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Edmund G. Brown Jr.
Governor

June 8, 2016

Mr. Gideon Kracov, Chairman
Mr. Mike Vizzier, Vice Chairman
Ms. Arezoo Campbell, Member
Department of Toxic Substances Control
Independent Review Panel

RECENT DTSC WORK TO ENHANCE PROTECTION OF PUBLIC HEALTH AND THE ENVIRONMENT

Dear Panel Members:

Thank you for your interest in the important work the Department of Toxic Substances Control is doing to protect public health and the environment. Attached is information outlining a sampling of recent work our staff members are doing to fulfill our mission. Please let me know if you would like any further information on any of these important projects.

Sincerely,

Barbara A. Lee
Director

Attachments



DTSC Is Helping Reshape the Alameda Waterfront

A DTSC-involved cleanup of a former Navy base is helping create the centerpiece of Alameda's ambitious waterfront revitalization effort – a public marina, ferry terminal, dining and retail, and high-end housing.

About 224 acres were transferred from military ownership to the city in April. The property is a small part of a mammoth 2,634-acre development project called "[Alameda Point](#)." But it is a crucial component.

The transfer included Seaplane Lagoon, the centerpiece of Alameda's planned Waterfront Town Center, said Jim Fyfe, who is managing the Alameda Point project for the California Department of Toxic Substances Control.

Said Jennifer Ott, the base reuse manager: "The City of Alameda is thrilled to take ownership of this crucial portion of the former base that will facilitate our first phase of development starting this year and of the Seaplane Lagoon, the future home of a new ferry terminal and the centerpiece of our proposed transit-oriented community."

Alameda Point is proposed to have 1,425 housing units, 5.5 million square feet of commercial uses and over 200 acres of parks and open space over the next 30 years. City officials estimate 9,000 permanent jobs, countless numbers of temporary construction jobs and millions of dollars in new tax revenue.

The area has an industrial history that includes a borax processing plant and an oil refinery that operated from 1879 to 1903. In 1927, an airport, dubbed the San Francisco Bay Airdrome, was constructed on the west end of Alameda and used by Pan American Airlines for their first trans-Pacific flights. The City of Alameda ceded the Airdrome property to the U.S. Government in 1936, officially selling the site for \$1.00. Then came the military and Alameda Naval Station, which operated from 1940 to 1997.

CONTINUED >

An artists rendering of the completed project.





DEPARTMENT of TOXIC SUBSTANCES CONTROL

Alameda Point (continued)

< PREVIOUS Its pre-military and military legacy includes contaminants such as solvents, fuel, lead and other heavy metals, pesticides, herbicides and even ammunition. The property was added to the National Priority List in 1999, and US EPA, DTSC and the San Francisco Regional Water Quality Control board share cleanup oversight, with DTSC as the lead state agency.

The Department provides geological, toxicological (eco and human), legal, and engineering review, as needed, for all documents related to remediation and works with the Navy and other regulatory agencies to determine the best type of remediation at each site at Alameda.

“DTSC has been actively involved at every step in the cleanup process leading up to the parcel transfer,” Fyfe said. “Additionally, after all of Alameda Point has been transferred.... DTSC will be the main agency responsible for ensuring the effectiveness of any institutional controls protecting the public and the environment.”

The city started developing Alameda Point in 2000, and has created more than 100 businesses employing about 1,000 people. The land is being cleaned up or, in some cases, land-use covenants are restricting use as the city moves ahead.



The Seaplane Lagoon at dusk, looking west towards San Francisco

In June 2013, the city took title to 1,400 acres. In November 2014, the Navy transferred 624 acres to the U.S. Department of Veterans Affairs for proposed offices, clinic and columbarium. Additional property will be kept as open space, including a proposed nesting site for an endangered [California least tern](#).

In April, the San Francisco Bay Area Water Emergency Transportation Authority approved a Memorandum of Understanding with the city of Alameda for a Seaplane Lagoon Ferry terminal project that includes a mixed-use development and expanded ferry service, according [to a story](#) in East Bay Times.



DTSC scientist helps high school students form environmental club, celebrate Earth Day

A collaboration between a Department of Toxic Substances Control (DTSC) environmental scientist and an intern in the El Centro office played a huge role in making an inaugural Earth Day event in El Centro a success.

DTSC's Abraham Zhan mentored Southwest High School senior Frances Nicklen, 17, in the process of forming a club at the high school called Leaders for Environmental Awareness and Protection (LEAP). The club then spent the year holding fundraisers in preparation for the spring Earth Day celebration at the school.

The event not only provided a tremendous resource to the community for learning about environmental issues in the Imperial Valley, it also created an opportunity for Nicklen and other Southwest High School students to learn planning and producing a community event, Zhan said.

"We wanted to create a club that helped establish leadership in students through environmental topics," Zhan said about the club that focuses on the environmental issues Imperial County faces. "This event was almost entirely put on by the students. I wanted them to learn how to plan, set up, and run an event."

CONTINUED >

Below: Volunteers help community members learn more about environmental issues.

Right: Abraham Zhan (far left) joins Frances Nicklen (in white) and other members of LEAP on Earth Day.





Environmental club (continued)

< PREVIOUS Zhan, who has been with DTSC since late 2014, is also chairman of the Imperial Valley Environmental Justice Task Force. He wanted to do something in his spare time to help local students develop leadership skills and when he met Nicklen he saw in her someone who had the, "...motivation, drive, and interest in participating and leading the pilot program at Southwest."

Zhan was impressed with how Nicklen and club members worked together to produce the Earth Day event at the high School.

"I think they did an excellent job this year," Zhan said. "They did the fundraising from scratch and were able to put on this large event. They filled the itinerary with activities from a wide range of groups (student and community), handled publicity, and obtained donations and sponsors for the event in addition to fundraising. We want this to be an annual event."

The three-hour, afternoon event in the school gymnasium featured 13 booths and was attended by nearly 50 people from the community. The club gave the kids a chance to get involved in the community.

"There was definitely a pretty large learning curve," Zhan said. "There are not that many opportunities for students to do something like this ... and in general not much outreach to the community."

Nicklen agreed that she and her fellow club members worked very hard in preparation for Saturday.

"We had to organize everybody, get them to agree to come and set up a table. We let the media know and the (Imperial Valley) Press came out and they interviewed a few of us," Nicklen said. "And just trying to get the word out to everybody ... We had a lot of activities for kids and everything was related to Earth Day ... We are excited about it."

It was a lot of hard work, but Nicklen was very pleased with the club and the event.

"Because it's our first year, it's been kind of difficult to get things together," Nicklen said. "There were a lot of hoops to jump through. We didn't have any funds so we focused a lot of fundraising so that we could have this event at the end of the year. This was like our final goal, our final project."



DTSC Brownfields Grant Helps Kick Off Affordable Housing Project

Fifty-two units of badly needed affordable housing will soon be available in San Diego, thanks in part to a grant from the [California Department of Toxic Substances Control](#) (DTSC). Trolley Park Terrace is being built on land that once contained pesticides.

About 16,000 cubic yards of contaminated soil was removed to prepare for a 52-unit apartment complex being developed by [Jacobs Center](#) for Neighborhood Innovation. The apartments are part of a broader development called The Village at Market Creek, which will contain homes, businesses and wetlands. The organization hopes to develop 50 remaining acres over the next 15 years.



The project under construction in March 2016.

Through its Brownfields RLF (Revolving Loan Fund) program, DTSC contributed over \$222,000 to the cleanup of the site. San Diego County Department of Environmental Health oversaw the soil removal. The apartments should be ready for lease next winter.

“Trolley Park Terrace is an essential part of the Jacobs Center’s community development work in Southeastern San Diego’s Diamond Neighborhoods,” said Reginald Jones, president and CEO of Jacobs Center. “The addition of 52-units of affordable transit-oriented housing will help create a more walkable community and better connect residents to public transportation so they can pursue economic opportunities throughout the region.”



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

T - 07 - 16

Barbara A. Lee, Director

FOR IMMEDIATE RELEASE

May 31, 2016

Contact: Russ Edmondson
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DTSC Investigation Leads to Criminal Charges Against Scrap Metal Recycling Facility in Los Angeles County

SACRAMENTO – A Department of Toxic Substances Control (DTSC) investigation has led to the filing of felony complaints by the Los Angeles County District Attorney’s Office against both Panda International Trading Co., Inc. (Panda) and its owner Da Xiong Pan. The complaint alleges five felony counts for violation of California’s hazardous waste control laws.

Pan pled not guilty to all counts during his arraignment on Friday, May 27, 2016. His next court hearing is set for July 15, 2016.

After obtaining a search warrant in 2013, DTSC’s Office of Criminal Investigations (OCI) collected evidence that indicates the company released toxic levels of metal particulates onto the public sidewalk in front of its facility in Maywood, Los Angeles County.

The criminal complaint filed April 28, 2016, states that Panda and its owner knowingly disposed of, treated and stored hazardous waste (copper, lead, zinc, cadmium, nickel, chromium) at the facility without a permit from DTSC.

Panda is a scrap metal recycler that receives, handles, and stores cathode ray tubes and universal waste, such as old household appliances. Cathode ray tubes contain lead and other metals. Improper handling of these hazardous wastes may result in a release of toxic metals into the environment.

“This criminal filing is a textbook example of how hazardous waste violations are discovered, investigated and prosecuted,” said Hansen Pang, DTSC’s Chief Investigator for OCI.

In addition to the Los Angeles County District Attorney’s Office, DTSC received assistance from the U.S. Environmental Protection Agency, Los Angeles County Sheriff’s Department, Los Angeles Port Police, Los Angeles Public Works, Los Angeles Regional Water Quality Control Board and the Los Angeles County Fire Department Health Hazardous Material Division.

Documents pertaining to this case can be found [here](#).



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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The Mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

T – 06 – 16

Barbara A. Lee, Director

FOR IMMEDIATE RELEASE

May 10, 2016

Contact: Sanford (Sandy) Nax
(916) 708-4303 cell

New DTSC Policy Benefits Environmental Justice and Native American Communities

SACRAMENTO – A new Department of Toxic Substances Control (DTSC) [policy](#) announced today encourages companies and individuals who settle hazardous waste cases to fund projects that benefit California communities most burdened by environmental harm.

Under the new Supplemental Environmental Projects (SEP) policy, up to 50 percent of fines and penalties could be directed toward projects that improve public health or the environment. The policy prioritizes the use of SEPs in communities where a violation occurred and in environmental justice communities. Federally recognized Native American tribes are also eligible to apply for this funding, and this policy is one of the first in the nation to identify tribal governments as potential recipients. It also describes types of potential SEP projects and requires accountability for all funding.

“This new policy demonstrates our commitment to protecting California’s most environmentally burdened communities,” DTSC Director Barbara A. Lee said. “As the Department enforces California’s hazardous waste laws, we will promote projects that significantly improve the quality of life in areas that need it most.”

DTSC’s new policy is in response to Assembly Bill 1071, which directs all boards, departments, and offices within the California Environmental Protection Agency (CalEPA) to establish a policy on Supplemental Environmental Projects. DTSC’s policy was the first to be developed using a public process.

“It’s gratifying to see the first real result of my bill, AB 1071,” said Speaker Emeritus Toni Atkins (D-San Diego), “Low-income communities in California have been disproportionately impacted by pollution for far too long. I applaud the Department of Toxic Substances Control for moving so quickly to establish a policy that will give residents of these disadvantaged communities another effective tool to clean up their neighborhoods and provide a more healthful future for their children.”

Joint author of the bill, Assemblymember Eduardo Garcia (D-Coachella) said, “Their policy is a great model for all CalEPA departments and boards to pursue. This policy will help improve the health and safety of families in communities such as Mecca or Calexico who would otherwise lack the resources for environmental projects.”

Monsignor John Moretta of Resurrection Church in the Los Angeles community of Boyle Heights

stated, "It is only fair that those communities most impacted have the first chance for any help to mitigate sometimes years and years of pollution and abuse. I applaud the Legislature and DTSC."

While penalties play an important role in environmental protection, SEPs can provide additional public health and environmental benefits. Examples of successful SEPs include: environmental monitoring equipment, environmental skills trainings for communities, and support for community task forces such as the online environmental reporting system, IVAN (Identifying Violations Affecting Neighborhoods), pioneered in Imperial County.

Luis Olmedo, director of Comité Civico Del Valle and founder of the IVAN network said: "It's a good day for Environmental Justice! DTSC's policy sets a precedent and mechanism that goes beyond laws and regulations for making meaningful improvements in reducing environmental burdens and improving public health. Bravo!"

The new policy was adopted after extensive outreach and engagement with environmental justice and Native American communities. DTSC held public workshops in Fresno, Los Angeles, Oakland, Brawley and Monterey.

Gustavo Aguirre Jr., Coordinator for Central California Environmental Justice Network (CCEJN) stated, "We are excited to have worked with DTSC in the development of this policy. SEPs represent a step in the right direction to mitigate disproportionate impacts on disadvantaged communities statewide. With this policy in place, communities will play a strong role in directing fines for violations into programs that can improve their environment and lives."

To read DTSC's full SEP policy, visit: https://www.dtsc.ca.gov/GetInvolved/SEPS_Policy.cfm

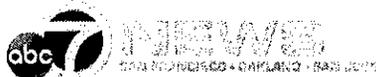


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The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

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BREAKING NEWS #DubsOn7: Warriors vs. Cavaliers in Game 3 of NBA Finals Wednesday

NEWS INSTALLING ECO-FRIENDLY CAR BRAKES HELPS IMPROVE WATER QUALITY



If you had your car brakes replaced recently, there's a good chance you helped improve water quality without even knowing it. A California law that requires environmentally friendly brake pads is being phased in through the year 2025, but many brake companies are already complying voluntarily. (KGO-TV)

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Monday, April 11, 2016

If you had your car brakes replaced recently, there's a good chance you helped improve water quality without even knowing it. A California law that requires environmentally friendly brake pads is being phased in through the year 2025, but many brake companies are already complying voluntarily.

This good news for Bay Area waterways began in the early 1990s with a mystery. "Parts of the bay couldn't even be fished. The fish were so full of copper that they were not fit for human consumption," Mountain View auto shop owner Larry Moore said.

No one was sure where the copper was coming from. Moore said researchers looked at everything from rain gutters to rat poison until a group of auto mechanics helped connect the dots. Brake pad manufacturers keep their formulas secret, but mechanics installing the pads could see the copper and that turned out to be the clue that counted.

Meredith Williams with the California Department of Toxics Substances Control explained "Every time we brake, a little bit of dust is generated from our brake pad, so whatever is in the brake pad ends up on our roads." That brake dust is full of copper. Rain washes it down storm drains, then it flows into creeks and out to the bay. "Getting that copper out of our water is really important. Copper is a toxic to aquatic species from the bottom of the food chain, like zooplankton, through minnows and trout and even salmon," Williams said.

Storm water treatment agencies, environmental groups and brake companies teamed up to research the problem in the Bay Area. The research eventually led to laws passed in 2010 in California and Washington

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#DubsOn7: Warriors vs. Cavaliers in Game 3 of NBA Finals Wednesday

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State, phasing out copper and other heavy metals from brake pads over 15 years.

Some manufacturers are not waiting around. "40 percent of the brakes on the market comply with the goals that were set for the year 2025," Williams said.

Manufacturers were allowed to keep selling their old supply of brake pads, but were required to start making new ones with almost no asbestos, cadmium, chromium, lead or mercury by 2014. By 2021, they must make pads with less than 5 percent copper, and by 2025, less than .5 percent.

Larry's AutoWorks in Mountain View has been installing the new pads for more than five years. Moore said brakes that comply with the requirements are available for almost all cars now. They cost about the same and perform well.

Up until now, compliance by the manufacturers has been essentially voluntary, with no penalties in place. But California is now working on rules that will make the low copper requirements mandatory, with details about how the law will be enforced.

Individual drivers are not required to take any action, but Williams said they can help speed things up. "It certainly wouldn't hurt if more people were aware and more people asked their mechanics for these kinds of brakes," she said.

Many mechanics may not know about the new pads yet, but they can ask for them from their distributor. The industry has agreed on a set of symbols to make compliance with the new standards more clear.

The Environmental Protection Agency estimates California's urban runoff is down as much as 61 percent due to changes in brake pad composition.

Click here for an article that shows new symbols and standards.

Click here to watch the California Department of Toxic Substance Control video.

Written and produced by Jennifer Olney.

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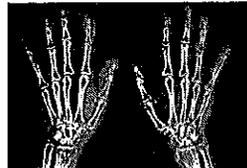
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