building**
 - Face to face
 - Team building activities scheduled
 - Utilize the above items for faster team building and motivated employees mean more productivity.

6. PRT Restructure

The new structure will consist of more teams yet fewer team members in each team. The core work of permitting will be based on facility type rather than permitting process. The new team structure will include core teams and support teams to address most of the issues, comments, and suggestions provided by OFT, Enforcement, PAT, and PRT members; discussed in section 5. The proposed structure as of August 18, 2009 is attached, labeled New Teams 081809.

Appendix F: List of Tasks

Task List
Administrative Review
Prepare call-in letter for facility at least 18 months prior to existing permit expiration.
Prepare and mail application package to the facility including Call-in letter, Application, invitation to pre-application meeting (if necessary), Fee Information, permit checklist, and permit chronology.
Schedule and participate in Pre-Application Meeting between DTSC and Facility representative.
Encourage Pre-Application meeting to allow public to address any questions/concerns prior to permit application submittal (RCRA)
Follow up with Facility if Application is not submitted by 180 days days before existing permit expires.
Publish public notice & notify appropriate State/local authorities of received application within 30 days of receipt of application.
Initiates and/or prepares permit fees within 30 days of receiving application
Prepare/Initiate Financial Assurance Review - identify and send cost estimate for DTSC compliance CEQA within 30 days
Send CEQA Environmental Information form to facility within 30 days of application receipt.
Identify internal team to work on the project – which could include any, but not necessarily all, of the following: GSU, PEAS, OLC, Toxicologist, PPS, FRU, Statewide Compliance Branch, Air specialist, site mitigation
Identify external agencies/entities with an interest in the project (e.g. US EPA; CA Air Resource Board; Local Fire Dept.; Local, state, and/or federal elected officials; environmental organizations; etc.)
Prepare a project Action plan including a schedule, identification of roles/responsibilities of each internal team member.
Review Application Parts A and B and make a Completeness Determination – i.e. Does the application have all the required parts? Completeness Determination must be made within 60 days of application receipt)
Draft and send Administrative Completion Letter if application has all required parts. If the application is complete – send the Administrative Completeness Letter
Send Notice of Deficiency to facility if application is missing any parts in parts A or B.
Technical Review:
Project Manager delegates technical reviews to appropriate staff by sending work request forms to applicable sections to request assessment or review of the facility. For example, GSU for seismic/engineering certification; Toxicologist for Health threat assessment; FRU to review financial assurance mechanism, etc.
Project Manager conducts internal team meeting to discuss roles, responsibilities, and timeline expectations.
Conduct meeting with external agencies/entities to inform them of project, schedule, and to answer any questions/concerns regarding land use, other permits, compliance history,

Task List
community reactions, etc.
Tour facility to become familiar with layout and operations – making notes of any new, modified, or closed units; any corrective actions being implemented, and verify the details on Part B of the application.
Check the status of the Disclosure Statement Review by headquarters to ensure no additional information is needed.
Verifies Corrective action status (currently in progress? Needed?)
Project Manager reviews Part B Application to identify any general deficiencies and issues a notice of deficiency.
<i>Part B Application Review Checklist Tasks</i>
Verifies facility description is complete (B1)
Verifies application topographic map covers 1,000 feet around units & uses appropriate scale (B2)
Verifies application completely describes all Facility Location Information (B3)
Verifies application completely describes Traffic Patterns (vehicle type/number, road conditions, etc.) (B4)
Verifies application completely describes Chemical and Physical Waste Analyses (C1)
Verifies application completely describes Waste Analysis Plan (C2)
Verifies application documents Waste Analysis and ability to meet Land Disposal Restrictions (LDR) (C3)
Verifies application completely demonstrates that waste is compatible with container materials (D1)
Verifies application completely demonstrates that waste is compatible with tank system material (D2)
Verifies application completely demonstrates compliance with Requirements for Waste Piles (not containerized, solid, non-flowing) (D3)
Verifies application completely demonstrates compliance with Surface Impoundment regulations (D4)
Verifies application completely demonstrates compliance with Incinerator regulations (D5)
Verifies application completely demonstrates compliance with Landfill regulations (D6)
Verifies application completely demonstrates compliance with Land Treatment regulations (D7)
Verifies application completely identifies and appropriately describes all miscellaneous units (D8)
Verifies application completely demonstrates compliance with Boilers and Industrial Furnaces (BIF) regulations (D9)
Verifies application completely demonstrates compliance with Containment Building regulations (D10)
Verifies application completely demonstrates compliance with Drip Pad Requirements (D11)
Verifies application contains complete documentation for Exemption from Groundwater Protection Requirements (E1)
Verifies application provides Interim Status Groundwater Monitoring Data (E2)

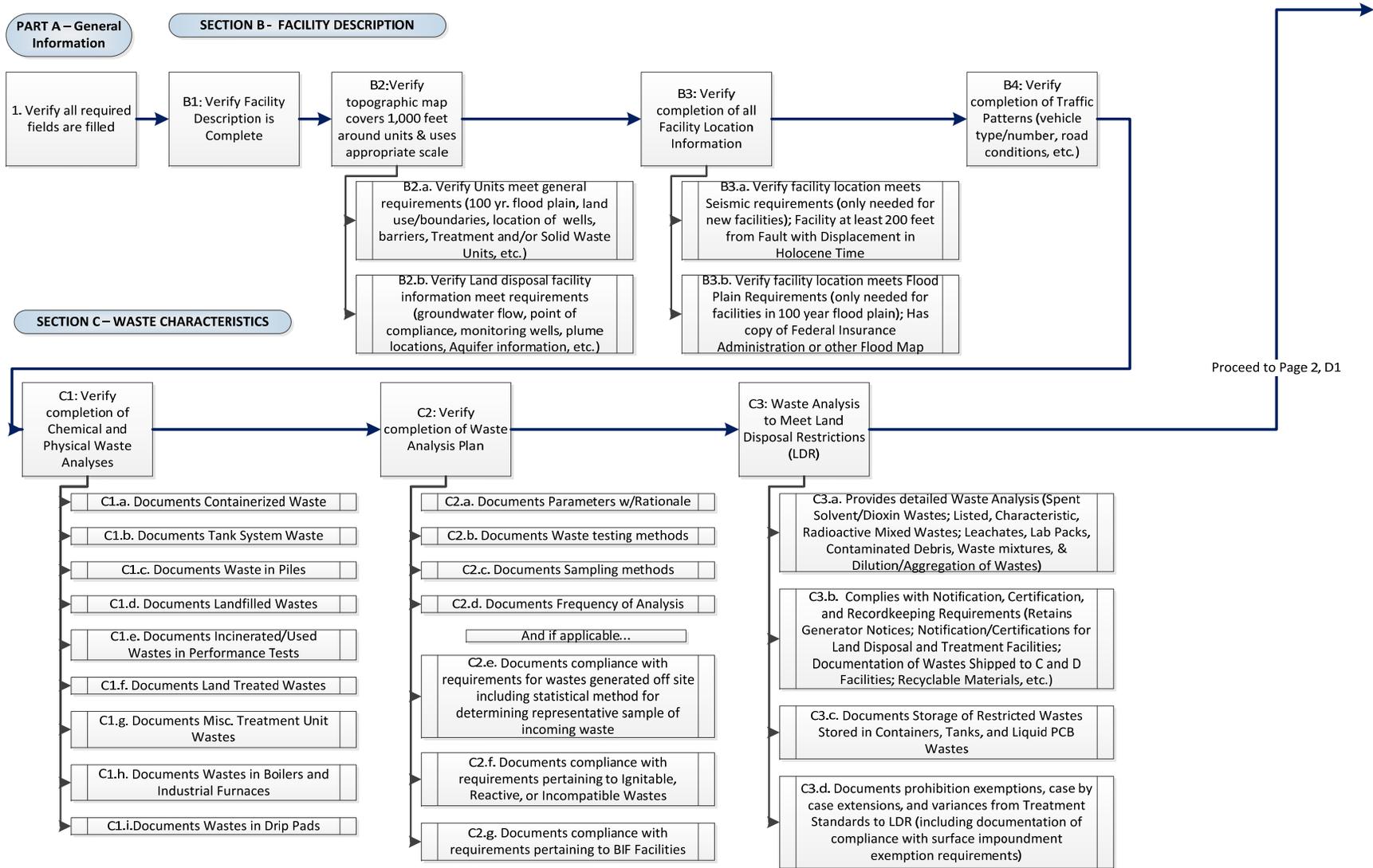
Task List
Verifies application provides General Hydrogeologic Information (regional & site specific) (E3)
Verifies application provides all required Topographic Map Requirements (E4)
Verifies application provides Contaminant Plume Description(s) (E5)
Verifies application provides descriptions to comply with General Monitoring Program Requirements (E6)
Verifies application provides descriptions to comply with Detection Monitoring Program (E7)
Verifies application provides descriptions to comply with Compliance Monitoring Program (E8)
Verifies application provides documents for Corrective Action Program (E9)
Verifies application provides documents for Groundwater monitoring Well Design (E10)
Verifies application documents procedures to prevent hazards (F1)
Verifies application documents Inspection Schedule for equipment, systems, and security devices (F2)
Verifies application has documentation of Preparedness and Prevention Requirements or Waiver (F3)
Verifies application documents Prevention Procedures, Structures, and Equipment (F4)
Verifies application documents Prevention of Reaction of Ignitable, Reactive, and Incompatible Waste (F5)
Verifies application documents a Contingency Plan to minimize hazards from fires, explosions, unplanned releases of hazardous waste (G1)
Verifies application documents Emergency Coordinators – one available at ALL times (G2)
Verifies application documents procedures for determining need for and implementing contingency plan. (G3)
Verifies application documents procedures for Emergency Actions (G4)
Verifies application contains documentation of Emergency Equipment (G5)
Verifies application contains documentation of arrangements with Local Authorities or Agreement Refusal Document (G6)
Verifies application documents Evacuation Plan for facility personnel including signals, primary, and alternate evacuation routes (G7)
Verifies application documents recordkeeping procedures to report time, date, details of incidents to Federal Authority (G8)
Verifies application documents location and Distribution of Contingency Plan to be maintained at facility (G9)
Verifies application provides Outline of Introductory and Continuing Training Programs (H1)
Verifies application documents maintenance of training records of personnel – to be completed within 6 months of employment (H2)
Verifies application documents Closure Plans (I1)
Verifies application documents Post Closure Plans (I2)
Verifies application documents Notices Required for Disposal Facilities (I3)
Verifies application provides estimates of closure costs adjusted for annual inflation (I4)
Verifies application provides Financial Assurance for Closure (I5)
Verifies application provides Post Closure Cost Estimate adjusted for annual inflation (I6)

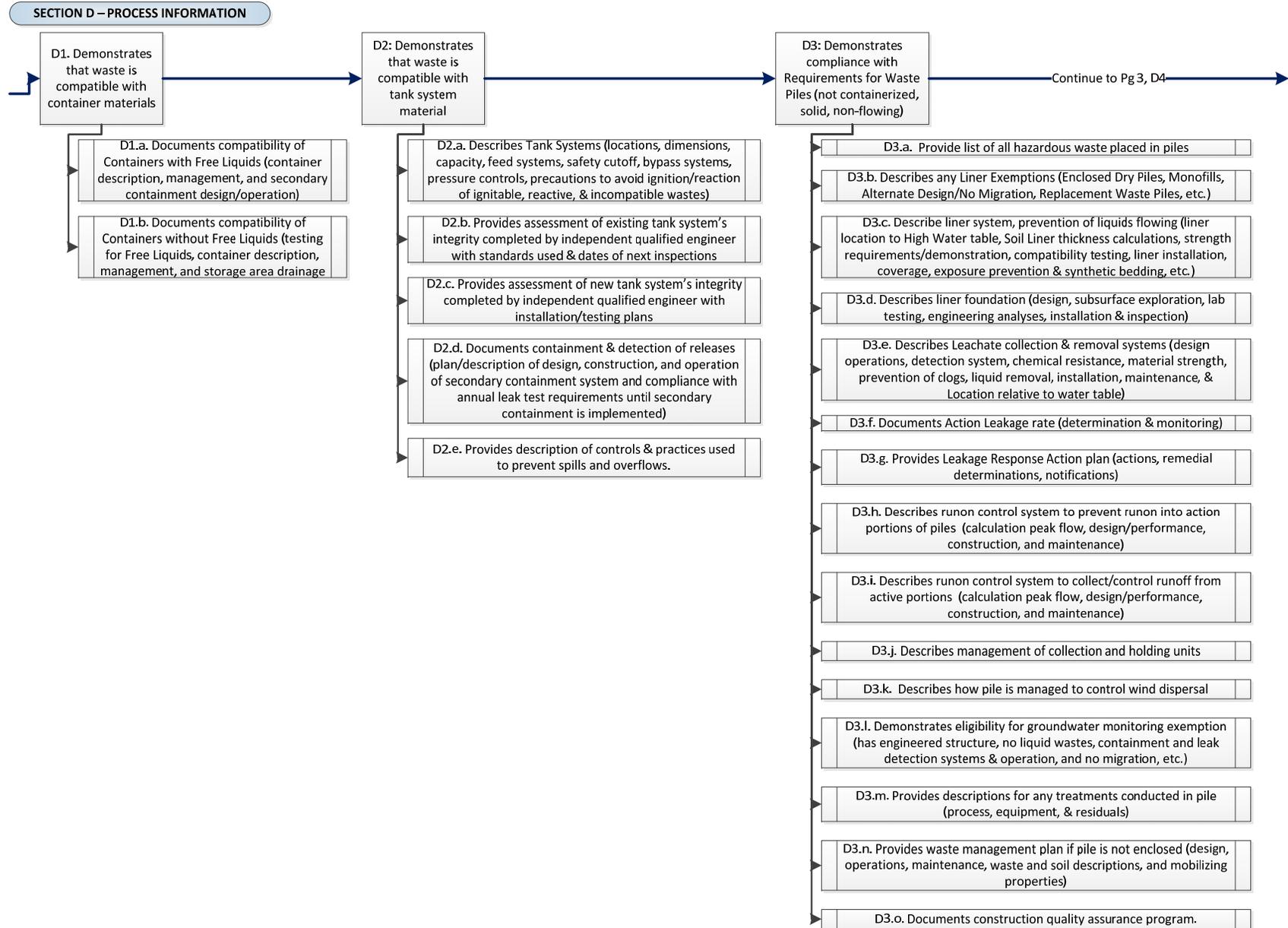
Task List
Verifies application documents Financial Assurance Mechanism for Post-Closure Care (I7)
Verifies application provides Liability Requirements (I8)
Verifies application documents use of State Required Mechanisms (I9)
Verifies application describes characterization of Solid Waste Management Unit (J1)
Verifies application provides information on any Releases incl. when, type, quantity, etc. (J2)
Verifies application demonstrates compliance with requirements of applicable Federal Laws (K1)
Completes Part B Certification, including obtaining required signatures (L1)
Drafts and sends Notice of Deficiency identifying any areas that need correction
Works with environmental consultants to verify compliance, discuss concerns, and coordinate facility reviews.
Documents "Final Part A and Part B" review complete
Drafts Permit Decision based on completion of Technical Review.
Submits Draft Permit Decision for for Legal Review
Completes CEQA Review and Action plan
Verifies Disclosure Status from HQ
Drafts and issues Technical Completeness Letter
If application is rejected, draft and issue Letter of Intent to Deny and Appeals Rights
Public Review:
Confirms or modifies initial plans regarding public meeting/hearings
Prepares Project Fact Sheet and Public Information File
Advertises/notifies public of location and timeframe of posted permit decision, comment period, and CEQA evaluation
Establish public viewing location for public file
Post the actual Draft Permit Decision and CEQA Evaluation for a minimum of 45 days along with ways to provide feedback during this public comment period.
Hold Public Meeting/Hearing at least 30 days after posting announcement/advertisement.
Considers need to extend public comment period
Close Public Comment Period after a minimum of 45 days.
Project Manager reviews and distributes comments/concerns/questions to appropriate specialists on internal team to obtain responses.
Project Manager prepares/gathers prepared responses for incorporation into any changes to the Final Permit and/or Response to Comment for Final Permit
Obtains Legal Department approval to close the record
Clear the Disclosure with HQ
Complete all necessary forms and obtain all necessary signatures to finalize the CEQA Evaluation Determination.
Complete all necessary forms and obtain all necessary signatures for final permit approval
Gather and send all final paperwork to be filed and saved in DTSC files – includes documenting Permit approved and effective dates, all documentation acquired during the permit process and any other supporting information/documentation.

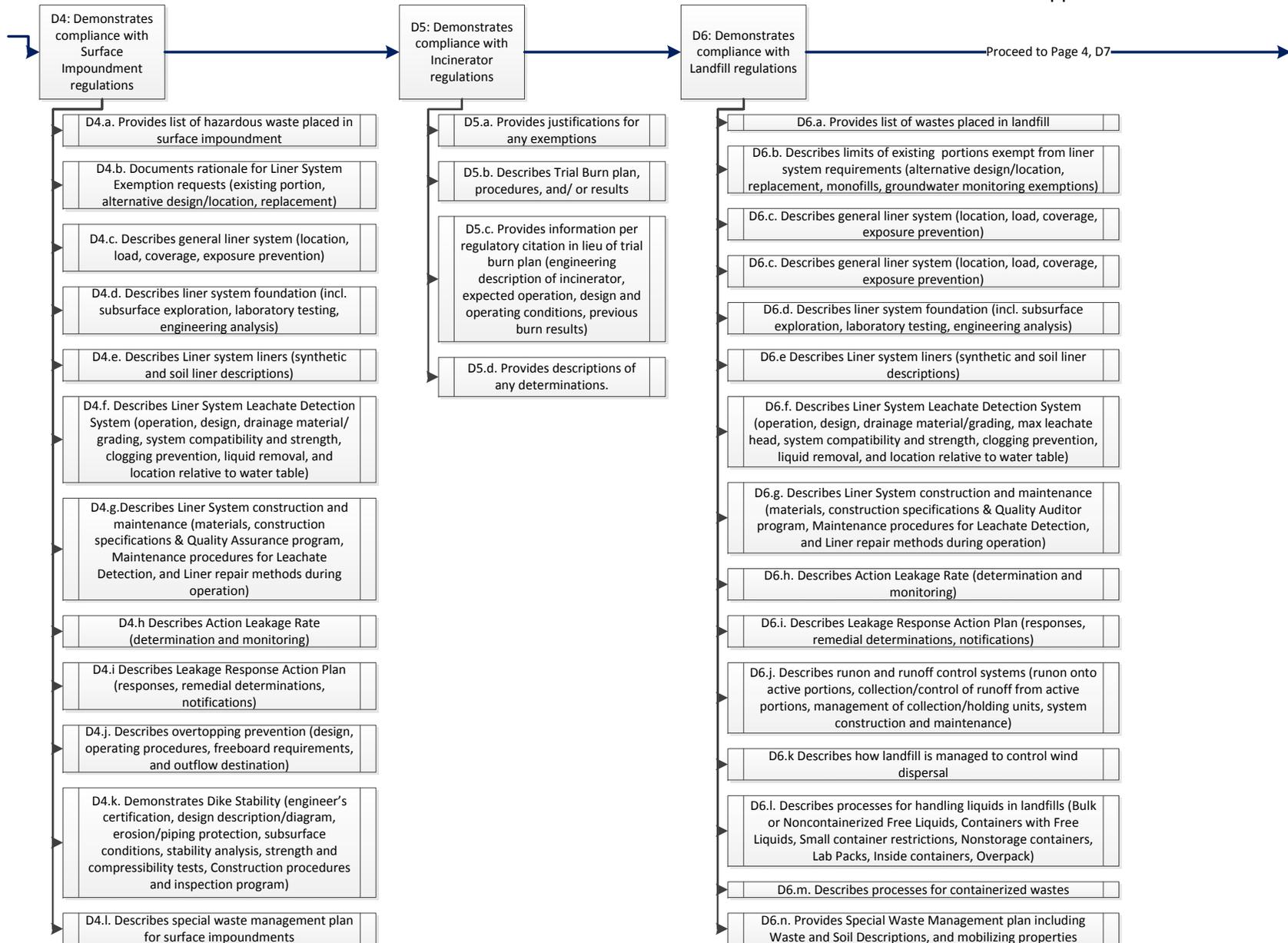
Task List
Send Approved permit and any appropriate documentation to facility.
Publish Final Permit and Responses to Public Comment, opening 30 day window for any appeals.
Draft Closure Plans/Documents
Prepares documentation for facility inspection.
Appeals Process:
Reviews received appeals to determine eligibility of appeal petition.
If appeal petition is ineligible - sends denial letter to appellant
If appeal petition is eligible - issues public notice of briefing
Holds Public briefing to discuss appeal
Determines if changes should be made to Final Permit
If final permit is changed after appeal, reposts permit for public review
If final permit is not changed after appeal, sends denial letter with explanation to the appellant.
Other Tasks that could pertain to multiple segments of the process:
Answers questions and explains procedures to facilities over phone, mail, or e-mail.
Researches toxicity database and other toxicology references for information on unusual or uncommon waste materials when facilities ask to ensure facilities remain compliant and informed.
Works with other professional staff, including EPA, environmental specialists, and other DTSC staff (e.g., HQ, inspectors) to include all pertinent information in the permit documentation.
Updates mailing lists for facility mailings.
Classifies violations into Class I/II/III categories.

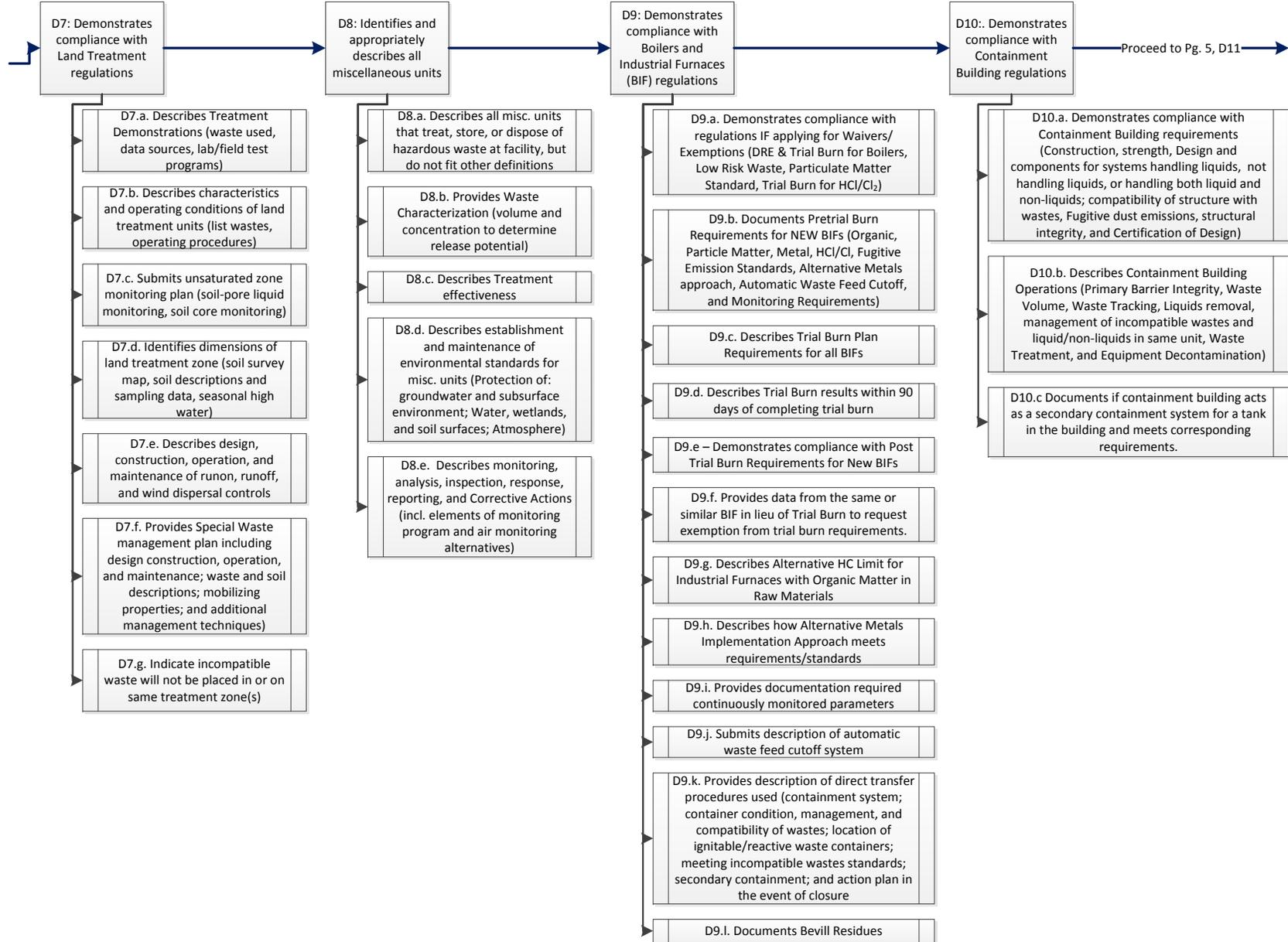
Appendix G: Detailed Flow Chart of Part B Technical Review

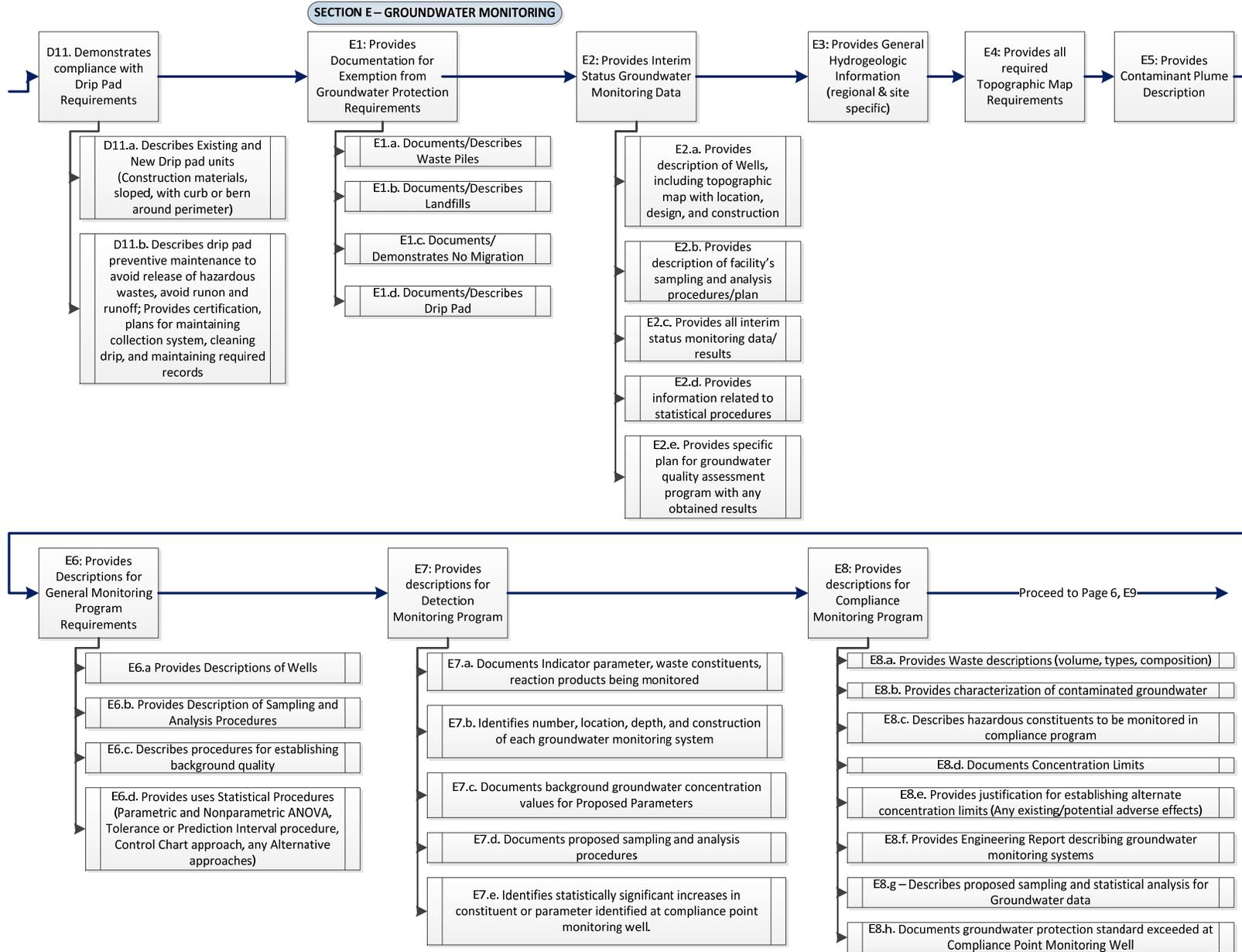
Part B Application Review

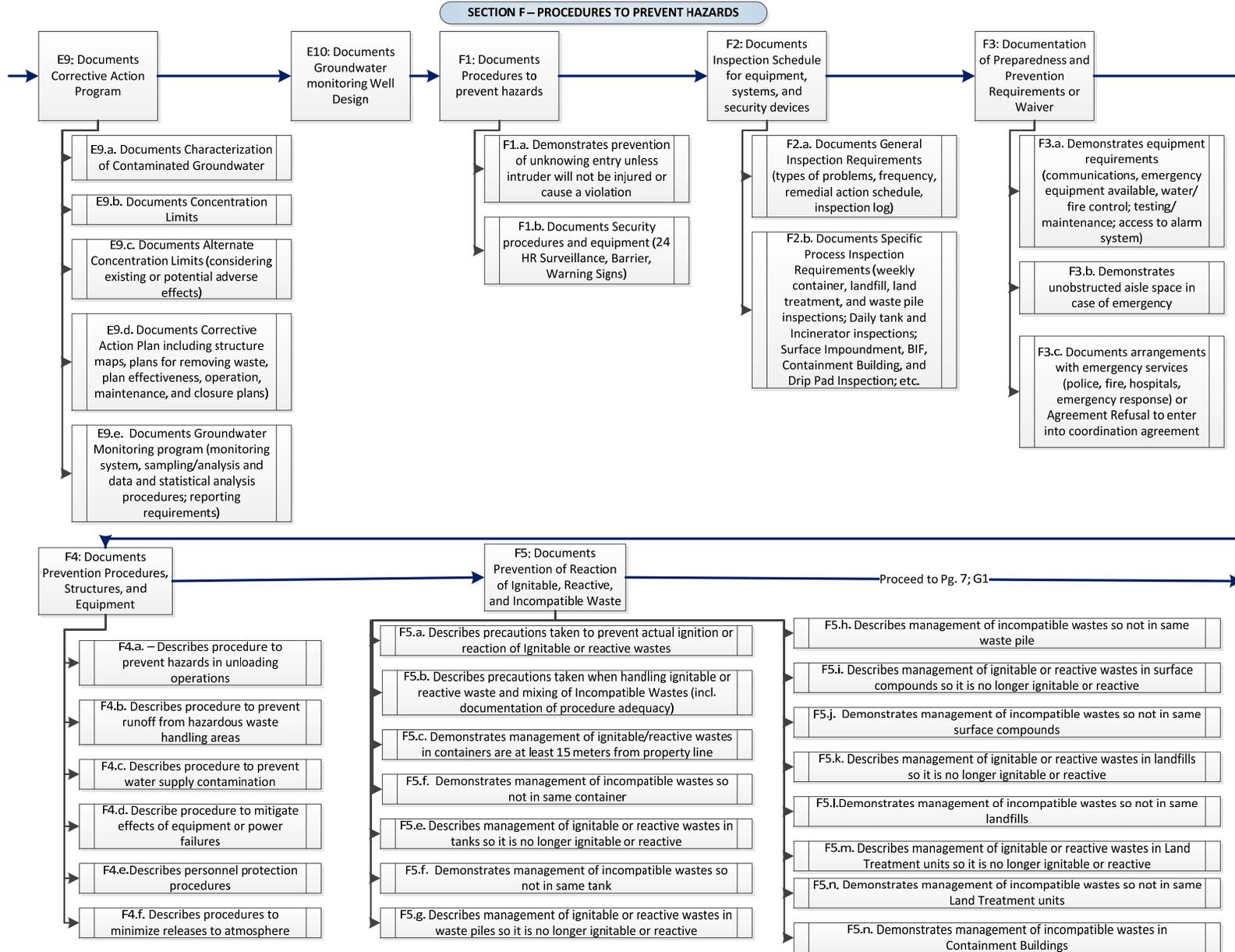


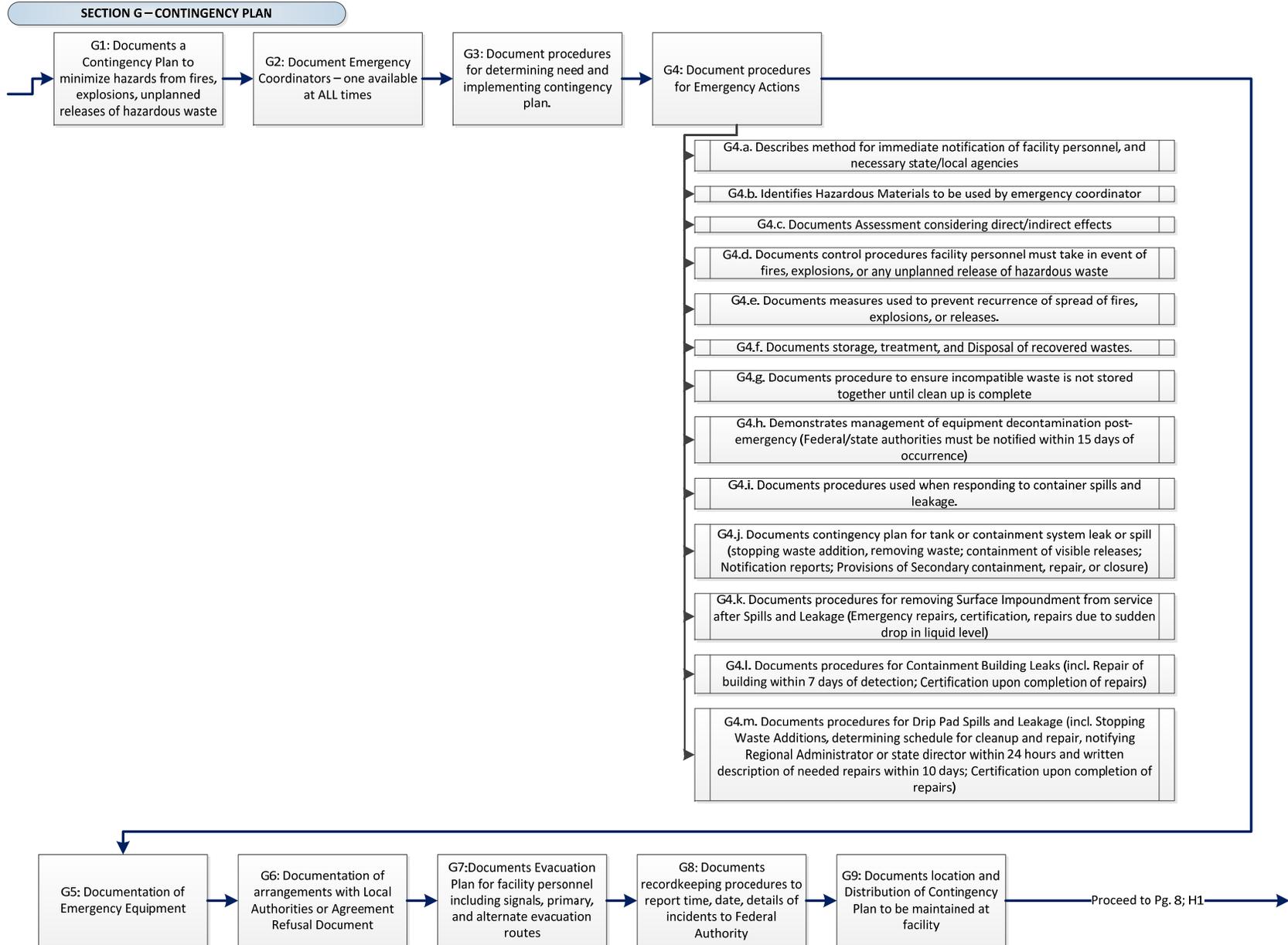


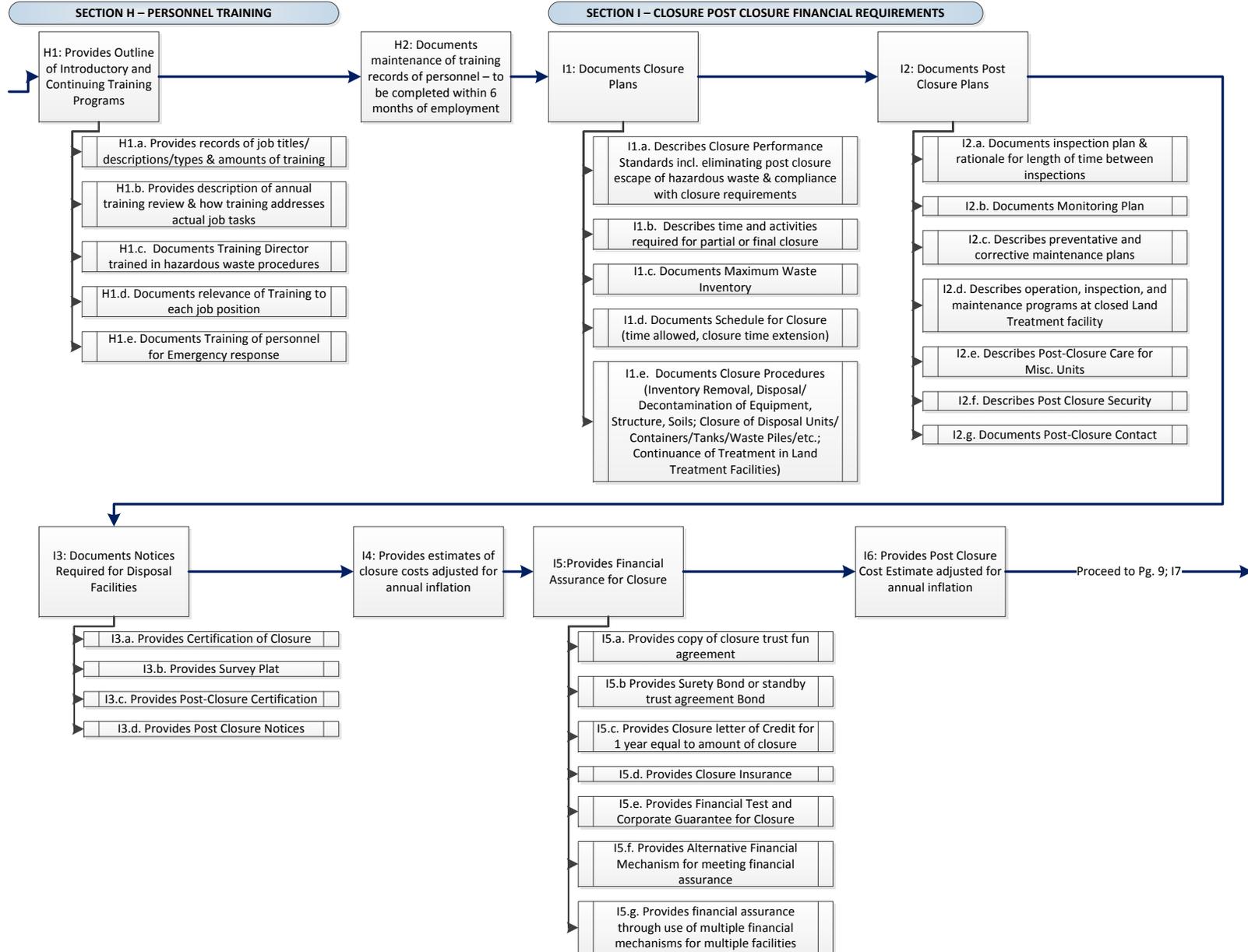




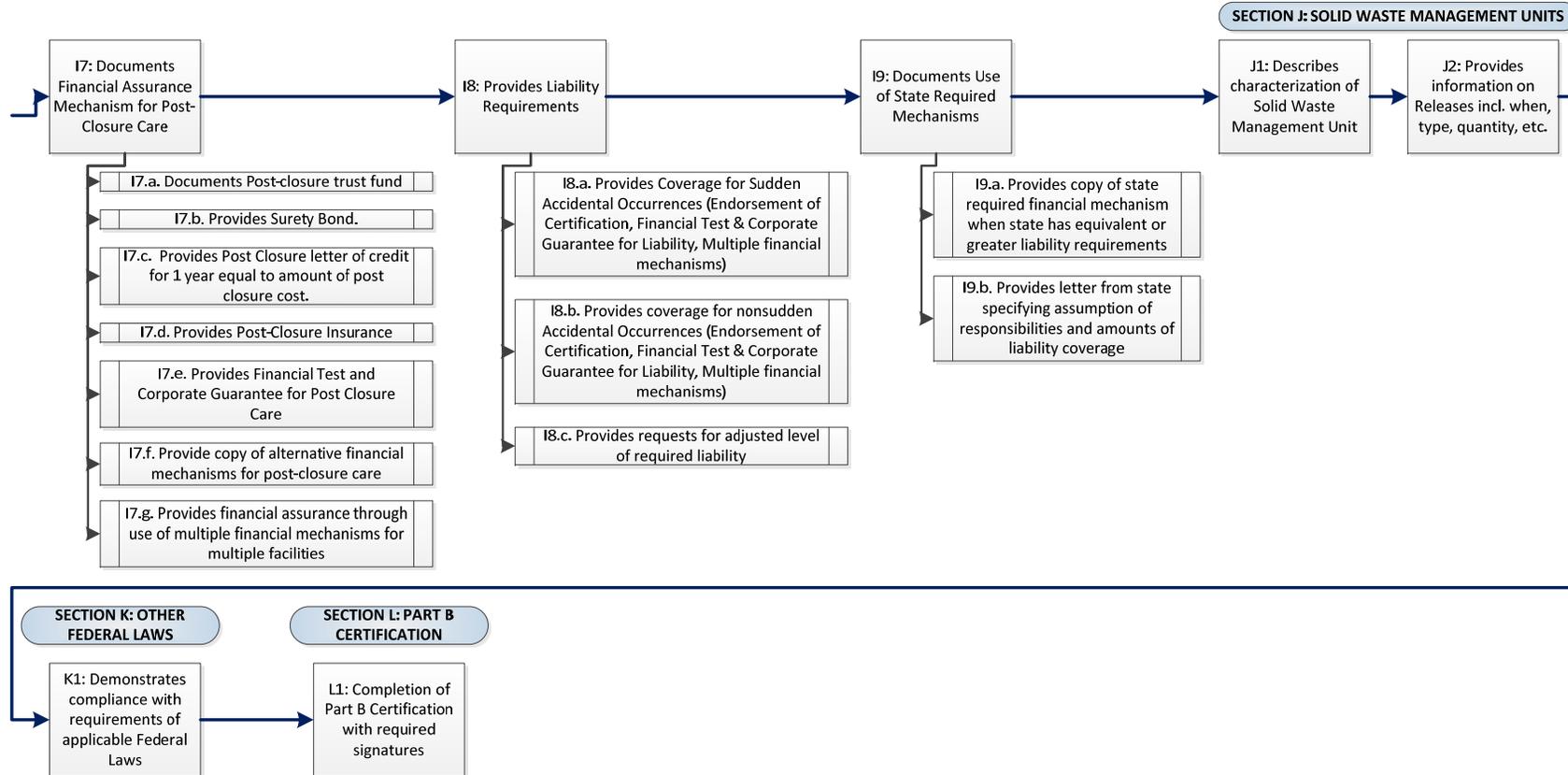








Appendix G: Flow Chart Part B



Appendix H: Interview with Caleb Shaffer

7/19/2013

Interview with Caleb Shaffer, Manager of RCRA Facilities Management Office

EPA Region IX

Author: Rich Mallory

General Background Caleb has been in his current position for three years, and before that was doing the data side for EPA. In this job he oversees a group of environmental engineers and scientists that write permits, as well as conduct cleanups. EPA Region IX covers CA, HI, AZ, NV, and the Pacific Islands. With some exception for some of the Pacific Islands, all the states have received delegated authority and conduct RCRA permitting activity in lieu of the Federal government.

Under the Toxic Substances Control Act, control of hazardous waste disposal regarding PCB's cannot be delegated to the States. EPA maintains sole responsibility for permitting PCB storage and disposal facilities, and conducts cleanup of PCB contaminated sites. During the recent Kettleman Permit Renewal, for example, the PCB permit decision is being conducted by Federal EPA separately from DTSC, with DTSC making its permit decision regarding the rest of the facility's hazardous waste operations.

EPA administers grant funds to the states for RCRA activity and provides California DTSC with roughly \$7 million per year for all its delegated responsibility, of which permitting is just one program. Grant funds are intended to support the RCRA program. In some states the funding covers a larger portion of the program than others. In California there are a lot of state specific regulations, which may increase both size and cost of the program. This is because CA manages and oversees non-RCRA hazardous waste as well. The Government Performance and Results Act requires that all major federal programs set goals, measure results, and report their progress. GPRA goals for DTSC permitting requires 7 permit issued this year, ending Sept. 30. So far only two permits have been issued and Caleb is concerned the goal will not be achieved. If not, this will be the first time in recent history there has ever been a failure to meet goals. Past calculation of permits issued gave DTSC credit for unaccounted results from previous years, and this practice was disallowed this year.

EPA maintains general oversight with regard to maintenance of delegations. Approximately every 10 years delegation and authorization of state programs are reviewed. There are a couple of states that have had delegations taken back or returned. Alaska is one.

The EPA Regional office is able to assist any states with more difficult facility permitting, and with technical assistance.

RCRA covered waste have four basic criteria: 1) They are ignitable (at less than 60 degrees Celsius, spontaneously, or under certain conditions); 2) They are corrosive; 3) They are reactive substances (unstable as exhibited by such things as toxic fumes/ gases); 4) They are toxic (harmful or fatal when

adsorbed or ingested). RCRA hazardous wastes are defined by those four criteria. In addition some substances are specifically listed.

At a minimum states have to be as stringent as the federal regulations but have authority to be more stringent. California is one of the few states that has gone beyond the federal program. So California's more stringent hazardous waste regulations for fluorescent light bulbs would be one example. The five-tiered permitting program is another.

Caleb was asked his opinion of how California is doing:

It is difficult to compare CA to the Pacific Islands for example. More fair comparison is AZ NV. Their programs are much smaller, but tend to be well managed. CA has gone through a pretty tumultuous past, including internal leadership, consistency, and quality of actions. That has not been the case with AZ and NV. The CA organization has been pretty fractured. Other states have more consolidated programs. The fact that DTSC has permit writers scattered throughout the state, so there is not a lot of consistency. Not having the organization all in one place and managed in one place. It also causes communication to be a significant issue. I've frequently encountered where staff level permit writers aren't up to date on projects, to the point where I've mentioned decisions in their organization that they should have been aware of but are hearing for the first time. The other challenge is that the permit writers have non-supervisory team leads assigning and overseeing the work while being supervised by a person other than the team lead. This makes it harder for the supervisor to judge the quality of the work since the direct oversight gets done by the team leads.

Think things are starting to change. Historically CA has had a lot of "acting" personnel. Maureen Gorson removed middle managers, and that stripped a lot of leadership and knowledge. DTSC leadership was "not using that knowledge for creating a really robust permitting program." The quality of permits was not as good. When AZ and NV writes a permit, they include the all operating requirements. Historically CA has not done that, using the reason that it's the regulated facility's responsibility to know and follow the regulations ('a permit is not a shield'). This has caused problems and confusion, because some facilities did not consult the regulatory citations. It may seem duplicative, but it is always a good idea to have a clear, stand alone permit that is specific to a given facility and not rely on the facility to do their own interpretation and application of the regulation.

CA has seen a lot of changes. They have been shaken up so many times. A lot of other state programs have a lot more stability. AZ and NV have appointed directors, but he does not believe that senior management has changed as frequently, with changes rippling throughout the subordinate organizations as well. It is possible that there is greater partisan influence in management of DTSC. There are a lot more management changes in CA than other states.

Some Regions have very strong programs. Region IV is one example, and both Alabama and Florida have been cited as good programs for CA to learn from. Both have strong reputations. Generally CA is considered an environment leader overall, and is considered a strong program. However, not so much in management of its program.

NV issues permits on five year cycles. The default for permits in other states is 10 years. NV seems to be doing a good job.

CA DTSC asked for EPA advice on improving its permitting program about six months ago. They provided 12 recommendations for a strong permitting program. (A copy was provided).

CA DTSC has been somewhat of a loner in the past, and has ignored help available through the Region. For example there is a strong network of RCRA permit writers in other states that holds regular information sharing teleconferences, but CA has not been involved. Collaboration with the Region and other states would help establish consistency and thoroughness. One of suggestions was to plug into national scene and see how much support they can get. More recently CA has been on some of these calls. In comparison NV and AZ are on every month. “CA was not really engaged.”

What outcomes or metrics:

Specific to permitting – number of permit decisions per year. We track RCRA permit decisions. We will also ask to review draft permits. They have a goal each year. They do meet them sometimes “with some creativity.” When they have not been able to meet the goal, EPA has been able to give credit for historic decisions (past) when they were not counted. It will be more telling now to see if they will be able to make the numbers on their own now that this practice is being disallowed. The goal this year is seven permitting decisions. End of the permit year is Sept 30 and they have only made two. There might be a problem this year.

If there is failure to meet goals will have a serious discussion of grant dollars and why they did not meet them. EPA won't immediately withdraw the money...

EPA does not have any permitting workload standard, but negotiates an overall goal through the grant work plan process.

They do track permitting actions. One person on EPA staff goes through the broad list of all facilities with expired permits and forecasted for renewal – they have a longer list of facilities on which permit actions are expected, knowing that the decision time can sometimes be hard to predict. They go over the list at least once every two months with DTSC. Caleb notes that data quality has been a big issue with CA – they have not been getting good reports. A current focus is on getting (CA DTSC) to own and maintain accurate data, thus giving them a comprehensive understanding of their regulated universe. EPA continues to review the permit renewal list to see which will go. Caleb suggests that I ask Rizgar for the list since he owns it. It is GPRA report.

Risk standards:

Caleb says EPA has really extensive risk assessment protocol. The end result is determination of risk assessment criteria. He will send a link.

Why has CA not adopted the federal standards? “It's not a requirement. RCRA does not require risk assessment.” Perhaps they have not adopted it because its optional. There have been decisions they

have reached where the Feds have reviewed them using their standards. Caleb thinks CA could use the federal standard right now.

Patrick Wilson is the federal toxicologist at EPA. It was suggested this review contact him regarding his opinion of DTSC risk assessment. Wilson worked with CA on the Kettleman decision. EPA did own risk assessment based on PCB operations. State did theirs based on hazardous waste. Did work closely with them on that. They are different approaches, and Wilson would have the best opinion of that.

Exide – Offered assistance. They (CA DTSC) were on own path and did not want federal assistance. EPA sees it as their role to provide assistance to states. They support risk assessments for states at various times. “We regularly provide support.”

NV asks EPA to look at every draft permit, and they do. EPA does not have the manpower to review ALL decisions in all states.

The Part B Application is Federally mandated. It is defined at 40CFR, Part 270. Caleb has a 15 page training module on that. What the permitting process is, etc. He will provide it.

EPA has done training, and has also done “Completed output reviews” – audited permit decisions. That was all part of trying to bring a robust system into the state. Stopped doing that about 10 years. It was acknowledged that it may be important to do this again.

Appendix I: Identified Stakeholders

Group	Stakeholder Name	Stakeholder Agency/Title
Public Interest/Advocates	Luis Olmedo	Comite Civico del Valle Inc
	Liza Tucker	Consumer Watchdog
	Ingrid Brostrom	Center on Race, Poverty & the Environment
	Bradley Angel	Green Action
	Maricela Alatorre	People for Clean Air & Water of Kettleman City
	Denise Duffield	Physicians for Social Responsibility-Los Angeles
	Martha Dina Arguello	PSR-LA, California EJ Community
	Daniel O Hirsch	
	Andres Soto	Communities for a Better Environment, Richmond Organizer
	<i>Jane Williams</i>	<i>California Communities Against Toxics</i>
	<i>Brent Newall</i>	<i>Center on Race, Poverty & the Environment</i>
	<i>Lenny Siegel</i>	<i>Center for Public Environmental Oversight</i>
	<i>Henry Clark</i>	<i>West County Toxics Coalition</i>
	<i>Sheila Davis</i>	<i>Silcon Valley Toxics Coalition</i>
	<i>Michelle Meyers</i>	<i>Sierra Club, Bay Area Chapter</i>
	<i>Cynthia Babich</i>	<i>Del Amo Action Committee</i>
	<i>Robina Sewall</i>	<i>California Safe Schools</i>
	<i>Father John Moretta</i>	<i>Resurrection Catholic Church</i>
	<i>Joe Lyou</i>	<i>Coalition for Clean Air</i>
	<i>Bill Gallegos</i>	<i>Communities for a Better Environment, Executive Director</i>
<i>Jody Sparks</i>	<i>Cherokee Investments</i>	
Industry/Lobbyist	Phillip G Retallick	Clean Harbors
	David B Nielsen	
	Bob Brown	President of CleanTech Environmental
	Chuck White	Waste Management, Director of Regulatory Affairs
	Bob Hoffman	Paul Hastings Law Firm
	Peter Weiner	Paul Hastings Law Firm
	Bob Lucas	Lobbyist
	<i>Ben McNeil</i>	<i>President of Bakersfield Transfer Inc (BTI)</i>
	<i>Rosemary Domino</i>	<i>Dir. of Environmental Affairs for Asbury Environmental Services</i>
	<i>Gordan Hart</i>	<i>Paul Hastings Law Firm</i>
General/ Government	Maureen Gorsen	Former DTSC Director, Alston + Bird, LLP
	<i>Bruce Jennings</i>	<i>Senator's office</i>
	Gale Filter	Former DTSC
	Ed Lowry	CalOSHA Appeals Board Member
	Mohsen Nazemi	
	Maziar Movassaghi	CA Department of Housing and Community Development
	Caleb Shaffer	USEPA
	<i>Phil Chandler</i>	<i>DTSC</i>
	<i>Bill Jones</i>	<i>Los Angeles County Fire Department (CUPA)</i>
	<i>Marcia Williams</i>	<i>Gnarus Advisors</i>

Note: *Italicized names were invited, but did not participate*

Appendix J: Stakeholder Survey

Qualtrics Survey Software



Introduction

Welcome to the Department of Toxic Substance Control Permit Program Stakeholder Survey

Thank you for participation in the Department of Toxic Substance Control (DTSC) Permitting Process Survey being administered by CPS HR Consulting.

This survey requests your feedback on statements and questions regarding aspects of the permit program. Please answer all those questions where you feel that you can provide an informed response. You may respond "no opinion/ not applicable" for all others.

You will need to provide some response to each scaled item survey statement before you can proceed to the next statement in the survey.

Your responses are confidential in that no DTSC employees will have access to or review any individual survey responses; only aggregate survey responses will be provided by CPS HR Consulting, the organization conducting this survey.

Please know that you will have three days to complete and submit the survey.

If you have any questions about this survey, please feel free to email Rich Mallory at rmallory@cps.ca.gov.

We thank you for your participation!

Scaled Items

The following questions are in regard to the Department of Toxic Substances Control's (DTSC) process for permit issuance or renewal: Please respond to all questions where you can offer an informed opinion, and answer "no opinion" if you cannot.

Please indicate the degree to which you agree or disagree with the following statements using the following scale: Strongly Disagree, Disagree, Neither Agree nor Disagree, Agree, Strongly Agree, and No Opinion

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	No Opinion
1) Most times the permitting process produces a good result.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2) Most times the end result of the permitting process is a safe facility with an enforceable permit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3) Permit decisions show an appropriate balance between community needs and regulatory requirements.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4) I think the DTSC permit program has appropriate goals.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5) The permitting process is almost always completed in a reasonable period of time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6) The permitting process is almost always completed at a reasonable cost.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7) Permits are revoked when necessary.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[https://co1.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=49XJa\[9/23/2013 4:30:50 PM\]](https://co1.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=49XJa[9/23/2013 4:30:50 PM])

8) Financial assurance is being adequately addressed.

Open-Ended Items

The following questions provide an opportunity for you to provide written comments. You may respond to any or all of these questions. There is a maximum of 5000 characters for each response.

What is working or is not working with the permitting process?

Do you care to provide specific examples of what is working or is not working?

What should be the criteria for denying or revoking a permit?

Qualtrics Survey Software

How should the permitting and enforcement programs inter-relate?

Do you have any ideas for fixing the permit program?

Demographic Items

Name (optional):

Title (optional):

Contact phone (optional):

Contact email (optional):

My interest in the program is (check one):

- Permittee, industry representative or employee.
- Primarily concerned with environment and/or health and human safety
- Public agency representative or employee
- Other

Please indicate where you are located:

- Sacramento
- S.F. Bay Area

Qualtrics Survey Software

- Northern California (other than Sacramento and Bay Area)
- Southern California
- Central Valley
- Central Coast
- Other

Thank you for your feedback on this survey regarding the DTSC Permit Program. If you are satisfied with your responses, please click the "Submit" button to record and submit your survey to CPS HR Consulting. If you would like to review or make any changes to your responses, please click the back button now to change your responses on the previous survey sections. **Please note that once you click the submit button, your session will be closed and you will not be allowed to return to your survey.**

Thanks again for your participation!

Survey Powered By [Qualtrics](#)

Appendix K: Stakeholder Comments – Group Comparison Summary

	Activist Groups	Permittees/Representatives	Public Agency Representatives
Q1: What should the permitting program accomplish?	<ul style="list-style-type: none"> • Safe disposal and equitable management of CA hazardous waste • Exercise authority to ensure protection of public health 	Manage permit process within timelines to ensure sufficient permitted facilities to handle CA hazardous waste <ul style="list-style-type: none"> • If facility meets standards – Provide permit in no more than 3-4 years • Permits beyond legal requirements should be justified on need to protect human health/environment – not as arbitrary decision 	<ul style="list-style-type: none"> • Identify/clearly define lawful operating conditions for facility
Q2: How well is the permitting program meeting those expectations?	Not well – DTSC allows industry to be strongest power instead of using authority granted to them. <ul style="list-style-type: none"> • Perceived bias toward industry • Facilities operating with interim or no permits • Perceived lack of adherence to laws • Not considering cumulative impacts • Poor communication/lack of transparency 	Not meeting expectations: <ul style="list-style-type: none"> • Facilities should not be running on interim permits • DTSC is not planning workload well based on permit expiration dates • No existing timelines to hold employees accountable 	Not well – but felt too removed from process to really answer
Q3-1: What is working with the permitting process?	<ul style="list-style-type: none"> • Better to have permitted facilities than not – even by flawed process 	<ul style="list-style-type: none"> • Process for smaller, less controversial is adequate • Some felt new reorganization effort helps accountability and consistency (Some disagreed) • Some permit writers put forth great efforts, including being demanding while patiently explaining process and requirements to facilities 	No comments

	Activist Groups	Permittees/Representatives	Public Agency Representatives
Q3-2: What is not working with the permitting process?	<ul style="list-style-type: none"> • Employees have ties to industry; too influenced by lobbyists/lawyers; do not err on side of public protection – leads to industry bias • Employees are unable to do job • Health concerns in burdened communities • Subpar data systems • Completion not timely • Enforcers and Permit writers do not understand others work – permits and enforcement not done locally 	<ul style="list-style-type: none"> • Having unreasonable opposition to permits (not based in science/law) • Political issues/influence • Inconsistency in process between facilities • Personnel issues (no rewards, only punishment for error) • Lack of support from other DTSC programs/offices (legal) • Too much to do with not enough resources, experience, or expertise • Some permits have requirements beyond statutes/regulations – only needed if clearly linked to protecting human health, public safety, or environment • Engineers and scientists are inconsistent – sometimes rejecting applications for nitpicky items, sometimes permitting unsafe actions. • Public participation is ignored and public communication is terrible. • CEQA is an afterthought • Working on permits expired for 5-10 years 	<ul style="list-style-type: none"> • Unclear permit language, unclear role of regulatory agencies • No facility incentive to maintain current permit • Current process makes decisions difficult • Power struggles within DTSC, too many at management level • Lack of accountability/responsibility

	Activist Groups	Permittees/Representatives	Public Agency Representatives
<p>Q4: Provide specific examples of what is working or is not working.</p> <p><i>This table provides a sample of concerns addressed with further details provided in Appendix C.</i></p>	<ul style="list-style-type: none"> • SSFL – Boeing too influential over DTSC; perceived lack of enforcement led to past illegal behavior and employee injury/death. • <i>Kettleman Hill Landfill</i> – cumulative community impact not considered; insufficient EIR accepted. • <i>Excide Technologies</i> – Corrective action not implemented; <i>permit fees not collected, no final permit issued, no regulation of waste</i> • <i>Phibro-Tech</i> – expired permit for 16+ years, not follow corrective actions, insufficient financial assurance. • Western Environmental - operated sans RCRA permit without DTSC knowledge. • <i>BKK Landfills West Covina</i> – <i>financial disaster, millions sought from CA taxpayers, endless litigations</i> • <i>CleanTech</i> – <i>granted permit on bogus permit conditions, EIR skipped illegally, DTSC went against locality zone prohibiting construction</i> 	<ul style="list-style-type: none"> • Permits tied up in legal processes for years with no “justifiable” reasons • Kettleman Hill Landfill – EPA stated no harm to human health or environment, DTSC delayed by public concern • Excide Technologies – permit should be revoked – on interim status permit with numerous air quality, solid waste, and hazardous waste issues • Too much time trying to prove something is wrong with facility – focus on issues not part of statutes/regulations or that do not pose threat to human safety or environment – results in credibility issues and more adverse public perceptions • Failure to issue permits results in exporting waste to other states 	<ul style="list-style-type: none"> • DTSC process resulted in 33 employees reviewing same document – charging client 33X the amount necessary • New property owner advised not responsible for cleanup, then DTSC charged \$800K despite no cleanup work being done • DTSC holds facilities to different standards than other permit/regulatory agencies in CA

	Activist Groups	Permittees/Representatives	Public Agency Representatives
Q5: What should be the criteria for denying or revoking a permit?	<ul style="list-style-type: none"> • Serial violators impacting public health • Look at facility holistically – including total number violations, law abiding, waste violations or falsification of transportation manifests, financial assurance for closure available, not complying with corrective actions 	Revoke/Deny if: <ul style="list-style-type: none"> • Significant clear and documented threat to human health, public safety or the environment or gross negligence leading to measurable, attributable harm. • Significant willful violation of state required statutes and regulations. • Does not meet administrative completeness or financial unpinning falls apart. • Total or unresolved non-compliance and environmental harm issues exist 	<ul style="list-style-type: none"> • Denial based on holistic analysis around protecting public; Revocation result from a history of not complying with permit conditions • Base decision on categories of standards (e.g. 1 imminent endangerment; 3 serious violations; numerous non-serious violations)
Q6: How should the permitting and enforcement programs inter-relate?	<ul style="list-style-type: none"> • Both programs weak; improve efficiency with better communication • Permitting could clearly define requirements for enforcement to assess • Permits/Enforcement should be handled locally – written together 	<ul style="list-style-type: none"> • Important that they speak same language to maintain efficiency, but keep separate so not to contaminate the others processing • Permitting verify that facility complies with operational enforcement • Enforcement actions should not occur during permit process – slows it down – unless enforcement has to do with human health, public safety, or the environment 	<ul style="list-style-type: none"> • Permits should clearly define enforcement requirements • Some recommended making them same program; others disagreed – said to keep separate

	Activist Groups	Permittees/Representatives	Public Agency Representatives
Q7: Is financial assurance being adequately addressed?	Reduce use of public funds by: <ul style="list-style-type: none"> • Considering facility history/inflation when determining amount due • Require financial assurance if corrective action in effect • Do not change fines based on facility financial situation 	<ul style="list-style-type: none"> • Despite past issues, financial assurance currently evaluated annually – some closures even cost less than posted financial assurance • Suggestion to contract out financial assurance to more knowledgeable entity 	<ul style="list-style-type: none"> • DTSC does not fully pursue financial assurance • Does not consider catastrophic events or smaller companies not having resources to cover clean-up

	Activist Groups	Permittees/Representatives	Public Agency Representatives
<p>Q8: Do you have any ideas for fixing the permit program?</p>	<p>Implement specificity into process:</p> <ul style="list-style-type: none"> • Enforceable timelines • Clear quantifiable formula for determining denial/revocation (e.g. 3 class 2's = class 1; 3 class 1's = revoke) rather than at individuals discretion • Specific required air, water, and soil parameters for safe environment (to be shared with facilities) • Strict defined fines for violators • Cross-train permitters and inspectors; Have more training on permitting process (from EPA) • Make environmental information available to public – obtain a better system than Envirostor • Reduce Management staff – find some other incentive other than promotion to retain staff • Do not allow lobbyists/lawyers to go above regulatory heads to upper management to complain about permit conditions • Change fee structure • Stagger permit lengths to adjust ebbs and flows of work cycle 	<ul style="list-style-type: none"> • Streamline process with focus on ensuring facilities understand/follow statutes and regulations – no extra requirements • Create clear criteria for making deny/revoke decisions – so it is based on law and fact, not emotion • Treat Hazardous Waste facilities as a collaboration instead of opposition • Reemphasize purpose of permitting (to ensure enough authorized facilities to handle CA hazardous waste) to DTSC permitting staff. • Create steering committee to track progress and help permit writers/ technical experts to clear obstacles and make decisions • Contract out permitting • Implement Federal program, switch to “permit by rule” system 	<ul style="list-style-type: none"> • Coordinate with other agencies to identify appropriate timelines

Appendix L: Stakeholder Raw Survey Comments

Open Ended Question # 1:

What is working or is not working with the permitting process?

The DTSC permitting program tries to do too much with too little resources, experience and expertise. The program should refocus on making sure that the facility is aware of and following the regulations/statute. Requirements and procedures above and beyond statute and regulation are not appropriate unless specifically identified with a clear need to protect human health, public safety or the environment.

The program has lost sight of one of the key reasons under federal and state law to even have a Permitting process -- to make sure there are adequate authorized facilities to handle California's hazardous waste. Instead of treating HW facilities as the opposition, there should be more collaboration. In general, the permitted facilities do not generate the waste -- they only handle the waste that other people produce -- in accordance with state law and regulation. DTSC has forgotten this key element.

MOST of the time the engineers and scientists are so nitpicky that you can't get anything approved. Then on a few occasions (e.g. the ISOCI facility in East LA), they inconsistently and completely allow actions that are totally unsafe. Public participation is ignored. Public communication is terrible. CEQA is an afterthought. We need teams of people with the right skill sets to do these permits and to do them within timeframes. Also: NO MORE OPERATIONS ON PERMITS EXPIRED FOR 5-10 YEARS!!

The left hand (enforcers) doesn't know what the right hand (permitters) are doing. The permit writers often don't even visit the sites they permit, especially for facilities located in Southern California if they are based in Northern California.

- DTSC allows lobbyists and corporate lawyers to influence how the permits are written.
- Permits are often not written locally.
- Enforcement is often not performed locally.

Permits are not timely and do not error on the side of public protection

Open Ended Question # 2:

Do you care to provide specific examples of what is working or is not working?

- Too much time spent on issues that are not specifically required by law or regulations.
 - Too much time trying to prove a negative.
 - No awareness of the need for permitted facilities.
 - Failure to permit facilities in state has resulted in a huge increase in waste exports to other states -- in many cases to solid waste facilities.
 - Enforcement actions during the permitting process on issues that do not pose any threat to human health or the environment (or are on matters not in statute or regulation) jeopardize the credibility of the permitting AND enforcement programs. And may result in greater difficulty in issuing the permit due to adverse public perception.
 - Something that did work: a very small (6 employee) used oil transfer station was having a devil of a time with understanding and complying with the complex permit requirements. DTSC staff were demanding but patient, and the company is now on track.
- See Golden Wasteland.
 - 1. Exide Case. No permit fee ever collected over decades, no final permit ever issued. No regulation of hazardous waste deposition and accumulation on the ground though clearly in DTSC purview under RCRA.
 - 2. BKK landfills in West Covina. Financial disaster with insufficient funds put up for financial assurance and millions sought from California taxpayers to cover the shortfall for maintenance. Litigation endless with RPs.
 - 3. Phibro-Tech. Egregious serial polluter that has operated for 17 years on expired license and was handed draft permit even though it has not completed corrective action ordered in mid 1990s. Should not get a permit renewal based on record. Was not made to put up Corrective Action Financial Assurance for 1 year and even then put up half what it should have. Closure financial assurance likely insufficient.
 - 4. Evergreen Oil, now in bankruptcy, received renewed permit with no Corrective Action Financial Assurance. Closure Financial Assurance likely insufficient.
 - 5. CleanTech granted permit on basis of bogus permit condition limiting capacity when legal consideration would be based on build capacity which qualifies it as a large facility. EIR skipped illegally on that basis. Example of a situation where local zoning prohibits construction of haz waste facility at that location (literally a few hundred feet from a recreational dam) but DTSC went against that anyway.
 - Not Working Kettleman Hazardous Waste Facility. Not Working, Exide shutdown.

Open Ended Question # 3:

What should be the criteria for denying or revoking a permit?

- Significant clear and documented threat to human health, public safety or the environment.
- Significant willful violation of statute and regulations or gross negligence resulting in measurable, attributable harm.
- See Pur-etch, a revoked permit. Total non-compliance and environmental harm, together, should be the grounds.

Open Ended Question # 3:

What should be the criteria for denying or revoking a permit?

1. Statute currently says you can revoke or deny permit for pattern of breaking hazardous waste laws or for threatening the public health or environment.

2. Define this through violation system that should include minimum floor on penalties. Three class two violations should equal a class one.

Three class ones should qualify for revocation or permit denial.

Denial of a permit should be predicated on several factors:

- Properly evaluating the enforcement history of the company by counting up number of violations, including those that were originally written up by the inspector but may have been dropped in settlement negotiations.
 - Honoring local zoning laws.
 - Denying permits to persons prosecuted for hazardous waste violations, including falsification of transportation manifests.
 - Denying companies permits that do not set aside money for Closure AND/OR Corrective Action Financial Assurance.
 - Denying companies permits if they cannot put together an application in a timely manner that meets the DTSC checklist criteria three times in a row. Statute already directs DTSC to do this, but it doesn't.
 - Deny renewals to companies that have not diligently pursued Corrective Action work. For example, they have supplied poor work plans consistently rejected by DTSC and has never completed the work.
- Public health protection, precautionary measures

Open Ended Question # 4:

How should the permitting and enforcement programs inter-relate?

- Major enforcement actions should not be conducted in the midst of a permitting process unless there is clear and convincing evidence of human harm or threat to the environment. In many cases the enforcement people are not familiar with the permit and permit people are not coordinated with enforcement. DTSC makes permit issuance even more difficult if they focus on enforcement issues that are not directly related to violation of statute or regulations or do not pose clear threat to human health and the environment.
- Permitting should assure that a company is in compliance with operational enforcement issues (cleanup is something else) prior to issuing or renewing a permit.

Open Ended Question # 4: How should the permitting and enforcement programs inter-relate?

1. Permits should be written locally.
2. Enforcement should be handled locally and beefed up tremendously while cutting unecessary and top heavy admin and management.
3. Permits should be written together with the inspector.
4. Influence peddlers (lobbysts and lawyers) should not be allowed to go over the heads of regulators to upper management to complain about permit conditions. Such influence peddlers calling regulators on the carpet personally is outrageous and should be prohibited entirely.

Open Ended Question # 5: Do you have any ideas for fixing the permit program?

- Streamline the process. Focus on compliance with statute and regulations. Recognize that permitted facilities are usually needed due to someone else's HW generation. Coordinate enforcement better with permitting -- but keep them separate. Enforcement should not get in the midst of a permitting process unless fully coordinated by both programs with full recognition of consequences and outcomes.
 - Make sure that both permitting and enforcement recognize the need for permitted facilities to handle California's waste in accordance with statute and regs -- as a high priority.
 - I have expressed lots of ideas, and will continue to do so.
1. Cross train permit writers and inspectors. Have each spend six months in training for the other's job.
 2. Go to US EPA and ask them to run a training program for permit writers to eliminate incompetent permit writing overseen by upper level managers.
 3. Demand that permits have environmental considerations incorporated into them. Those should include the exact monitoring parameters for all media--air, water and soil--and what the facility must specifically do to protect the public health and environment. Currently that is absent. Another outrage. The public needs to know this information and it needs to be accessible through Envirostor, the worst state governmental database currently in existence.

Appendix M: Violation Regulations/Law

Violation Defined

25110.8.5. "Class I violation" means any of the following:

- (a) A deviation from the requirements of this chapter, or any regulation, standard, requirement, or permit or interim status document condition adopted pursuant to this chapter, that is any of the following:
 - (1) The deviation represents a significant threat to human health or safety or the environment because of one or more of the following:
 - A) The volume of the waste.
 - B) The relative hazardousness of the waste.
 - C) The proximity of the population at risk.
 - (2) The deviation is significant enough that it could result in a failure to accomplish any of the following:
 - A) Ensure that hazardous waste is destined for, and delivered to, an authorized hazardous waste facility.
 - B) Prevent releases of hazardous waste or constituents to the environment during the active or postclosure period of facility operation.
 - C) Ensure early detection of releases of hazardous waste or constituents.
 - D) Ensure adequate financial resources in the case of releases of hazardous waste or constituents.
 - E) Ensure adequate financial resources to pay for facility closure.
 - F) Perform emergency cleanup operations of, or other corrective actions for, releases.
- (b) The deviation is a Class II violation which is a chronic violation or committed by a recalcitrant violator.

"Class II Violation" has the same meaning as defined in Section 66260.10 of Title 22 of the California Code of Regulations.

22 CCR § 66260.10

"Class I Violation" means:

- (a) A deviation from the requirements specified in Chapter 6.5 of Division 20 of the Health and Safety Code, or regulations, permit or interim status document conditions, standards, or requirements adopted pursuant to that chapter, that represents a significant threat to human health or safety or the environment, because of (1) the volume of the waste; (2) the relative hazard of the waste; or (3) the proximity of the population at risk, or that is significant enough that it could result in a failure to accomplish the following:
 - A) Assure that hazardous wastes are destined for and delivered to an authorized hazardous waste facility;

- B) Prevent releases of hazardous waste or constituents to the environment during the active or post closure period of facility operation;
- C) Assure early detection of such releases;
- D) Assure adequate financial resources in the case of releases; or
- E) Assure adequate financial resources to pay for facility closure;
- F) Perform emergency clean-up operation or other corrective action for releases; or

(b) The deviation is a Class II violation which is a chronic violation or committed by a recalcitrant violator.

“Class II Violation” means a deviation from the requirements specified in Chapter 6.5 of Division 20 of the Health and Safety Code, or regulations, permit or interim status document conditions standards, or requirements adopted pursuant to that chapter, that is not a Class I violation.

Appendix N: Arizona Violation Categories

CHAPTER 4: VIOLATION CATEGORIES

All violations discovered by ADEQ during the course of an inspection or by any other means will result in either an informal or formal enforcement response by ADEQ. The severity of the violation will dictate the type of enforcement response to be initiated by ADEQ. A violation falling below the level of Significant Non-Compliance (SNC) will result in ADEQ's allowing an opportunity to correct the deficiency without further enforcement (so long as the violation is corrected within a reasonable period of time). Failing to achieve compliance within the time specified in the letter from ADEQ providing an opportunity to correct deficiencies (an NOC) is SNC. All instances of non-compliance meeting or exceeding the SNC criteria will result in the preparation of a letter that puts the responsible party (such as a facility owner or operator) on notice that the Department believes a violation of an environmental law has occurred. The letter, a Notice of Violation (NOV), describes the facts known to ADEQ at the time of issuance and cites the laws or rules that ADEQ believes the party has violated.

A subcategory of SNC is Penalty Non-Compliance (PNC). PNC is defined as those SNC violations that will result in ADEQ seeking monetary penalties in addition to compliance. Achieving compliance within the specified time period in an NOV will result in no further enforcement (provided the violation does not also constitute PNC). If the SNC violation is not resolved by the deadline specified within the NOV, ADEQ will attempt to negotiate an administrative Consent Order (or a civil Consent Judgment if the SNC violation is also PNC). If attempts to negotiate a Consent Order (or Consent Judgment) are unsuccessful, ADEQ will issue a unilateral Compliance Order requiring compliance within a reasonable time (or if PNC, ask the Attorney General's Office to file a civil lawsuit).

MINOR VIOLATIONS

Minor violations are those that pose a minimal or non-existent risk to public health and the environment. In other words, a minor violation does not create a reasonable probability of material harm to any person, the public health, safety, welfare or the environment, or the inability to perform such an assessment as a result of the violation. For violation of a statute or rule, or a permit condition based upon a statute or rule, the minor violations are listed as appendices to this handbook and can also be found in the ICE database.¹ For violations of permit conditions that are not listed in one of the appendices, the determination will be made on a case-by-case basis and be noted in the facility's inspection checklist (i.e., ADEQ will determine whether the violation creates a reasonable probability of material harm to any person, the public health,

¹If a violation not listed in an appendix is discovered during the course of an inspection or investigation, staff must provide the Director with a recommended category for listing. The same approval is required for suggested changes in a category for those violations already listed in an appendix to this handbook.

safety, welfare or the environment or the inability to perform such an assessment as a result of the violation.)²

Appendix:

Program	Minor Violation Appendix
Air Quality	L2
Biosolids	L22
Drinking Water	L6
Hazardous Waste	L8
Reuse of Reclaimed Water	L10
Solid Waste	L12
UST Inspections & Compliance	L14
Vehicle Emission Inspections	L16
Water Pollution Control	L18
Water Quality Permit	L19

MAJOR VIOLATIONS

Major Violations are those that pose a risk to any person, the public health, safety or welfare or the environment or that cannot be corrected within a reasonable amount of time.³ ADEQ considers risk to mean “a reasonable probability of material harm to any person, the public health, safety, welfare or the environment or the inability to perform such an assessment as a result of the violation.” For violation of a statute, a rule, or a permit condition based upon statute or rule, major violations are listed in the appendices to this handbook.¹ For violations of permit conditions that are not listed in one of the appendices, the determination will be made on a case-by-case basis and be noted in the facility’s inspection checklist (i.e., ADEQ will determine whether there is a reasonable probability of material harm to any person, the public health, safety, welfare or the environment or the inability to perform such an assessment as a result of the violation.)²

²If there has not been a previous determination as to whether violation of the condition is a major violation, staff must provide the appropriate Division Director or Regional Director with a recommendation as to whether violation of the condition poses a reasonable probability of material harm to any person, the public health, safety, welfare or the environment or the inability to perform such an assessment as a result of the violation. Once the Division Director or Regional Director has made a final determination, an appropriate notation must be made on the facility’s inspection checklist. The same process applies to suggested changes to inspection checklist notations.

³See A.R.S. § 41-1009(E)(2) and (4)

Appendix:

Program	Major Violation Appendix
Air Quality	L1
Asbestos NESHAP	L3
Biosolids	L23
Drinking Water	L5
Hazardous Waste	L7
LUST Enforcement	L21
Operator Certification	L25
Reuse of Reclaimed Water	L9
Solid Waste	L11
UST Inspections & Compliance	L13
Vehicle Emission Inspections	L15
Water Pollution Control	L17
Water Quality Permit	L20

SIGNIFICANT NON-COMPLIANCE (SNC)

Significant Non-Compliance (SNC) establishes the level at which ADEQ staff will prepare for approval by the appropriate Division Director or Regional Director, a Notice of Violation which reserves ADEQ's right to pursue formal enforcement, including civil penalties. Those violations which do not result in the issuance of an NOV will result in a Notice of Opportunity to Correct (NOC), which affords an opportunity to correct the violation without the threat of further enforcement if corrected. SNC includes **any** of the following types of violations:

- A major violation
- A minor violation committed intentionally
- A minor violation that has continued beyond a deadline set within a Notice of Opportunity to Correct (i.e., the responsible party failed to document compliance as noted in the Notice of Opportunity to Correct)
- A violation previously noted or addressed in an NOC or NOV within the past two years
- A violation previously addressed in an administrative order or civil complaint within the past five years
- Violation of a Compliance Order, Consent Order, Consent Judgment or Consent Decree

PENALTY NON-COMPLIANCE (PNC)

Penalty Non-Compliance (PNC) establishes the level at which ADEQ will seek monetary penalties via a referral to the Attorney General's Office, or in the case of drinking water violations, through the issuance of a Compliance Order with Civil Administrative Penalty.

Deciding when to seek penalties is a determination made on a case-by-case basis using the criteria described below. Although ADEQ will consider all of the following in determining PNC, a violation of statute, rule, administrative order, or permit meeting any of the criteria may constitute PNC:

- The violation was intended to result in, or actually resulted in, significant cost savings or profits to the responsible party
- The responsible party engaged in willful or negligent conduct leading to the violation (e.g., the lack of provisions for detecting or preventing the violation)
- The responsible party previously received an NOV or administrative order for the same violation within the past two years
- ADEQ previously filed a civil complaint against the responsible party
- The violation resulted in actual harm, or substantial risk of harm, to human health or the environment as determined using the following factors:
 - ▶ An actual release
 - ▶ Violation of a water quality standard⁴
 - ▶ Exceedance of a soil remediation standard⁵
 - ▶ Severe mismanagement of a pollutant
 - ▶ The amount of the pollutant involved
 - ▶ The toxicity of the pollutant involved
 - ▶ The proximity of biological/human receptors or sensitive environmental media such as a drinking water supply, populated area or surface water
 - ▶ Lack of notifying persons potentially affected by the violation as required by law

⁴A.A.C. R18-11-101 *et seq.*

⁵A.A.C. R18-7-101 *et seq.*

HAZARDOUS WASTE MAJOR VIOLATIONS

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 261.5 A.A.C. R18-8-261	Failure to accurately determine the facility generator status
40 CFR § 261.5(f)(3) & (g)(3) A.A.C. R18-8-261	CESQG failure to ensure hazardous waste is sent to a permitted or interim status hazardous waste facility, an ADEQ approved solid waste facility, a facility that beneficially recycles or treats prior to beneficially recycling, or a universal waste handler or destination facility.
40 CFR § 261.5(g)(1) A.A.C. R18-8-261	CESQG failure to perform hazardous waste determination.
40 CFR § 262.11 A.A.C. R18-8-262	Failure to perform hazardous waste determination
40 CFR § 262.12(a) A.A.C. R18-8-262 A.A.C. R 18-8-270(B)(1)	Treatment storage or disposal without a permit by failing to obtain an EPA ID number.
40 CFR § 262.20 A.A.C. R18-8-262	Generator failure to properly prepare a hazardous waste manifest.
40 CFR § 262.20 A.A.C. R18-8-262	Failure to manifest the transportation of hazardous waste off-site
40 CFR § 262.23 A.A.C. R18-8-262	Failure to use manifest for shipment of hazardous waste
40 CFR § 262.23 A.A.C. R18-8-262	Mis-identification of waste on manifest for shipment of hazardous waste
40 CFR § 262.23 A.A.C. R18-8-262	Use of erroneous manifest for shipment of hazardous waste.
40 CFR § 262.23 A.A.C. R18-8-262	Use of erroneous manifest for shipment of hazardous waste.
40 CFR § 262.34(a)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the permit exemption that requires accumulation not exceed 90 days
40 CFR § 262.34(a)(1) A.A.C. R18-8-262 A.A.C. R 18-8-270(B)(1)	Storage of a hazardous waste without a permit by failing to comply with the 90-day exemption that requires weekly inspection for leaks and deterioration in areas where hazardous waste containers are stored.
40 CFR § 262.34(a)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires the hazardous waste be properly placed in a container or tank, on a drip pad, or in a containment building
40 CFR § 262.34(a)(1)(i) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires compliance with the use and management of containers requirements in 40 CFR 265, Subpart I.

Department of Toxic Substances Control
 Permitting Process Review and Analysis
 Appendix N: Arizona Violation Categories

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 262.34(a)(2) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires each container to be marked with the date upon which accumulation began.
40 CFR § 262.34(a)(3) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day storage accumulation exemption that requires each container and tank be labeled or marked clearly with "Hazardous Waste".
40 CFR § 262.34(a)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires compliance with the preparedness and prevention requirements in 40 CFR 265, Subpart C.
40 CFR § 262.34(a)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires compliance with the contingency plan and emergency procedure requirements in 40 CFR 265, Subpart D.
40 CFR § 262.34(a)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires compliance with the personnel training requirements in 40 CFR § 265.16
40 CFR § 262.34(c)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires the containers be at or near the point of generation
40 CFR § 262.34(c)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires the containers be under the control of the operator of the process generating the waste.
40 CFR § 262.34(c)(1)(i) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires compliance with the condition of container requirements in 40 CFR § 265.171.
40 CFR § 262.34(c)(1)(i) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires compliance with the compatibility of waste with container requirements in 40 CFR § 265.172
40 CFR § 262.34(c)(1)(i) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires compliance with the management of containers requirements in 40 CFR § 265.173.
40 CFR § 262.34(c)(1)(ii) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires each container be labeled or marked clearly with "Hazardous Waste".
40 CFR § 262.34(d) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the permit exemption that requires accumulation not exceed 180 days
40 CFR § 262.34(d)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires the quantity of waste accumulated never exceed 6000 kg

Department of Toxic Substances Control
Permitting Process Review and Analysis
Appendix N: Arizona Violation Categories

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 262.34(d)(2) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires compliance with the use and management of containers requirements in 40 CFR 265, Subpart I.
40 CFR § 262.34(d)(3) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires compliance with the tank systems requirements in 40 CFR § 265.201.
40 CFR § 262.34(d)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires each container to be marked with the date upon which accumulation began.
40 CFR § 262.34(d)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires each container and tank be labeled or marked clearly with "Hazardous Waste".
40 CFR § 262.34(d)(4) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires compliance with preparedness and prevention requirements in 40 CFR 265, Subpart C.
40 CFR § 262.34(d)(5)(i) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires an emergency coordinator be on the premises or on-call
40 CFR § 262.34(d)(5)(ii) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires posting of emergency information next to the telephone
40 CFR § 262.34(d)(5)(iii) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires all employees be thoroughly familiar with proper waste handling and emergency response procedures.
40 CFR § 262.34(d)(5)(iv) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires proper response to an emergency
40 CFR § 262.34(e) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with a requirement for the 270-day accumulation exemption.
40 CFR § 262.40(c) A.A.C. R18-8-262	Failure to maintain records of hazardous waste determination for 3 years.
40 CFR § 263.11 A.A.C. R18-8-263	Transportation of hazardous without first obtaining an EPA ID number
40 CFR § 263.12 A.A.C. R18-8-263 A.A.C. R18-8-270(B)(1)	Transporter storage of hazardous waste without a permit by storing manifested shipments of hazardous waste at a transfer facility for a period in excess of ten days
40 CFR § 263.20 A.A.C. R18-8-263	Transporter acceptance of hazardous waste without proper manifest.
40 CFR § 263.20 A.A.C. R18-8-263	Acceptance of hazardous waste for transport without a manifest

*Department of Toxic Substances Control
Permitting Process Review and Analysis
Appendix N: Arizona Violation Categories*

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 263.20 A.A.C. R18-8-263	Acceptance of hazardous waste for transport with an erroneous manifest.
40 CFR § 263.20(a) A.A.C. R18-8-263	Transporter acceptance of hazardous waste from a generator without a properly signed manifest.
40 CFR § 263.20(b) A.A.C. R18-8-263	Transporter failure to sign and date a manifest acknowledging acceptance of hazardous waste from the generator prior transporting.
40 CFR § 263.20(d)(1) A.A.C. R18-8-263	Transporter failure to obtain the date of delivery and signature of the next transporter, or of the owner or operator of the designated facility on the manifest.
40 CFR § 263.21 A.A.C. R18-8-263	Transporter failure to deliver the entire quantity of hazardous waste either to the designated location on the manifest, or if not possible, pursuant to a manifest revision made by the transporter according to the generator's instructions.
40 CFR § 263.30 A.A.C. R18-8-263	Failure to take action to minimize impact of hazardous waste discharge during transport
40 CFR § 263.31 A.A.C. R18-8-263	Failure to cleanup a hazardous waste discharge that occurs during transport
40 CFR § 264.111 A.A.C. R18-8-264	Failure to properly close a hazardous waste facility.
40 CFR § 264.112 A.A.C. R18-8-264	Failure to have or amend a written closure plan for a hazardous waste facility.
40 CFR § 264.113 A.A.C. R18-8-264	Failure to close hazardous waste facility within time allowed.
40 CFR § 264.114 A.A.C. R18-8-264	Failure to properly dispose/decontaminate equipment, structures, during closure
40 CFR § 264.117 A.A.C. R18-8-264	Failure to exercise proper post-closure care of closed facility.
40 CFR § 264.118 A.A.C. R18-8-264	Failure to submit or amend post-closure plan.
40 CFR § 264.17 A.A.C. R18-8-262	TSD failure to take precautions to prevent accidental ignition or reaction of ignitable or reactive waste.
40 CFR § 264.17(a) A.A.C. R18-8-264	Failure to take precautions to prevent accidental ignition or reaction of ignitable or reactive waste.
40 CFR § 264.177 A.A.C. R18-8-264	Failure to properly separate incompatible wastes
40 CFR § 264.71(a)(4) A.A.C. R18-8-264	Failure to send copy of manifest to generator upon receipt of hazardous waste.
40 CFR § 265.111 A.A.C. R18-8-265	Failure to properly close facility.

Department of Toxic Substances Control
Permitting Process Review and Analysis
Appendix N: Arizona Violation Categories

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 265.112 A.A.C. R18-8-265	Failure to have or amend a written closure plan.
40 CFR § 265.113 A.A.C. R18-8-265	Failure to close facility within time allowed.
40 CFR § 265.114 A.A.C. R18-8-265	Failure to properly dispose/decontaminate equipment, structures during closure
40 CFR § 265.117 A.A.C. R18-8-265	Failure to exercise proper post-closure care of closed facility.
40 CFR § 265.118 A.A.C. R18-8-265	Failure to submit or amend post-closure plan.
40 CFR § 265.16 A.A.C. R18-8-265	Failure to properly train personnel
40 CFR § 265.17(a) A.A.C. R18-8-265	Failure to take precautions to prevent accidental ignition or reaction of ignitable or reactive waste
40 CFR § 265.17(a) A.A.C. R18-8-265	Failure to conspicuously place "No Smoking" signs wherever there is a hazard from an ignitable or reactive waste.
40 CFR § 265.171 A.A.C. R18-8-265	Failure to transfer hazardous waste from a container in bad condition or leaking
40 CFR § 265.173(a) A.A.C. R18-8-265	Failure to keep container closed except when removing or adding waste.
40 CFR § 265.174 A.A.C. R18-8-265	Failure to inspect areas where containers stored weekly for leaks and deterioration
40 CFR § 265.177 A.A.C. R18-8-265	Failure to properly separate incompatible wastes
40 CFR § 265.192 A.A.C. R18-8-265	Failure to properly design or install a new tank system or components.
40 CFR § 265.193 A.A.C. R18-8-265	Failure to provide secondary containment or leak detection for a new tank
40 CFR § 265.194 A.A.C. R18-8-265	Failure to adequately prevent leaks, spills or releases from a tank
40 CFR § 265.195 A.A.C. R18-8-265	Failure to inspect each tank and its components each operating day
40 CFR § 265.196 A.A.C. R18-8-265	Failure to adequately respond to a leaking tank or spill from a tank
40 CFR § 265.197 A.A.C. R18-8-265	Failure to properly close a tank system.
40 CFR § 265.198 A.A.C. R18-8-265	Failure to adhere to the special tank requirements for ignitable or reactive wastes
40 CFR § 265.199 A.A.C. R18-8-265	Failure to adhere to the special tank requirements for incompatible wastes

*Department of Toxic Substances Control
Permitting Process Review and Analysis
Appendix N: Arizona Violation Categories*

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 265.200 A.A.C. R18-8-265	Failure to perform additional waste analysis or trial tests for tanks.
40 CFR § 265.201 A.A.C. R18-8-265	Failure to adhere to the special tank requirements applicable to SQGs.
40 CFR § 265.31 A.A.C. R18-8-265	Failure to minimize the possibility of fire, explosion or release of hazardous waste
40 CFR § 265.32 A.A.C. R18-8-265	Failure to have proper emergency preparedness equipment.
40 CFR § 265.33 A.A.C. R18-8-265	Failure to test or maintain emergency preparedness equipment.
40 CFR § 265.34 A.A.C. R18-8-265	Failure to provide adequate emergency communication equipment to personnel.
40 CFR § 265.35 A.A.C. R18-8-265	Failure to maintain adequate aisle space
40 CFR § 265.37 A.A.C. R18-8-265	Failure to attempt to make arrangements with local emergency response authorities.
40 CFR § 265.51 A.A.C. R18-8-265	Failure to have a contingency plan to minimize hazards
40 CFR § 265.52 A.A.C. R18-8-265	Contingency plan is inadequate.
40 CFR § 265.53 A.A.C. R18-8-265	Failure to maintain contingency plan.
40 CFR § 265.53 A.A.C. R18-8-265	Failure to provide contingency plan to emergency response authorities.
40 CFR § 265.54 A.A.C. R18-8-265	Failure to amend contingency plan.
40 CFR § 265.55 A.A.C. R18-8-265	Failure to have an emergency coordinator at all times
40 CFR § 265.56 A.A.C. R18-8-265	Failure or inadequate implementation of emergency procedures
40 CFR § 265.71(a)(1) A.A.C. R18-8-265	Failure to sign or date manifest upon receipt of hazardous waste.
40 CFR § 265.71(a)(4) A.A.C. R18-8-265	Failure to send copy of manifest to generator upon receipt of hazardous waste.
40 CFR § 265.71(b)(1) A.A.C. R18-8-265	Failure to sign or date manifest upon receipt of hazardous waste from rail or water.
40 CFR § 265.71(b)(5) A.A.C. R18-8-265	Failure to retain at the facility a copy of manifest for 3 years after receipt of hazardous waste from off-site via rail or water.
40 CFR § 268.7(a)(2) A.A.C. R18-8-268	Failure to send one-time statement that waste doesn't meet treatment standard.

Department of Toxic Substances Control
 Permitting Process Review and Analysis
 Appendix N: Arizona Violation Categories

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
40 CFR § 268.7(a)(3)(i) A.A.C. R18-8-268	Failure to send on-time notice that waste does meet treatment standard.
40 CFR § 268.7(a)(6) A.A.C. R18-8-268	Failure to maintain documentation that waste is restricted.
40 CFR § 273.14 A.A.C. R18-8-273	Small quantity handler failure to label/mark universal waste.
40 CFR § 273.16 A.A.C. R18-8-273	Small quantity handler failure to inform employees of proper handling and emergency procedures appropriate to universal waste.
40 CFR § 273.17 A.A.C. R18-8-273	Small quantity handler failure to immediately contain release of universal waste
40 CFR § 273.34 A.A.C. R18-8-273	Large quantity handler failure to label/mark universal waste.
40 CFR § 273.36 A.A.C. R18-8-273	Large quantity handler failure to ensure all employees are familiar with proper waste handling and emergency procedures appropriate to universal waste.
40 CFR § 273.37 A.A.C. R18-8-273	Large quantity handler failure to immediately contain release of universal waste
40 CFR § 273.54 A.A.C. R18-8-273	Transporter failure to immediately contain release of universal waste
A.A.C. R 18-8-262(L)	Generator failure to comply with 40 CFR § 265.17(a), which requires precautions be taken to prevent accidental ignition or reaction of ignitable or reactive wastes.
A.A.C. R 18-8-262(M)	Generator failure to keep written log of the inspections of container, tank drip pad and containment building areas and for the containers, tanks and other equipment located in these storage areas.
A.A.C. R18-8-262(H)	Generator failure to submit an Annual Report to ADEQ.
A.A.C. R18-8-262(I)	Generator failure to submit signed manifest for shipment of hazardous waste.
A.A.C. R18-8-263(D)	Transporter failure to submit signed manifest for shipment of hazardous waste.
A.A.C. R18-8-264(H)	TSD failure to submit an Annual Report to ADEQ.
A.A.C. R18-8-265(H)	Interim status facility failure to submit an Annual Report to ADEQ.
A.A.C. R18-8-270(B)(1)	Treatment, storage, or disposal of hazardous waste without a permit
A.A.C. R18-8-270(B)(2)(a)	Direct disposal or discharge of hazardous waste into waters of the state
A.A.C. R18-8-270(B)(2)(b)	Direct disposal or discharge of hazardous waste into or onto an injection well, ditch, alleyway, storm drain, leach field, or roadway.
A.A.C. R18-8-280(A)	Failure to furnish information pertaining to hazardous waste generation, storage, treatment, transportation, disposal, or handling as requested by ADEQ

Department of Toxic Substances Control
Permitting Process Review and Analysis
Appendix N: Arizona Violation Categories

CITATION	DESCRIPTION OF MAJOR VIOLATION - HAZARDOUS WASTE
A.R.S. § 49-929	TSD, transporter, or generator, failure to register or pay annual registration fee.
A.R.S. § 49-930	Hazardous waste recovery facility failure to register or pay annual registration fee.

HAZARDOUS WASTE MINOR VIOLATIONS

CITATION	DESCRIPTION OF MINOR VIOLATION - HAZARDOUS WASTE
40 CFR § 262.34(a)(2) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 90-day accumulation exemption that requires each container to be marked with the date upon which accumulation began.
40 CFR § 262.34(c)(1) A.A.C. R18-8-262 A.A.C. R18-8-270(B)(1)	Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires the containers be under the control of the operator of the process generating the waste.
40 CFR § 262.42(a)(2) A.A.C. R18-8-262	LQG failure to submit Exception Report for failing to receive manifest
40 CFR § 262.42(b) A.A.C. R18-8-262	SQG Failure to submit Exception Report for failure to receive manifest
40 CFR § 264.115 A.A.C. R18-8-264	Failure to submit certification of closure
40 CFR § 264.116 A.A.C. R18-8-264	Failure to submit survey plat indicating location of closed units to zoning authority
40 CFR § 264.119 A.A.C. R18-8-264	Failure to submit post-closure notice to zoning authority
40 CFR § 264.120 A.A.C. R18-8-264	Failure to submit post-closure completion notice
40 CFR § 265.115 A.A.C. R18-8-265	Failure to submit certification of closure
40 CFR § 265.116 A.A.C. R18-8-265	Failure to submit survey plat indicating location of closed units to zoning authority
40 CFR § 265.119 A.A.C. R18-8-265	Failure to submit post-closure notice to zoning authority
40 CFR § 265.120 A.A.C. R18-8-265	Failure to submit post-closure completion notice
40 CFR § 265.191 A.A.C. R18-8-265	Failure to have at the facility a professional engineer's certification of a tank system's integrity
A.A.C. R18-8-262(I)	Generator failure to submit signed manifest for shipment of hazardous waste.
A.R.S. § 49-931	Failure to pay a hazardous waste fee
A.R.S. § 49-932	Failure to pay a hazardous waste fuel penalty

Appendix O: Employee Survey

Qualtrics Survey Software



Introduction

Welcome to the Department of Toxic Substance Control Permitting Process Survey 2013

Thank you for participation in the Department of Toxic Substance Control (DTSC) Permitting Process Survey being administered by CPS HR Consulting.

This survey, organized in five sections, requests your feedback on statements and questions regarding aspects of the permitting process and your work experiences in permitting within DTSC. While many of these statements are relevant in many permitting organizations, if a statement does not apply to DTSC in your opinion, please select the "Not Applicable" response.

You will need to provide some response to each scaled item survey statement before you can proceed to the next statement in the survey.

Your responses are confidential in that no DTSC employees will have access to or review any individual survey responses; only aggregate survey responses will be provided by CPS HR Consulting, the organization conducting this survey.

Please complete and submit your survey no later than 5 p.m. on April 19, 2013.

If you have any questions about this survey, please feel free to email Rich Mallory at rmallory@cps.ca.gov.

We thank you for your participation!

Scaled Items

How to Complete the Survey

Please indicate the degree to which you agree or disagree with the following statements using the following scale: Strongly Disagree, Disagree, Neither Agree nor Disagree, Agree, Strongly Agree, and Not Applicable.

Please note that the next section of the survey asks you to consider the permit process in four segments: Administrative Review; Technical Review; Public Comment; and the Appeals Process. The questions presented are specific to each process segment. A further definition of the process segment is provided after each heading below:

Administrative Review: This process segment begins with initiation of a permit request, through submission of the Part A and Part B Applications, up to the Notice of Administrative Completeness.

Technical Review: This process segment begins after Notice of Administrative Completeness and covers the review process to sending a Technical Completeness letter, and completion of the "final" draft permit and CEQA documents.

Public Comment: This process segment begins with the public notice of decision through any public hearing and a final Permit Decision.

Appeals Process: This process segment begins with a Permit Decision to Completion of Permit Appeals Process.

Administrative Review

Strongly	Neither Agree nor	Strongly	Not
----------	-------------------------	----------	-----

[https://co1.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=MVday\[9/23/2013 8:18:41 PM\]](https://co1.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=MVday[9/23/2013 8:18:41 PM])

	Disagree	Disagree	Disagree	Agree	Agree	Applicable
1. DTSC follows a clear, standard process.	<input type="radio"/>					
2. There are clear decision criteria.	<input type="radio"/>					
3. This process segment is almost always completed in a reasonable period of time.	<input type="radio"/>					
4. There are no "grey areas" in processing.	<input type="radio"/>					
5. Most times this process segment runs well.	<input type="radio"/>					
6. Most times this process segment produces a good result.	<input type="radio"/>					

Technical Review

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
7. DTSC follows a clear, standard process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. There are clear decision criteria.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. This process segment is almost always completed in a reasonable period of time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. There are no "grey areas" in processing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. Most times this process segment runs well.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Most times this process segment produces a good result.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Public Comment

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
13. DTSC follows a clear, standard process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. There are clear decision criteria.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. This process segment is almost always completed in a reasonable period of time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. There are no "grey areas" in processing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. Most times this process segment runs well.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18. Most times this process segment produces a good result.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Appeals Process

(Note: If you do not have direct work experience with the Appeals Process please answer "Not Applicable" to these questions)

	Strongly	Neither Agree nor	Strongly	Not

	Disagree	Disagree	Disagree	Agree	Agree	Applicable
19. DTSC follows a clear, standard process.	<input type="radio"/>					
20. There are clear decision criteria.	<input type="radio"/>					
21. This process segment is almost always completed in a reasonable period of time.	<input type="radio"/>					
22. There are no "grey areas" in processing.	<input type="radio"/>					
23. Most times this process segment runs well.	<input type="radio"/>					
24. Most times this process segment produces a good result	<input type="radio"/>					

-1-

Time, Resources and Management Action

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
25. Staffing resource levels are adequate for the job we are asked to do.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
26. Project managers have sufficient time to give continuing focused attention to required permit activities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
27. Project managers are able to get subject matter expert review in a timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
28. There are many permitting tasks that could easily be delegated to an analyst or clerical staff.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
29. Project managers are able to get analyst and clerical support services in a timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
30. Project managers usually do not experience unnecessary delays due to the decision process within the Department.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
31. Permit actions do not suffer from a lack of project ownership.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
32. Permit actions do not suffer from inconsistent direction.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
33. Envirostor is making permit work harder.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
34. Envirostor will help us do our job better.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

-2-

Permit Staff Workplace and Appreciation

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
--	-------------------	----------	----------------------------	-------	----------------	----------------

Qualtrics Survey Software

35. I consider DTSC a good place to work.	<input type="radio"/>					
36. The work I am asked to do is appropriately prioritized for the time I have available to do it.	<input type="radio"/>					
37. I get appropriate recognition for a job well done.	<input type="radio"/>					
38. It is a rare exception when we are asked to do work that we feel is a waste of our time.	<input type="radio"/>					
39. I am satisfied with the level of commitment to work shown by my co-workers in this work unit.	<input type="radio"/>					
40. I am personally committed to helping my work unit meet its goals.	<input type="radio"/>					
41. My work makes a positive difference in the communities located near my facilities.	<input type="radio"/>					
42. Project managers are given sufficient training.	<input type="radio"/>					
43. Tools and guidance available for the permitting process are current.	<input type="radio"/>					
44. Tools and guidance available for the permitting process are useful.	<input type="radio"/>					
45. Tools and guidance are adequate in order to enable me to do my job efficiently and effectively.	<input type="radio"/>					
46. It is clear who has final decision-making responsibility for a permit determination.	<input type="radio"/>					
47. Management does a good job setting clear program goals and priorities.	<input type="radio"/>					
48. Decisions are made at the appropriate levels within the organization.	<input type="radio"/>					
49. The way in which tasks are delegated throughout the organization is appropriate.	<input type="radio"/>					
50. The current delegation chart/orders help us to do good work.	<input type="radio"/>					
51. Most times the end result of the permitting process is a safe facility with an enforceable permit.	<input type="radio"/>					
52. We are usually able to get an appropriate balance between community needs and regulatory requirements.	<input type="radio"/>					
53. For most of the permit renewals I have worked on over the past two years, the facility applicant has assisted in making the process run smoothly.	<input type="radio"/>					
54. For most of the permit renewals I have worked on over the past two years, community representatives have assisted in making the process run smoothly.	<input type="radio"/>					
55. For most of the permit renewals I have worked on over the past two years, DTSC non-permit office technical staff have assisted in making the process run smoothly.	<input type="radio"/>					
56. For most of the permit renewals I have worked on over the past two years the facility applicant has contributed to intelligent, appropriate decision making.	<input type="radio"/>					
57. For most of the permit renewals I have worked on over the past two years community representatives have contributed to intelligent, appropriate decision making.	<input type="radio"/>					
58. For most of the permit renewals I have worked on over the past two years DTSC non-permit office technical staff have contributed to intelligent, appropriate decision making.	<input type="radio"/>					

[https://col.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=MVday\[9/23/2013 8:18:41 PM\]](https://col.qualtrics.com/ControlPanel/Ajax.php?action=GetSurveyPrintPreview&T=MVday[9/23/2013 8:18:41 PM])

Qualtrics Survey Software

59. There is clear delineation between the permitting program and the clean-up program.

-3-

Permit Best Practices

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
60. Permit requirements are clearly cited in the permit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
61. The required statutory and/or regulatory authorities used in permits are clearly understood by all.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
62. Template language for each policy or requirement to be included in permits is provided to permit writers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
63. The permit is reviewed to ensure the most recent standards (e.g., laws, regulations, plans, policies) are being used.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
64. Permit requirements are written in clear language.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

-4-

Open-ended Items

Instructions: Please provide responses to the following questions in the text box provided below each question. In your responses please do not provide any personal identifiers such as your name, current job title, classification, or your supervisor's name.

1. General feedback on ways to address current permitting process issues.

2. What are currently the biggest barriers to a more effective permitting process?

3. Do you have any suggestions about what could be done to help new project managers learn more thoroughly and quickly so they can start doing work sooner?

Qualtrics Survey Software

4. What actions would help you to do your job even better? Which one action is the most important?

-5-

Demographic Items

Please respond to the following request for information. The data will be included in the organizational analyses. This information will not, in any way, compromise the confidential nature of the survey.

Please indicate your DTSC work location below or “Decline to State” if you choose not to indicate location.

- Sacramento – Cal Center
- Sacramento - Headquarters
- Chatsworth
- Berkeley
- Decline to State

Please indicate below if you are in a supervisor/manager position or not or indicate “Decline to State” if you choose not to indicate.

- I am in a supervisor/manager position with DTSC.
- I am not in a supervisor/manager position with DTSC.
- Decline to State

-6-

Thank you for your feedback on this survey regarding current permitting practices. If you are satisfied with your responses, please click the "Submit" button to record and submit your survey to CPS HR Consulting. If you would like to review or make any changes to your responses, please click the back button now to change your responses on the previous survey sections. **Please note that once you click the submit button, your session will be closed and you will not be allowed to return to your survey.**

Qualtrics Survey Software



Thanks again for your participation!

Survey Powered By Qualtrics

Appendix P: Supervisor by Non-Supervisor Survey Data

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
Administrative Review												
Category Averages:	4.03				3.22				3.41			
1. DTSC follows a clear, standard process.	100.0%	4.20	0.45	5	100.0%	3.40	1.17	10	100.0%	3.55	1.00	20
2. There are clear decision criteria.	100.0%	4.00	0.71	5	100.0%	3.30	1.25	10	100.0%	3.40	1.05	20
3. This process segment is almost always completed in a reasonable period of time.	100.0%	4.20	0.45	5	100.0%	3.40	0.84	10	100.0%	3.55	0.83	20
4. There are no “grey areas” in processing.	100.0%	3.00	1.00	5	100.0%	2.60	1.35	10	100.0%	2.80	1.11	20
5. Most times this process segment runs well.	100.0%	4.60	0.55	5	100.0%	3.30	0.95	10	100.0%	3.60	0.99	20
6. Most times this process segment produces a good result.	100.0%	4.20	0.45	5	100.0%	3.30	0.95	10	100.0%	3.55	0.83	20
Technical Review												
Category Averages:	3.10				2.77				2.94			
7. DTSC follows a clear, standard process.	100.0%	3.80	0.84	5	100.0%	2.90	1.10	10	100.0%	3.20	1.01	20
8. There are clear decision criteria.	100.0%	3.60	0.55	5	100.0%	3.00	1.25	10	100.0%	3.20	1.01	20
9. This process segment is almost always completed in a reasonable period of time.	100.0%	1.80	0.45	5	100.0%	2.50	0.85	10	100.0%	2.45	0.83	20
10. There are no “grey areas” in processing.	100.0%	2.40	0.55	5	100.0%	2.20	0.92	10	100.0%	2.45	0.83	20

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
11. Most times this process segment runs well.	100.0%	3.40	0.89	5	100.0%	2.80	0.63	10	100.0%	3.05	0.76	20
12. Most times this process segment produces a good result.	100.0%	3.60	0.89	5	100.0%	3.20	0.63	10	100.0%	3.30	0.73	20
Public Comment												
Category Averages:	3.93				3.43				3.53			
13. DTSC follows a clear, standard process.	100.0%	4.40	0.55	5	100.0%	3.70	0.82	10	100.0%	3.80	0.89	20
14. There are clear decision criteria.	100.0%	4.20	0.45	5	100.0%	3.40	1.26	10	100.0%	3.55	1.10	20
15. This process segment is almost always completed in a reasonable period of time.	100.0%	3.60	1.14	5	100.0%	3.60	0.84	10	100.0%	3.55	0.94	20
16. There are no “grey areas” in processing.	100.0%	3.60	1.14	5	100.0%	3.20	0.92	10	100.0%	3.30	0.98	20
17. Most times this process segment runs well.	100.0%	4.00	0.71	5	100.0%	3.30	0.48	10	100.0%	3.50	0.76	20
18. Most times this process segment produces a good result.	100.0%	3.80	0.45	5	100.0%	3.40	0.52	10	100.0%	3.45	0.69	20
Appeals Process (Respondents instructed to answer Not Applicable if they do not have direct work experience with this process).												
Category Averages:	3.11				2.56				3.00			
19. DTSC follows a clear, standard process.	60.0%	4.00	1.00	3	30.0%	2.67	1.53	3	45.0%	3.33	1.12	9
20. There are clear decision criteria.	60.0%	3.33	1.15	3	30.0%	2.33	1.15	3	45.0%	3.00	1.00	9
21. This process segment is almost always completed in a reasonable period of time.	60.0%	2.67	1.15	3	30.0%	2.33	1.15	3	45.0%	2.78	0.97	9
22. There are no “grey areas” in processing.	60.0%	1.67	0.58	3	30.0%	2.00	1.00	3	45.0%	2.33	1.00	9

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
23. Most times this process segment runs well.	60.0%	3.33	1.15	3	30.0%	2.67	0.58	3	45.0%	3.11	0.78	9
24. Most times this process segment produces a good result	60.0%	3.67	1.15	3	30.0%	3.33	0.58	3	45.0%	3.44	0.73	9

Time, Resources, and Management Action

Category Averages:	3.22				2.53				2.82			
25. Staffing resource levels are adequate for the job we are asked to do.	100.0%	2.00	0.71	5	100.0%	2.10	1.10	10	100.0%	2.16	0.90	19
26. Project managers have sufficient time to give continuing focused attention to required permit activities.	100.0%	3.60	1.52	5	100.0%	2.30	1.06	10	100.0%	2.79	1.23	19
27. Project managers are able to get subject matter expert review in a timely manner.	100.0%	2.00	0.71	5	100.0%	2.50	1.35	10	100.0%	2.47	1.12	19
28. There are many permitting tasks that could easily be delegated to an analyst or clerical staff.	100.0%	3.40	1.52	5	100.0%	3.30	0.82	10	100.0%	3.37	0.96	19
29. Project managers are able to get analyst and clerical support services in a timely manner.	100.0%	2.60	1.14	5	100.0%	2.70	1.34	10	100.0%	2.79	1.18	19
30. Project managers usually do not experience unnecessary delays due to the decision process within the Department.	100.0%	3.40	1.34	5	100.0%	1.70	0.95	10	100.0%	2.42	1.26	19
31. Permit actions do not suffer from a lack of project ownership.	100.0%	3.40	1.14	5	100.0%	3.00	1.33	10	100.0%	3.05	1.13	19

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
32. Permit actions do not suffer from inconsistent direction.	100.0%	2.60	1.14	5	100.0%	1.90	0.99	10	100.0%	2.26	0.99	19
33. Envirostor is making permit work harder.*	100.0%	4.40	0.55	5	100.0%	2.70	1.16	10	100.0%	3.26	1.24	19
34. Envirostor will help us do our job better.	100.0%	4.80	0.45	5	100.0%	3.10	0.99	10	100.0%	3.58	1.17	19
Permit Staff Workplace and Appreciation												
Category Averages:	3.48				2.97				3.16			
35. I consider DTSC a good place to work.	100.0%	4.60	0.55	5	100.0%	3.20	1.03	10	100.0%	3.63	1.01	19
36. The work I am asked to do is appropriately prioritized for the time I have available to do it.	100.0%	2.80	0.84	5	100.0%	2.90	1.10	10	100.0%	3.00	0.94	19
37. I get appropriate recognition for a job well done.	100.0%	3.40	1.52	5	100.0%	2.90	1.29	10	100.0%	3.11	1.20	19
38. It is a rare exception when we are asked to do work that we feel is a waste of our time.	100.0%	3.00	1.41	5	100.0%	2.60	0.97	10	100.0%	2.79	1.03	19
39. I am satisfied with the level of commitment to work shown by my co-workers in this work unit.	100.0%	4.00	1.00	5	100.0%	3.60	0.97	10	100.0%	3.68	0.89	19
40. I am personally committed to helping my work unit meet its goals.	80.0%	5.00	0.00	4	90.0%	4.22	0.44	9	89.5%	4.29	0.59	17
41. My work makes a positive difference in the communities located near my facilities.	100.0%	4.40	0.89	5	90.0%	3.89	0.60	9	94.7%	4.00	0.77	18
42. Project managers are given sufficient training.	100.0%	3.20	1.30	5	100.0%	2.40	1.26	10	100.0%	2.58	1.22	19

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
43. Tools and guidance available for the permitting process are current.	100.0%	2.20	0.45	5	100.0%	1.80	0.92	10	100.0%	2.05	0.78	19
44. Tools and guidance available for the permitting process are useful.	100.0%	3.80	0.45	5	100.0%	2.90	1.29	10	100.0%	3.16	1.07	19
45. Tools and guidance are adequate in order to enable me to do my job efficiently and effectively.	100.0%	3.60	0.55	5	100.0%	2.50	0.97	10	100.0%	2.84	0.90	19
46. It is clear who has final decision-making responsibility for a permit determination.	100.0%	3.60	1.52	5	100.0%	2.80	1.14	10	100.0%	3.11	1.20	19
47. Management does a good job setting clear program goals and priorities.	100.0%	2.60	1.52	5	100.0%	2.40	1.35	10	100.0%	2.63	1.26	19
48. Decisions are made at the appropriate levels within the organization.	100.0%	3.20	1.10	5	100.0%	2.80	1.32	10	100.0%	3.00	1.11	19
49. The way in which tasks are delegated throughout the organization is appropriate.	100.0%	3.40	1.34	5	100.0%	2.80	1.23	10	100.0%	2.95	1.13	19
50. The current delegation chart/orders help us to do good work.	100.0%	3.00	1.22	5	100.0%	3.00	1.25	10	100.0%	2.95	1.08	19
51. Most times the end result of the permitting process is a safe facility with an enforceable permit.	100.0%	4.00	0.71	5	100.0%	3.80	0.63	10	100.0%	3.79	0.63	19
52. We are usually able to get an appropriate balance between community needs and regulatory requirements.	100.0%	3.40	0.89	5	100.0%	3.40	0.70	10	100.0%	3.42	0.69	19

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
53. For most of the permit renewals I have worked on over the past two years, the facility applicant has assisted in making the process run smoothly.	100.0%	4.00	0.71	5	90.0%	3.11	0.78	9	94.7%	3.50	0.86	18
54. For most of the permit renewals I have worked on over the past two years, community representatives have assisted in making the process run smoothly.	100.0%	2.80	0.84	5	90.0%	2.11	1.05	9	94.7%	2.56	0.98	18
55. For most of the permit renewals I have worked on over the past two years, DTSC non-permit office technical staff have assisted in making the process run smoothly.	100.0%	3.20	1.10	5	90.0%	2.67	1.32	9	94.7%	3.00	1.14	18
56. For most of the permit renewals I have worked on over the past two years the facility applicant has contributed to intelligent, appropriate decision making.	100.0%	3.40	0.55	5	90.0%	3.00	0.71	9	94.7%	3.22	0.65	18
57. For most of the permit renewals I have worked on over the past two years community representatives have contributed to intelligent, appropriate decision making.	100.0%	3.00	0.00	5	90.0%	2.44	1.01	9	94.7%	2.78	0.81	18

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Supervisor/Manager of DTSC				Non-Supervisor/Manager of DTSC				Overall (including both Supervisor and Non-Supervisors of DTSC)			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
58. For most of the permit renewals I have worked on over the past two years DTSC non-permit office technical staff have contributed to intelligent, appropriate decision making.	100.0%	3.80	1.10	5	90.0%	3.44	1.01	9	94.7%	3.50	0.99	18
59. There is clear delineation between the permitting program and the clean-up program.	100.0%	3.60	1.52	5	100.0%	3.50	1.18	10	100.0%	3.47	1.17	19
Permit Best Practices												
Category Averages:	3.72				3.38				3.42			
60. Permit requirements are clearly cited in the permit.	100.0%	4.80	0.45	5	100.0%	3.60	0.52	10	100.0%	3.84	0.83	19
61. The required statutory and/or regulatory authorities used in permits are clearly understood by all.	100.0%	3.00	1.00	5	100.0%	2.80	0.79	10	100.0%	2.79	0.85	19
62. Template language for each policy or requirement to be included in permits is provided to permit writers.	100.0%	3.40	1.14	5	100.0%	3.20	1.40	10	100.0%	3.21	1.27	19
63. The permit is reviewed to ensure the most recent standards (e.g., laws, regulations, plans, policies) are being used.	100.0%	3.60	0.89	5	100.0%	3.70	0.95	10	100.0%	3.68	0.82	19
64. Permit requirements are written in clear language.	100.0%	3.80	0.45	5	100.0%	3.60	0.84	10	100.0%	3.58	0.77	19

*Reverse coded prior to analysis to ensure higher scores reflect positive attributes.

Appendix Q: Non-Supervisor by Work Location Survey Data

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

Non-Supervisors – Sacramento Cal Center		Non-Supervisors – Chatsworth			Non-Supervisors – Berkeley						
% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
	Mean	SD	N		Mean	SD	N		Mean	SD	N

Administrative Review												
Category Averages:	3.46				3.67				3.08			
1. DTSC follows a clear, standard process.	100.0%	4.00	0.82	4	100.0%	4.00	1.41	2	100.0%	3.00	1.41	2
2. There are clear decision criteria.	100.0%	3.75	1.26	4	100.0%	3.50	2.12	2	100.0%	3.50	0.71	2
3. This process segment is almost always completed in a reasonable period of time.	100.0%	3.50	0.58	4	100.0%	3.50	2.12	2	100.0%	3.50	0.71	2
4. There are no “grey areas” in processing.	100.0%	2.50	1.00	4	100.0%	3.50	2.12	2	100.0%	2.50	2.12	2
5. Most times this process segment runs well.	100.0%	3.50	0.58	4	100.0%	3.50	2.12	2	100.0%	3.00	1.41	2
6. Most times this process segment produces a good result.	100.0%	3.50	0.58	4	100.0%	4.00	1.41	2	100.0%	3.00	1.41	2
Technical Review												
Category Averages:	3.21				2.17				3.08			
7. DTSC follows a clear, standard process.	100.0%	3.75	1.26	4	100.0%	2.00	0.00	2	100.0%	3.00	0.00	2
8. There are clear decision criteria.	100.0%	3.75	1.26	4	100.0%	2.50	0.71	2	100.0%	3.50	0.71	2
9. This process segment is almost always completed in a reasonable period of time.	100.0%	2.75	0.96	4	100.0%	2.00	0.00	2	100.0%	3.00	0.00	2
10. There are no “grey areas” in processing.	100.0%	2.25	1.26	4	100.0%	2.00	0.00	2	100.0%	2.50	0.71	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:
1 – Strongly Disagree
2 – Disagree
3 – Neither Agree or Disagree
4 – Agree
5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
11. Most times this process segment runs well.	100.0%	3.25	0.50	4	100.0%	2.00	0.00	2	100.0%	3.00	0.00	2
12. Most times this process segment produces a good result.	100.0%	3.50	0.58	4	100.0%	2.50	0.71	2	100.0%	3.50	0.71	2
Public Comment												
Category Averages:	3.58				3.50				4.00			
13. DTSC follows a clear, standard process.	100.0%	4.00	0.82	4	100.0%	4.00	0.00	2	100.0%	4.00	0.00	2
14. There are clear decision criteria.	100.0%	4.00	0.82	4	100.0%	3.50	0.71	2	100.0%	4.00	1.41	2
15. This process segment is almost always completed in a reasonable period of time.	100.0%	3.75	0.50	4	100.0%	3.50	0.71	2	100.0%	4.50	0.71	2
16. There are no “grey areas” in processing.	100.0%	3.25	0.96	4	100.0%	3.00	1.41	2	100.0%	4.00	0.00	2
17. Most times this process segment runs well.	100.0%	3.25	0.50	4	100.0%	3.50	0.71	2	100.0%	3.50	0.71	2
18. Most times this process segment produces a good result.	100.0%	3.25	0.50	4	100.0%	3.50	0.71	2	100.0%	4.00	0.00	2
Appeals Process (Respondents instructed to answer Not Applicable if they do not have direct work experience with this process).												
Category Averages:	3.00				3.17				N/A			
19. DTSC follows a clear, standard process.	25.0%	3.00	.	1	50.0%	4.00	.	1	0.0%			0
20. There are clear decision criteria.	25.0%	3.00	.	1	50.0%	3.00	.	1	0.0%			0
21. This process segment is almost always completed in a reasonable period of time.	25.0%	3.00	.	1	50.0%	3.00	.	1	0.0%			0

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
22. There are no “grey areas” in processing.	25.0%	3.00	.	1	50.0%	2.00	.	1	0.0%			0
23. Most times this process segment runs well.	25.0%	3.00	.	1	50.0%	3.00	.	1	0.0%			0
24. Most times this process segment produces a good result	25.0%	3.00	.	1	50.0%	4.00	.	1	0.0%			0

Time, Resources, and Management Action												
Category Averages:	3.05				2.20				2.35			
25. Staffing resource levels are adequate for the job we are asked to do.	100.0%	3.00	1.15	4	100.0%	1.00	0.00	2	100.0%	2.00	0.00	2
26. Project managers have sufficient time to give continuing focused attention to required permit activities.	100.0%	3.00	1.15	4	100.0%	2.00	0.00	2	100.0%	2.00	1.41	2
27. Project managers are able to get subject matter expert review in a timely manner.	100.0%	3.50	1.29	4	100.0%	2.00	1.41	2	100.0%	2.00	1.41	2
28. There are many permitting tasks that could easily be delegated to an analyst or clerical staff.	100.0%	3.00	1.15	4	100.0%	3.00	0.00	2	100.0%	3.50	0.71	2
29. Project managers are able to get analyst and clerical support services in a timely manner.	100.0%	3.25	1.50	4	100.0%	2.50	0.71	2	100.0%	2.00	1.41	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
30. Project managers usually do not experience unnecessary delays due to the decision process within the Department.	100.0%	2.25	1.26	4	100.0%	1.50	0.71	2	100.0%	1.50	0.71	2
31. Permit actions do not suffer from a lack of project ownership.	100.0%	3.50	1.29	4	100.0%	4.00	1.41	2	100.0%	2.50	0.71	2
32. Permit actions do not suffer from inconsistent direction.	100.0%	2.50	1.00	4	100.0%	1.50	0.71	2	100.0%	2.00	1.41	2
33. Envirostor is making permit work harder.*	100.0%	3.25	0.96	4	100.0%	2.00	1.41	2	100.0%	2.5	2.12	2
34. Envirostor will help us do our job better.	100.0%	3.25	1.50	4	100.0%	2.50	0.71	2	100.0%	3.50	0.71	2
Permit Staff Workplace and Appreciation												
Category Averages:	3.60				2.56				2.68			
35. I consider DTSC a good place to work.	100.0%	3.75	0.96	4	100.0%	2.50	0.71	2	100.0%	4.00	0.00	2
36. The work I am asked to do is appropriately prioritized for the time I have available to do it.	100.0%	3.50	1.29	4	100.0%	2.50	0.71	2	100.0%	3.00	1.41	2
37. I get appropriate recognition for a job well done.	100.0%	4.00	0.82	4	100.0%	3.00	0.00	2	100.0%	2.00	1.41	2
38. It is a rare exception when we are asked to do work that we feel is a waste of our time.	100.0%	3.00	0.82	4	100.0%	2.50	0.71	2	100.0%	3.00	1.41	2
39. I am satisfied with the level of commitment to work shown by my co-workers in this work unit.	100.0%	3.25	1.26	4	100.0%	3.50	0.71	2	100.0%	4.50	0.71	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
40. I am personally committed to helping my work unit meet its goals.	100.0%	4.25	0.50	4	50.0%	4.00	.	1	100.0%	4.50	0.71	2
41. My work makes a positive difference in the communities located near my facilities.	100.0%	4.25	0.50	4	100.0%	3.50	0.71	2	100.0%	3.50	0.71	2
42. Project managers are given sufficient training.	100.0%	3.25	1.50	4	100.0%	1.50	0.71	2	100.0%	2.00	1.41	2
43. Tools and guidance available for the permitting process are current.	100.0%	2.25	1.26	4	100.0%	1.50	0.71	2	100.0%	1.50	0.71	2
44. Tools and guidance available for the permitting process are useful.	100.0%	4.25	0.50	4	100.0%	2.00	0.00	2	100.0%	2.00	1.41	2
45. Tools and guidance are adequate in order to enable me to do my job efficiently and effectively.	100.0%	3.25	0.96	4	100.0%	2.00	0.00	2	100.0%	2.00	1.41	2
46. It is clear who has final decision-making responsibility for a permit determination.	100.0%	3.00	1.15	4	100.0%	2.50	2.12	2	100.0%	3.00	1.41	2
47. Management does a good job setting clear program goals and priorities.	100.0%	3.75	0.50	4	100.0%	1.50	0.71	2	100.0%	2.00	1.41	2
48. Decisions are made at the appropriate levels within the organization.	100.0%	4.00	0.82	4	100.0%	2.00	1.41	2	100.0%	2.50	0.71	2
49. The way in which tasks are delegated throughout the organization is appropriate.	100.0%	3.75	1.26	4	100.0%	2.50	0.71	2	100.0%	2.50	0.71	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
50. The current delegation chart/orders help us to do good work.	100.0%	4.25	0.50	4	100.0%	2.50	0.71	2	100.0%	2.00	0.00	2
51. Most times the end result of the permitting process is a safe facility with an enforceable permit.	100.0%	4.25	0.50	4	100.0%	3.50	0.71	2	100.0%	3.50	0.71	2
52. We are usually able to get an appropriate balance between community needs and regulatory requirements.	100.0%	3.75	0.50	4	100.0%	4.00	0.00	2	100.0%	2.50	0.71	2
53. For most of the permit renewals I have worked on over the past two years, the facility applicant has assisted in making the process run smoothly.	75.0%	4.00	0.00	3	100.0%	2.00	0.00	2	100.0%	3.00	0.00	2
54. For most of the permit renewals I have worked on over the past two years, community representatives have assisted in making the process run smoothly.	75.0%	2.67	1.53	3	100.0%	1.50	0.71	2	100.0%	1.50	0.71	2
55. For most of the permit renewals I have worked on over the past two years, DTSC non-permit office technical staff have assisted in making the process run smoothly.	75.0%	3.67	1.53	3	100.0%	2.00	1.41	2	100.0%	2.00	1.41	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
56. For most of the permit renewals I have worked on over the past two years the facility applicant has contributed to intelligent, appropriate decision making.	75.0%	3.33	1.15	3	100.0%	3.00	0.00	2	100.0%	2.50	0.71	2
57. For most of the permit renewals I have worked on over the past two years community representatives have contributed to intelligent, appropriate decision making.	75.0%	2.67	1.53	3	100.0%	2.50	0.71	2	100.0%	2.00	1.41	2
58. For most of the permit renewals I have worked on over the past two years DTSC non-permit office technical staff have contributed to intelligent, appropriate decision making.	75.0%	3.67	1.53	3	100.0%	3.00	1.41	2	100.0%	3.50	0.71	2
59. There is clear delineation between the permitting program and the clean-up program.	100.0%	4.25	0.50	4	100.0%	3.00	1.41	2	100.0%	2.50	2.12	2
Permit Best Practices												
Category Averages:	3.85				3.10				3.10			
60. Permit requirements are clearly cited in the permit.	100.0%	4.00	0.00	4	100.0%	3.50	0.71	2	100.0%	3.50	0.71	2
61. The required statutory and/or regulatory authorities used in permits are clearly understood by all.	100.0%	3.00	0.82	4	100.0%	3.00	1.41	2	100.0%	2.50	0.71	2

Appendix Q: Employee Survey –Non-Supervisor by Location

Rating Scale:

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neither Agree or Disagree
- 4 – Agree
- 5 – Strongly Agree

	Non-Supervisors – Sacramento Cal Center				Non-Supervisors – Chatsworth				Non-Supervisors – Berkeley			
	% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable			% of respondents who said statement was applicable to the job	Statistics for those who indicated statement was applicable		
		Mean	SD	N		Mean	SD	N		Mean	SD	N
62. Template language for each policy or requirement to be included in permits is provided to permit writers.	100.0%	4.25	0.50	4	100.0%	2.50	2.12	2	100.0%	2.50	2.12	2
63. The permit is reviewed to ensure the most recent standards (e.g., laws, regulations, plans, policies) are being used.	100.0%	4.00	0.82	4	100.0%	3.50	2.12	2	100.0%	3.50	0.71	2
64. Permit requirements are written in clear language.	100.0%	4.00	0.82	4	100.0%	3.00	1.41	2	100.0%	3.50	0.71	2

*Reverse coded prior to analysis to ensure higher scores reflect positive attributes

Appendix R: Employee Survey: Open End Questions

Open Ended Question # 1: General feedback on ways to address current permitting process issues
<p>What is key is the culture and time allocation of technical support - subject experts to Permitting. Many of these subject experts are pressed for time and are pulled away from permitting activities, and their supervisors do not put permitting has a high priority. This culture of "Permitting Priority" for subject experts has to be instilled in subject experts by our director via a trickle down of respect via her actions, not by words.</p>
<p>The permit process has not changed over the years. There may nuances how the permit process is carried out but not substantial that is considered an out of the box thinking.</p>
<p>N/A</p>
<p>Permit with no changes in operation do not need to be reviewed again for technical completeness.</p>
<p>There needs to be clear roles of the various levels, if there is a disagreement who is making the decision. There needs to be a better QA/QC on the documents. Perhaps it's occurring but I'm not aware of it. Perhaps there should be a transparency of the decision on such disagreements in order for others to know the policy decision.</p>
<p>Better coordination between Technical Support Staff. Several tech. support offices (OLA, OPEA, GSU, E&SP, HERO) may be used when reviewing a permit application or draft permit. Those support offices may not be able to meet your deadlines or may not show any regard for the annual achievement goals set for the Office of Permitting.</p>
<p>Insufficient staffing to take on all the workload required for a more effective and efficient permitting process. Each project manager has too many projects to handle. Not enough guidance or sources of information to help a new project manager to do a good job. High turnover rate makes difficult to keep the experienced talents long enough. Envirostor is designed to document milestone activities and information, so the data contained inside Envirostor cannot be current. Even if possible to achieve, there will be no enough time to do or additional administrative supports to help.</p>
<p>The most significant permitting process issues arise as site specific issues, not program issues. The end result of the permitting process is protection of public health and the environment, something which can't be ensured with a checklist designed to push faster permit decisions. Community concerns, appropriate risk assessments, and the application review process become the biggest issues with a permit. Community concerns must be evaluated completely, risk assessments must incorporate adequate exposure scenarios, and the application review must incorporate revisions necessary to arrive at a protective permit. The end goal of the existing permitting process is not to decide whether to deny or approve a permit - it is to mold the application into a health protective approved permit by raising concerns and effecting revisions to the permit application.</p>
<p>none</p>

Appendix R: Employee Survey –Open Ended Questions

<p>1. Provide formal training on how to process Part B applications, Permit Modification Requests, writing a Permit and modifying a Permit. HOWEVER, if you demand the permitting staff to provide their own formal training, then you are further overworking an already overworked staff.</p> <p>2. "Ownership" of the permit process is often used as an excuse to push more work on the project manager. Team leaders, supervisors, and managers must be asked to produce work products, especially those work products that benefit them, but do not benefit the project manager or the project.</p> <p>3. Scheduling is unrealistic and often arbitrary. Project managers are often asked to justify why they "failed" to meet their commitments which they did not set. Abandon the "schedule first" mentality and realize that scheduling is guess work. Instead, focus on the "process" and use the process and workload to calculate the schedule. Then assign the staff the work load and calculated schedule. Have the supervisor/manager keep track of the progress and have the supervisor/manager adjust the calculated schedule accordingly.</p> <p>4. Management is focused on meeting commitment beans, but does little to provide guidance and resources on how to meet those commitment beans. Again, focus on the "process and use the process to calculate the schedule and commitments. Don't ask the staff to justify their progress. Have the supervisor justify the progress of their staff on the schedule and workload that management has placed on the staff.</p> <p>5. There is simply too few project managers available for the huge workload and expectations dumped on them. Schedules and expectations, however, are never backed-off. Determine the work load commitments based on what is currently and feasibly available.</p> <p>6. Managers often ask the project managers to tell them what the staff's work load and schedule. Instead, it is the manager who should be providing the project manager with their work and work expectations. The manager could keep track of the schedules and progress, and work load for each staff under them.</p> <p>7. Supervisors and managers must provide detailed review of the staff's work product, instead of pushing this function down to the other overworked staff to provide "peer reviews".</p>
<p>1. The Permit Writer's Manuals for TSD Facilities needs to be updated to provide clear instructions for a permit application preparation.</p> <p>2. A better guidance to the facility to prepare the initial study. Often. the initial study submitted by the facility does not contain sufficient information for a CEQA document preparation.</p>
<p>It would be nice to have a permit writer manual that is easy to read and UPDATED.</p>
<p>I believe we need more resources in personnel as well as in necessary software or guidance documents that can make our work more efficient.</p>
<p>Too many responsibilities are assigned to permit writers while some of the work should be done by support staff. There is no incentive for employees since promotions are only given to few favorites in HQ.</p>
<p>Additional staff resources needed Clear and precise decision making from management needed Well informed subject experts needed Training and updated manual and advisories needed</p>
<p>Better training on Permitting process and need better mentoring, tech transfer is not available, due to high number of people retiring.</p>
<p>Discuss with supervisor</p>
<p>More Training/Mentoring...a common flowchart followed and accessible by all</p>

Open Ended Question # 2:

What are currently the biggest barriers to a more effective permitting process?

1. Timing of technical reviews, too many reviews take too much time.
2. Cumbersome Process - could use some streamlining
3. The regulations are sometimes vague
4. DTSC goes out of its way to meet public demands - too much of this can make the permitting process in-effective.

Not Permitting process but in the Permitting office. Barriers include:

1. Inadequate number of staff and supervisors to get the job done.
2. Lack of staff accountability to get the projects completed on time
3. Lack of HQ support. Staff are doing bot functions (permitting & HQ functions)
4. Lack of management accountability to hold staff accountable and to provide the resources needed (staffing, training and support)

- 1) Lack of Timely Review and decisions by support groups (CEQA, Legal, Enforcement). Inconsistencies in review provided by Supporting Groups.
- 2) Lack of data use (such as Estor) to track and review Permitting Projects. Use data to make decisions and find problems.
- 3) Lack of Accountability for projects not completed
- 4) Lack of Clear Guidance on Process/Policy
- 5) Not Enough staff resource to handle upcoming workload
- 6) No clear management of staff (with team/supervisor confusion)

Having non-licensed engineer or scientist review highly technical applications.

If effective means higher quality and not just timely, then thorough and timely vetting of the decisions of the tech stds and enforceability.

Each permit is like a silo and only that permit writer and possibly team leader are deciding on merit of the application and permit. This silo is being expanded by the involvement of experienced and knowledgably enforcement staff review of the application and draft permit.

Adapting to change. It is hard to foresee what might come up when conducting a technical review of a renewal application. Permits are valid for 10 years. Laws and policies can change that may require the facility to change their operations or submit more documents that require review. There may have been mistakes made in the previous review that must be corrected. The community could have grown around the facility and you may have to deal with a wider range of concerns from the public.

The whole permitting process (universe) is very complex. It will take a long time to train a new project manager. No actual peer system is present to help the permitting process to be smooth and effective. We have training conducted before, but the current guidance is not clear enough to cover all situations. So, a new project manager is very likely to be let go too early and learn from his own mistakes.

Permitting process knowledge and archaic resources. Permit writers are faced with site specific issues with every project. When permit writers have no resources to draw from, the solution has to start from scratch. There is a wealth of knowledge in project documents, decision documents, and department communications that could be the most valuable resource for the permitting process. Those documents are locked up in paper form in an inaccessible area. The biggest barrier to a more effective permitting process is the inaccessibility of that information. Those documents should be scanned, organized into an easy to use file system, and made available to every permit writer in the Department.

Not sure

Open Ended Question # 2:

What are currently the biggest barriers to a more effective permitting process?

<p>1. Lack of required format for the Part B Application.</p> <p>2. Lack of clear definitions of the hazardous waste management units by the facility, staff and permits.</p> <p>3. Lack of instructions to the applicant on how to write a Part B Application.</p> <p>4. Lack of permit training on how to review a Part B Application.</p> <p>5. Lack of permit training on how to write permits based on a Part B Application.</p> <p>6. Lack of permit training on how to modify permits based on a Permit Modification Requests.</p> <p>7. Unrealistic goals and schedules pushed onto the project manager.</p> <p>8. "Fire drills" passed down to the project manager with no warning, unrealistic turn-around times, and little or incomplete instructions.</p> <p>9. Requiring staff to "peer review" other staff's work thus overworking he staff. Meanwhile, the supervisors and managers do not provide any review of the staff's work.</p> <p>10. Assigning staff to a "facility" instead of to specific projects. This means that additional work coming in from the facility is not incorporated into the workload expectation of the staff. Staff is required to "absorb" this work into their already overextended project load.</p> <p>11. Higher priority is set for meeting the schedule commitment bean, and accepting a lower quality product which then takes more resources to fix later (kicking the can down to future project managers).</p>
<p>1. Often the Part B Application submitted by the facility consists of several volumes and the information is repetitive and inconsistent. The Part B should be simple and easily understandable.</p> <p>2. Regulations are not clear enough so professional judgments are often used for the document preparation. As a result, NOD addresses not only technical deficiencies but also (and often) technical judgment differences between the facility and DTSC. The differences in technical judgment often trigger preparation of several NODs, negotiations and meetings which significantly impact the working relationship between all involved parties and delay the permitting. Process</p>
<p>It would be helpful to have more staff on hand to help, especially with the OLC and CEQA unit and perhaps another permit writer.</p>
<p>Unclear policy, unclear communication on decision, shorthanded support staff, poor software used for the review of documents provided by facility, old and inadequate guidance documents, no knowledge transfer program, poor training, inability to build career, monetary constraints to training, unrealistic expectations, broken communication from exec staff and normal staff, lack of support due to personal or personnel reasons, misinterpretation of law from support staff, unable to reach a middle ground from support staff, to many cooks in the kitchen.</p>
<p>Higher up management with different directives and priorities.</p>
<p>Overworked staff Despite delegation, management is making decisions which are not often clear and precise Outdated permit manual Very little training Staff feels unappreciated, Morale is extremely low</p>
<p>The biggest barrier is we have not had any good training for the permitting process since joining and had to learn as we go basis. Need training on Envirostor database system, regulations, CEQA etc.</p>
<p>Not sure</p>
<p>A known process adopted by all</p>

**Open Ended Question # 3:
Do you have any suggestions about what could be done to help new project managers learn more thoroughly and quickly so they can start doing work sooner?**

One suggestion is to create video training modules of permitting that could be viewed on demand by new or existing staff, or for that many anyone interested in permitting.
Most staff in permitting have at least 10+ years of experience. A refresher course on the permitting process should be provided to realign everyone so that the permit process is carried out with consistence.
Create standardized training manual that could be used to train any new staff. Update manual as needed.
Visit the facilities more often and try to limit NODs. This can be done by going to the facilities and work hand on hand with their colleagues on the other side.
Tag team them up with an experience permit writer for that person to learn food work practices to complete the review of permits. Provide them with training at the beginning and follow-up as to address gaps that they identified as they worked through their 1-2 initial projects
Early training should focus on how to navigate the laws and regulations. All booklets, web links, and other resources should be organized and provided to new project managers
Each new project manager would be better mentored and peered with at least an experienced project manager.
New project managers need experience to work more effectively. They can gain experience quicker by understanding past decisions, reading department communications, and browsing through similar project documents. Digitize our historical knowledge and provide access to it to new project managers.
It take 10,000 hours to become better.
<ol style="list-style-type: none"> 1. DO NOT provide "mentorship". Mentorship places an additional burden on the already overworked project manager, resulting in harming both the new project manager and the mentoring project manager. 2. Create written instructions to the applicant on the required format of a Part B Application and instructions on how to write a Part B and Part B components. This will give the new project manager training material. 3. Have management and supervisors provide training on new staff. 4. Start new staff on projects that are relatively easy and low priority. Ramp them up to higher projects as their experience increases. 5. Realize that training new staff takes time. For permitting, an "experienced" permit writer takes many years.
A short checklist clearly identifies the minimum information needed for a specific unit (e.g. container, tanks system, etc.)
It would be nice to have a permit writer manual that is easy to read and UPDATED.
Better training, on the job training, better guidance documents, better support documents or out of office training, better software, project management software, cost analysis software, senior staff to prepare presentations of problems encountered and how they got to resolve issue. Group meetings to discuss policies that can help permitting staff do a better job. Ability to discuss views of policy at start up. Analysis of permit decision based on good guidance documents and law.
Good training and supervisors with a good knowledge of permitting.
Provide training to new staff, supervisors need to work with new staff to help them better understand the regs and process. An updated manual and advisories are helpful
Better training, we are not getting the training needed to do the job the right way.
Field experience
provide adequate training instead of giving PMs a copy of the regs and telling them to go read this.
So how regulations apply to permitting writing

**Open Ended Question # 4:
What actions would help you to do your job even better? Which one action is the most important?**

<p>What works best is having subject experts devoted exclusively to permitting staff, consider streamlining the permit to several pages, have OT staff that are competent - can type - pdf documents - and upload documents to Envirostor without fuss.</p>
<p>Having support staff in HQs to provide:</p> <ol style="list-style-type: none"> 1. clear policy 2. Training 3. Manage fire drills 4. dedicated legal, public participation, Engineering/Geology and CEQA staff available.
<p>Clear Policy and procedures to issuing permits. Clear policy to terminate a project after certain process/time period.</p>
<p>Not have so many fire drills for people at HQ to fulfill their job performance and assignments</p>
<p>Organization of information - see how Chatsworth office use of the filing room to keep the documents somewhat organized while Cal Center and Berkeley have many files in working areas. Need SSAs to keep those organized so technical staff can focus on the technical understanding of the facilities operations.</p>
<p>Organizing a set of resources that allow information to be easily researched Get a clear commitment between other offices on a schedule for completion</p>
<p>All of the above. Basically, make me an expert in shorter period. For the most important for now, a clearer guidance to the whole permitting process to cover any situation (somebody needs to be assigned to continuously revising it), and examples or templates of work pieces (e.g., letters, memos, forms, and web links, etc. on public drive) for easy access.</p>
<p>If I could easily access past permitting decisions, communications, evaluations, and general documents, I could do my job better. Accessing permitting knowledge is the most important action in permitting.</p>
<p>Stop giving additional item to complete; just let them do permits.</p>
<p>Clear instructions and decision from the management when issues are raised.</p>
<p>Better software, better support documents, central database in regards to policies, have a say on interpretation of law and how support groups are interpreting, find common solutions and not one way solution to problems based on position of support staff, more dialogue in regards to problems and different ways of fixing it. Better document sharing on knowledge sharing meetings, group solutions in regards to problems encountered.</p>
<p>There is no one action</p>

Open Ended Question # 3:

Do you have any suggestions about what could be done to help new project managers learn more thoroughly and quickly so they can start doing work sooner?

1. Create a required format for a Part B Application, with associate instructions to the applicant on how to write their Part B and Part B components.
2. Abandon the current permitting Envirostor (not legally required) and clean up the physical files (legally required).
3. Rewrite Envirostor so it becomes an electronic file room, without all of the other junk. No schedules, no codes, no projects, etc. Instead, titles of documents, placed in chronological order, with searchable key words. BONUS: provide group indexes that indicate things like the latest permit, the draft permit package, etc.
4. Provide a supervisor physically in the same office as those they supervise.
5. Provide a dedicated clerical support physically located in the same office as the staff they are supporting.
6. Stop the practice of assigning a number of facilities to each staff. Instead, have each project sent directly to the branch chief(s), who then distribute it down to supervisors, who then assign the new project to available staff depending on workloads and schedules determined by the supervisor/managers.
7. Management should place the highest priority on the enforceability and defensibility on the permit decisions, and much less of a priority on meeting scheduled commitment bens.
8. Perform a pre-application project between the facility and DTSC, specifically to determine the hazardous waste management units BEFORE the applicant begins writing their Part B.
9. The permit writer is not just on the critical path, they ARE the critical path. Anything that causes the permit writer to take more time or less time is directly translated into the permit process schedule. Anything that can make the permit writer's job easier/faster will directly translate into reducing the time to process a permit. On the other side of the coin, anything that makes the permit writer's job harder/slower will directly translate into extending the time it takes to process the permit.

Better computers with higher speed. Currently there are too many controls on the computer which slowdowns everything. Clear long term plans by management rather than sudden emergencies. Better response time with support groups specially the attorneys. There is no incentive for employees to do a good job since promotions are only given to few favorites in HQ.

Training on Envirostor database and how to use it effectively, MS office training classes, classes on regulations, CEQA training. all is important they all play a vital role.

Improved office culture and morale.

Training, good examples to work from, consistency, standard mode of operations established

Appendix S: Macro-analysis Facility Demographics

		Operating Permits					Post Closure Permits	TOTAL:
		Treatment Facility		Storage/ Transfer Facility		Land Disposal Facility		
Permit Authority		RCRA	Standard	RCRA	Standard	RCRA	RCRA	
Facility Billing Size	Land Disposal							0
	Large Post Closure						12	12
	Large Storage	1		1				2
	Large Treatment	7						7
	Medium Post-closure						3	3
	Mini Storage			1				1
	Small Post Closure				1		1	2
	Small Storage			5				5
	Small Treatment	2	1					3
	Standardized Series A		2		2			4
	Standardized Series B		3		4			7
	Standardized Series C				5			5
	Standardized Series Small Quantity Series C				1			1
	Unknown Billing Size			1				1
TOTAL:		10	6	8	13		16	53*

*1 facility did not have available demographic information at the time of the analysis

Appendix T: Macro-analysis Variables

Key Dates and Measurements	Source/Formula	Outliers/Notes
Prior Permit Expiration Date	Envirostor	
Due Date to send Call in letter	= Prior expiration date – 18 months	
Date Call in letter sent	Envirostor	
Difference between call in letter due and sent dates	= Date Call in due – Date Call in sent	<p>3 Outliers removed:</p> <ul style="list-style-type: none"> • 1,540 days after permit expiration – Dept. of Air Force Vanderbilt • 2,246 days before permit expiration – Clean Harbors Los Angeles • 2,951 days before permit expiration – Aerojet <p>Retained range from 1,011 days before permit expiration to 158 days after permit expiration</p>
Date Part B Application is due (Short deadline)	= Prior expiration date – 30 days	
Date Part B Application is due (Long deadline)	= Prior expiration date – 180 days	
Date Part B app. received	Envirostor	
Difference between Part B due and received dates	= Part B Due – Part B Received Dates	<p>4 Outliers removed:</p> <ul style="list-style-type: none"> • 1,640 days after permit expiration - Dept. of Air Force Vanderbilt • 887 days after permit expiration – Veolia es Technical Solution • 858 days before permit expiration – Site 300 Lawrence Livermore • 2,098 days before permit expiration – Clean Harbors Los Angeles <p>Retained range from 305 days after permit expiration to 549 days before the permit expires.</p>
Start of Administrative Review Process	Earlier of Permit Expiration or Part B received	<p>No Outliers</p> <p>91 of the dates came from the date Part B was received, 17 came from the permit expiration date.</p>
Date Administrative Completion Letter Due	=Date Part B received + 60	
Date Administrative Completion Letter Sent	Envirostor	

Key Dates and Measurements	Source/Formula	Outliers/Notes
Difference between Admin. Letter due and sent dates	= Admin Due Date – Admin Completion Date	3 Outliers removed: <ul style="list-style-type: none"> • 3,971 days after due date – USS Posco Industries • 3,710 days after – Phibro-Tech Inc. • 732 days before due date – Big Blue Hills Pesticide Retained range from 57 days before due date to 897 days after the due date.
End of Administrative Process	Earliest of either Date Admin. Completion letter sent or 1 st NOD sent	No Outliers. 60 of the dates came from the day the Admin. Completion letter was sent; 29 came from the date the first NOD was issued.
Time to complete Administrative Process	=Admin. End – Admin Start	12 Outliers removed: <ul style="list-style-type: none"> • Six removed because they resulted in completing the cycle before it started (Advanced Environmental Inc, Clean Harbors Environment; Big Blue Hills Pesticide; Asbury Environmental Services x2; and Montezuma Hills Facility) • 4,031 days after Admin Start – USS Posco • 3,770 days after – Phibro-Tech • 3,309 days after – Tesoro Refining & Marketing • 2,730 days after – Veolia es Technical Solution • 1,672 days after – Dept. of Air Force Vanderbilt • 1,551 days after – San Diego Gas and Electric Retained range 3 to 1,104 days to process admin. review.
Date First Notice of Deficiency	Envirostor	
First NOD Response Received	Envirostor	
Date 2 nd Notice of Deficiency	Envirostor	
2 nd NOD Response Received	Envirostor	
Date 3 rd Notice of Deficiency	Envirostor	
3 rd NOD Response Received	Envirostor	
Final Part A and B Received	Envirostor	
Date Technical Completion Letter Sent	Envirostor	

Appendix T: Macro-analysis Key Dates/Measurements

Key Dates and Measurements	Source/Formula	Outliers/Notes
End of Technical Review Process	Latest of either Final Part A/B received or Technical Letter Complete	No Outliers. 100 of the dates came from the day the Final Part A/B Received; 10 came from the Technical Letter Completion date.
Time to complete Technical Review	= End of Technical Review – End of Admin. Process	No Outliers removed. The top 9 were notably higher, but were retained given the number of higher completion times.
Date Draft Permit Decision Posted for Public Comment	Envirostor	
Date of Public Hearing	Envirostor	
Date Public Comment Closed	Envirostor	
Time from Technical Completion to Public Posting for Review	= Public Posting Date – End of Technical Review	<p>5 Outliers removed:</p> <ul style="list-style-type: none"> • -9 for Safety-Kleen and -2 for Filter Recycling Services (removing cases that posted before technical completion) • 630 days after Technical completion – BKK Sanitary • 689 days after – Ramos Environmental Services • 1,212 days after – Chemical Waste Management <p>Retained range from 0 to 418 days between technical completion and public posting.</p>
Time from Public Posting to Public Hearing	= Date of Public Hearing – Date of Public Posting	<p>4 Outliers removed:</p> <ul style="list-style-type: none"> • -74 for Shell Oil; -27 for The Boeing Co. Canoga Park – Public Hearing before Public Posting – most likely different permits or anomalies in process • 471 days after posting – Phibro-Tech • 1,505 days after – Quemetco Inc (also likely different permit) <p>Retained range from 0 to 85 days between public posting and hearing dates.</p>
Time from Public Notice to End of Public Comment Period	= Date of End of Comment Period – Date of Public Posting	<p>No outliers removed.</p> <p>Retained range from 0 to 118 days open for public comment.</p>

Appendix T: Macro-analysis Key Dates/Measurements

Key Dates and Measurements	Source/Formula	Outliers/Notes
Time from Close of Public Comment to Completion of Permit Process	=Date of End Permit Process – End of Public Comment	Outliers removed: <ul style="list-style-type: none"> -70 XSTRATA RECYCLING INC – public comment kept open after permit became effective Those with appeals also removed as they had to resolve that before permit became effective
Time from Technical Completion to End of Public Review Period (Public Review Period)	=Date of End of Permit Process – End of Technical Review	Ranges from 51 to 2212 – no outliers removed
End of Permit Process	Earlier of Permit Completion or Permit Effective Date	No Outliers; 109 of the dates came from the Permit completion date; 7 came from the permit effective date
Start to Finish	End of Permit Process – Admin Start Date	
Time between Permit Completion and Effective	Permit Effective – Permit End	
Date Permit Process completed	Envirostor	
Permit Effective Date	Envirostor	
Permit Expiration Date	Envirostor	
Date Appeal received	Envirostor	
Date of Appeal decision	Envirostor	
Time between permit completion and receipt of appeal	= Date Appeal received – Permit Completion date	3 Outliers removed: <ul style="list-style-type: none"> • Appeal received 1,378 days prior – Evergreen Oil Inc - Davis • Appeal received 781 days prior to completion – Clean Harbors Westmorland • Appeal received 329 days after completion – Evergreen Oil Inc. Retained range from 23 to 329 days.
Time between Received appeal and decision	= Date Appeal Decision – Date Appeal received	1 Outlier removed: <ul style="list-style-type: none"> • Response 1,735 days after appeal – Filter Recycling Services Retained range from 5 to 589 days.
Days in Administrative Extension	= Permit effective date – permit expiration date	No outliers removed. Retained range from 8 days to 4,719 days beyond permit expiration.

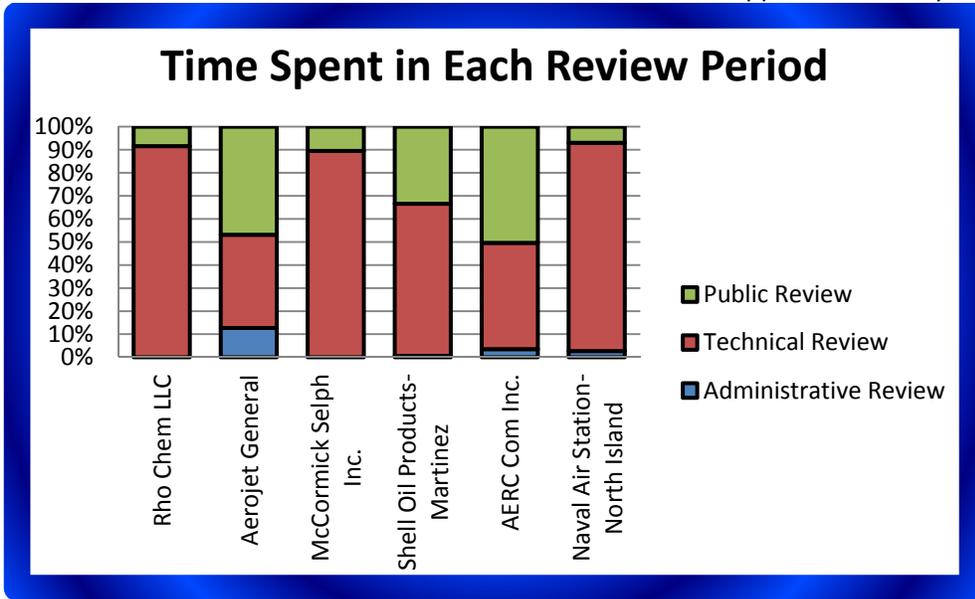
Note: Outliers/Notes applies to entire data set from 1985 to 2013, but only facilities whose permits were completed in 2007 or later were used for the in depth analysis.

Appendix U: Analysis of Audited Case Hours

		Daily Log Records			
		Total Time to Complete Permit	Administrative Review Period	Technical Review Period	Public Review Period
Rho Chem LLC	Dates Included	3/29/95 to 9/30/08 (hourly data only available from 7/1/98)	3/29/95 to 6/14/97 (No data available)	06/15/97 to 4/2/08 (Data from 7/1/98 on)	4/3/08 to 8/28/08
	Number of Hours	8,819.1 hours	N/A	8,077.1 hours	742.0 hours
	Percentage of Hours	100%	N/A	91.6%	8.4%
Aerojet General	Dates Included	8/15/06 to 2/27/09	8/15/06 to 11/5/06	11/6/06 to 4/14/08	4/15/08 to 2/27/09 ⁷
	Number of Hours	3,922.6 Hours	499.2 hours	1,585.3 hours	1,838.1 hours
	Percentage of Hours	100%	12.7%	40.4%	46.9%
McCormick Selph Inc.	Dates Included	6/28/02 - 5/12/06	Missing info To 6/28/02	6/29/02 to 2/22/06	2/23/06 to 5/12/06
	Number of Hours	2,064.6 hours	N/A	1,847.3 hours	217.3 hours
	Percentage of Hours	100%	N/A	89.5%	10.5%
Shell Oil Products-Martinez	Dates Included	3/1/05 to 6/24/08	3/1/05 ⁸ to 3/18/05	3/19/05 to 7/16/07	7/17/07 to 4/15/08
	Number of Hours	3,703.1 hours	20.9 hours	2,442.8 hours	1,239.4 hours
	Percentage of Hours	100%	0.6%	66%	33.4%
AERC Com Inc.	Dates Included	12/28/06 to 02/12/10	12/28/06 to 1/16/07	1/17/07 to 8/24/09	8/25/09 to 02/12/10
	Number of Hours	576.3 hours	20 hours	265.8 hours	290.5 hours
	Percentage of Hours	100%	3.5%	46.1%	50.4%
Naval Air Station-North Island	Dates Included	2/27/07 to 6/22/10	2/27/07 to 3/12/07	3/13/07 to 2/16/10	2/17/10 to 6/22/10
	Number of Hours	5,058.3 hours	138.9 hours	4,565.9 hours	353.5 hours
	Percentage of Hours	100%	2.7%	90.3%	7.0%
AVERAGE OVERALL	Average Number of Hours	4,024 hours	169.8 hours	3,130.7 hours	780.1 hours
	Percentage of Hours	100%	1.6%	44.6%	11.1%

⁷ Discrepancy in data – Envirostor listed 2/27/09; Administrative Records listed 2/26/09

⁸ Discrepancy in data – Envirostor listed 3/1/05; Administrative Records listed 3/17/05



Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
BKK SANITARY LANDFILL	6/24/1992	■	■	■	■	■	■						
PHIBRO-TECH INC	7/29/1996	■	■	■	■	■	■						
CROSBY & OVERTON - PLANT #1	5/26/2003	■	■	■	■	■	■						
VEOLIA ES TECHNICAL SOLUTIONS LLC	1/24/2004	■	■	■	■	■	■						
CLEAN HARBORS WESTMORLAND LLC	5/2/2004	■	■	■	■	■	■						
THE BOEING CO-CANOGA PARK	5/11/2005					■	■	■	■				
THE BOEING CO-CANOGA PARK	5/11/2005					■	■	■	■				
USS-POSCO INDUSTRIES	6/29/2005			■	■	■	■						
CLEAN HARBORS BUTTONWILLOW LLC	4/6/2006	■	■	■	■	■	■						
PHILLIPS 66 RODEO REFINERY	2/20/2022												■
SIEMENS INDUSTRY INC	10/7/2006	■	■	■	■	■	■						
WIT SALES & REFINING	9/12/2007	■	■	■	■	■	■						
SITE 300 LAWRENCE LIVERMORE NATIONAL LABORATORY	11/6/2007			■	■	■	■						
BAYSIDE OIL II INC	12/20/2007	■	■	■	■	■	■						
BEST ENVIRONMENTAL LLC	12/29/2007	■	■	■	■	■	■						
NAVAL AIR STATION NORTH ISLAND MWSF	11/2/2008					■	■	■	■				

Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
EXIDE TECHNOLOGIES													
RAMOS ENVIRONMENTAL SERVICES	5/18/2009												
LAWRENCE LIVERMORE NATIONAL LAB	11/19/2009												
RIVERBANK OIL TRANSFER, LLC	3/13/2011												
DEMENNO/KERDOON	7/6/2011												
NAVAL AIR WEAPONS STATION	8/7/2011												
J&B ENTERPRISES	1/6/2012												
CLEAN HARBORS ENVIRONMENTAL SERVICES INC PORT OF REDWOOD CITY	1/10/2012												
FILTER RECYCLING SERVICES INC	1/21/2012												
CLEAN HARBORS SAN JOSE LLC	2/9/2013												
VINE HILL COMPLEX	6/10/2013												
CHEMICAL WASTE MANAGEMENT INC	6/13/2013												
PANOCHÉ FACILITY	6/20/2013												
FORWARD LANDFILL	6/30/2013												
JOHN SMITH ROAD LANDFILL	12/8/2013												
TESORO CARSON REFINERY	1/26/2014												
SANDIA NATIONAL LABORATORIES	3/30/2014												

Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
KEARNEY-KPF	7/22/2014												
KW PLASTICS OF CALIFORNIA	7/28/2014												
GENERAL ELECTRIC INTERNATIONAL INC	11/30/2014												
EVERGREEN OIL INC	1/5/2015												
SOUTHERN CALIFORNIA EDISON CO SAN ONOFRE	1/30/2015												
HGST INC	5/15/2015												
QUEMETCO INC	9/15/2015												
TFX AVIATION INC	10/7/2015												
EDWARDS AIR FORCE BASE	11/7/2015												
DYNEGY MOSS LANDING	4/6/2016												
PACIFIC SCIENTIFIC ENERGETIC MATERIALS CO	5/11/2016												
ATLAS PRECIOUS METALS INC	5/22/2016												
EPC WESTSIDE DISPOSAL FACILITY	6/28/2016												
SAFETY-KLEEN	6/28/2016												
GENERAL CHEMICAL CORP/BAY POINT WORKS	6/29/2016												
NAVAL STATION SAN DIEGO	7/26/2016												
PACIFIC GAS & ELECTRIC/ DIABLO CANYON	7/30/2016												
CHEVRON PRODUCTS CO	10/11/2016												

Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
UNITED TECHNOLOGIES PW SPACE PROPULSION	12/4/2016												
LAWRENCE BERKELEY NATIONAL LABORATORY	12/21/2016												
AMERICAN EARTH MANAGEMENT INC DBA AMERICAN OIL	1/16/2017												
LIGHTING RESOURCES LLC	3/23/2017												
ECOLOGY CONTROL INDUSTRIES	4/6/2017												
BOEING SATELLITE SYSTEMS INC	4/10/2017												
GEM OF RANCHO CORDOVA LLC	4/25/2017												
SOUTHERN CALIFORNIA GAS CO	5/4/2017												
CHEVRON 1001651-EL SEGUNDO REFINERY	5/17/2017												
SAFETY-KLEEN	5/23/2017												
SAFETY-KLEEN SYSTEMS INC HIGHLAND SERVICE CENTER	6/23/2017												
SAFETY-KLEEN	7/23/2017												
SOUTHERN CALIFORNIA GAS CO	7/30/2017												
SAN DIEGO GAS & ELECTRIC CO MIRAMAR WASTE MANAGEMENT FACILITY	8/5/2017												

Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
BIG BLUE HILLS PESTICIDE CONT DISPOSAL	9/7/2017												
RAYTHEON SPACE AND AIRBORNE SYSTEMS	10/8/2017												
ADVANCED ENVIRONMENTAL INC	10/23/2017												
PHILLIPS 66 LAR CARSON PLANT	11/26/2017												
THE DOW CHEMICAL COMPANY	12/12/2017												
TRAVIS AIR FORCE BASE	1/19/2018												
TECHALLOY CO INC	3/1/2018												
BAKERSFIELD TRANSFER INC	4/6/2018												
SAFETY-KLEEN SYSTEMS INC EL MONTE ACCUMULATION CENTER	5/4/2018												
DEPT OF AIR FORCE VANDENBERG AFB	5/5/2018												
SHELL OIL PRODUCTS/US MARTINEZ REFINERY	5/20/2018												
BENSON RIDGE FACILITY	6/9/2018												
INDUSTRIAL SERVICE OIL CO INC	6/25/2018												
OCCIDENTAL OF ELK HILLS INC	7/14/2018												
PHILLIPS 66 LAR WILMINGTON PLANT	7/23/2018												

Department of Toxic Substances Control
 Permitting Process Review and Analysis
 Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
RHO-CHEM LLC	8/27/2018												
MONTEZUMA HILLS FACILITY	10/20/2018												
EVERGREEN OIL INC FRESNO	11/23/2018												
D K DIXON	12/6/2018												
ECS REFINING LLC	1/8/2019												
EVERGREEN OIL INC SANTA MARIA	1/14/2019												
WORLD OIL - SAN JOAQUIN LLC	1/25/2019												
DAVID H FELL AND COMPANY INC	2/17/2019												
SAFETY-KLEEN SYSTEMS INC	3/17/2019												
AEROJET ROCKETDYNE, INC.	4/13/2019												
ASBURY ENVIRONMENTAL SERVICES	4/19/2019												
SQUARE D COMPANY	5/31/2019												
WEST COUNTY LANDFILL INC	5/31/2019												
EVERGREEN ENVIRONMENTAL SERVICES CARSON	8/4/2019												
CRANE'S WASTE OIL INC	9/29/2019												
GOLDEN EAGLE REFINERY	9/29/2019												
ASBURY ENVIRONMENTAL SERVICES-FORTUNA	10/15/2019												
P KAY METAL INC	10/31/2019												

Department of Toxic Substances Control
 Permitting Process Review and Analysis
 Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
AERC COM INC	2/11/2020												
ASBURY ENVIRONMENTAL SERVICES-CHICO II LLC	3/2/2020												
HONEYWELL INTERNATIONAL INC	3/17/2020												
DUCOMMUN AEROSTRUCTURES	4/13/2020												
NAVAL AIR STATION NORTH ISLAND	7/24/2020												
TP INDUSTRIAL INC	11/10/2020												
CLEAN HARBORS LOS ANGELES LLC	1/26/2021												
TESORO REFINING & MARKETING COMPANY-LOS ANGELES REFINERY	3/16/2021												
VEOLIA ES TECHNICAL SOLUTIONS LLC	3/31/2021												
KINSBURSKY BROTHERS SUPPLY INC	6/14/2021												
CLEAN HARBORS WILMINGTON LLC	9/15/2021												
HERAEUS METAL PROCESSING LLC	10/31/2021												
E I DUPONT DE NEMOURS & COMPANY INC	1/7/2022												
XSTRATA RECYCLING INC	5/6/2022												
PACIFIC RESOURCE RECOVERY SERVICES INC	6/26/2022												

Department of Toxic Substances Control
 Permitting Process Review and Analysis
 Appendix V: Documented and Anticipated Workload

FACILITY NAME	Permit Expiration Date	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
SAN DIEGO GAS & ELECTRIC COMPANY	7/2/2022												
D/K ENVIRONMENTAL	9/30/2022												
EVERGREEN OIL INC DAVIS	11/6/2022												
INTERNATIONAL LIGHT METAL CORP	4/7/2023												
Number of Permits Active Each Year		5.1	6.8	9.2	10.5	11.7	7.7	11.2	13.8	15.3	12.6	9.5	7.0