

The January 13-14<sup>th</sup> meetings were recorded and posted on the Independent Review Panel's [website](#).

Any questions can be directed to [Erik.Erreca@dtsc.ca.gov](mailto:Erik.Erreca@dtsc.ca.gov)

- **Call To Order (10:02 a.m.)**
  - Translators – Veronica Lopez-Villasenor / Jesus Cruz
- **Welcome and Introductions**
  - Mr. Gideon Kracov – Chair
  - Mr. Mike Vizzier – Vice Chair
  - Dr. Arezoo Campbell – Member
  - Legal Counsel – Teri Ashby
  - Staff OT – Erik Erreca (brief introduction)
- **Announcements**
  - Pledge of allegiance postponed – Lacking flag
  - Safety brief
- **Public comment**
  - DTSC.CA.GOV – receive comments (Website)
- **Agenda Review**
  - Discussion and possible action on the agenda and the context for the meeting
  - Kracov - Date and times of meeting for both days
  - Notice - Agenda items can be changed
  - Minutes discussion
  - General comment
  - DTSC presentation
  - Lunch
  - Closed session
  - Reconvene

- Vizzier – process discussion with panel. Proposed 6 and 7 agenda items to today.
- Kracov – Heard
- Campbell – Postpone item 5
- Kracov - Heard

- **Minutes discussion**

- Minutes of December 8, 9 and 18, 2015 IRP Meetings. Discussion and possible action to approve Minutes.
- On website for public review
- Edit Dec 18<sup>th</sup> – confusion, unclear, vague
- Campbell – Propose to work with Erik for editing
- Dec 8<sup>th</sup>-9<sup>th</sup> – Minutes are good
- Vizzier agrees with Erik/Campbell edit
- Kracov – Next meeting will cover minute edits
  - Vizzier agrees
  - Campbell agrees

- **General Public Comment**

- The Panel will hear General Public Comment on Items within the Panel's jurisdiction.
- Kracov addresses public
- No public comment at time of address

- **Approximately 11:00 a.m. (10:22)**

- **Department Presentation**

- Department shall present and submit written information in areas of its 2016-2017 budget and human resources programs consistent with the Panel's duties under Health and Safety Code section 57014.

- *DTSC presentation on screen*
  - Director Lee takes podium (10:23am)
    - Organizational chart
    - Staff issues
    - Budget proposal
    - Emails
- **Lunch break discussion**
  - Director Lee needs 1hr break
  - Kracov – Agrees
  - Panel – Agrees
  - PowerPoint presentation (40-50 slides) – Erik Erreca (*place presentation on website*)
- **Time allotment discussion for lunch**
  - Campbell asks if 1hr is enough – Panel can accommodate more if necessary.
  - Vizzier agrees
  - Gideon agrees
    - Francesca Negri introduction
- **Organizational structure portion of DTSC presentation**
  - Organizational Chart discussion
  - Executive Branch – See slide
  - Brownfields and Environmental Restoration (Kracov interjects – hold questions till the end? (panel agrees) – See slide
  - Hazardous Waste Management Program – See slide
    - Vizzier – changes in criminal investigations department
      - Lee – explains changes and reformation \*Vizzier notices “progress and change.”
  - Safer Products and workplace Program – See slide

- Vizzier – asks for expansion on department (Green Chemistry)
- Office of Administrative Services – See slide
- Office of Legal Affairs – See slide
- Office of Environmental Information Management – See slide
- Office of Communications – See slide
- Environmental Chemistry Lab
  - Vizzier – How long has the lab been active?
    - Lee – will get back to you with further/more expansive answer
  - Campbell – Slide 4 (Brownfields (332 employees)) – Exide Jurisdiction. Will Exide mirror San Susana in scope?
    - Lee – 50 people working on Exide, Permitting has move to clean-up
  - Campbell – Budgetary needs?
    - Lee – Gov.'s budget and will need further explanation
  - Vizzier – 2010 re-organization, Org chart shows improvement. Can you explain how you got to this point?
    - Lee – we can provide bullet statements to you on those points.
      - Refer to page 14 slide on presentation
  - Kracov – Employee highlight Albert Hernandez –
    - Equal Employment Opportunity Office / Disability / Harassment / Violence prevention.
    - DTSC 2008 – Present Position since 2012
  - Kracov – Asks Lee to explain break-down of Brownfields and Environmental Restoration department
    - Lee explains and breaks down the department. Also, Lee explains that more outreach will help.
  - Campbell – Lee's response provides accountability
  - Kracov – How often do you talk with your division chiefs?

- Lee – Weekly meeting and daily call(s). Regular meetings based on task. Integrated meetings (once a month). Quarterly meetings. Kracov – approves
  - Kracov – are deputy chief meeting with their departments to ensure common goal?
    - Lee – They are.
  - Kracov - Hazardous Waste Management Program discussion. General question about employee structure. Inspection staff is not getting out to sites (reason for question).
    - Lee – variety of programs that DTSC most cover. Proper steps must be taken for inspections.
  - Kracov – Highlight of Policy and Programs reporting – Complaints, inquiry, leg interp., metal recycling, hazardous waste reduction, etc... (Rick Roush)
- Health and safety - Occupational safety, site containment
  - Kracov - Concerns from Neighbors about site clean-up.
    - Lee- Brownfields are responsible of those.
  - Kracov – Is Permit writing health and safety?
    - Lee – no, that is permitting
- Office of Administrative Services – Mable Zhan (Bills)
  - Miss-bills (ability to pay department)
  - Andrew Collada takes podium
  - Fi\$cal – Andrew Collada’s reasonability
  - Fi\$cal breakdown
    - Kracov would like a presentation sooner rather than later about Fi\$cal
    - Vizzier – Consider neighbor of concerning sites, gather more information.
    - Campbell – agrees and expands Vizzier’s thought.
      - CEQA - clean-up and permits concern with 12 employees

- EnviroStor – Are all departments using?
  - Lee- I do not have an answer. Complaints can be sent to the Complaint reporting system and passed on
  - Negri - Fi\$cal training and adaptation
  - Kracov - Lab – Bio monitoring (bio-markers in people and animals)
    - Lee- Example Flame retardants
    - Lee- Not a site specific lab
- Human and ecological risk department highlight
- Employee highlight Peter Garcia - Brownfields and Environmental Restoration
- Employee highlight Terri Hardy- Redesigning cost recovery, ensuring transparency
- Financial assurances, whose responsibility.
  - Lee – Permitting Tamera Z.
  - Kracov - Public participation
    - Marxen approx. Public participation 4-5 Communications 1-2 Spanish speakers
- **Lunch vote (11:52) - reconvene 1:00pm**
  - What is deciding factor to get federal involvement.
    - Lee—at request. They are an oversight authority.
    - Examples provided by Vizzier

❖ Email - Joseph SM (ya3eyn@hotmail.com) - See email- topic 7

- **Lunch reconvene (1:20pm)**

- [DTSC presentation \(cont.\)](#)

- DTSC Funding History in Real Dollars – See slide
- DTSC Legislative Mandate – See Slide
- DTSC Staff Levels Flat Over Time
- DTSC Funding Sources – See Slide
  - Kracov – Can you give narrative where money comes from?
    - Lee- multiple resources.
  - Kracov – How long is the grant for?
    - Lee- multi-year (3 year contract)
  - (Panel) Special funds, where do they come from?
    - Lee- I will get back to you on that subject.
      - 216 Million dollar budget
- HWCA Revenues by Source – See slide
  - Lee- Fees collected do not cover cost
  - Kracov are fees collected by DTSC?
    - Lee- Paid directly
  - Kracov -Do fees get adjusted?
    - Lee – Some of them do, none recently. Non-federal pass through fees
- HWCA: Activities Funded – See Slide
  - Vizzier – Purple slice? (See slide)
  - Lee-DoJ
  - Vizzier - Who made the pie chart?
    - Lee –Andrew Collada’s branch and program staff. Budget covered by Andrew Collada’s group

- Kracov- Who maintains budgets?
          - Lee- Andrew Collada and now Francesca Negri will oversee
      - Budget discussion
        - Kracov – Hypothetical example about budget adjustments.
          - Lee – actions are dependent on the problem. Certain circumstances (unforeseen) DTSC can change budgets.
            - Reallocation of funds is not possible. (very minimal)
      - Campbell – Why so rigid?
      - Vizzier – It’s the law.
- TSCA Revenues by Source – See slide
- TSCA Activities Funded –See Slide
- Site Remediation Account – See slide
  - Vizzier (paraphrase)- Federal government pays 90 percent of cost
- Federal Superfund Demands Compete with Orphan site Cleanups – See slide
  - Lee -10million a year for site cleanup
  - Lee -Very little funding left for orphan site clean-up
  - Kracov – You spend all 10 million?
    - Lee- Yes
- Orphan Sites – See slide
- Impacts of Orphan Sites
- Safer Consumer Product Program – See slide
  - Kracov - Motion to speed up
    - Lee- yes

- SCP Program Build-out
  - Kracov – How much more staff?
    - Lee – more are required
- FY 2016-17 Proposed Governor’s Budget
  - Vizzier- Any shortcomings in staff budget?
    - Lee- We have the funds for current staff
- Fee and Taxes
- Orphan Funds
  - Panel – Discrepancy in budget slides 15-16.
    - Lee - We will get back to you on the difference (possible clerical error)
- Overview of the Process of the Budget once submitted to the Legislature. – See Slide
- AB 276 – Cost Recovery Ability to Pay – See slide
- SB 162 – Treated Wood Waste – See slide
- Bio-monitoring California – See slide
- Attorney General IRP costs – See slide
- Enhanced Permitting Capacity and Support –See slide
- Permitting actions and volume of continued permits at authorized staff levels – See slide
- Permitting actions and volume of continued permits at anticipated staff levels – See Slide
  - Kracov- What is the purpose of these slides.
    - Lee –Lee details all the changes and improvements that lead to graph information

- Campbell – Do applicants abuse the system and is there a penalty?
  - Lee – There is due process
- DTSC Working on – See slide
  - Kracov- Budget is static?
    - Lee-Yes
  - Kracov – (SB 162 - AB 162) handled by Rousch(?) group?
    - Lee- Not necessarily
  - Campbell- Is there anyway the DTSC can raise funds (fundraiser)?
    - Lee-Grants. Not sure if we can accept the money even if we did do fund raising.
- ❖ Email from The Beasley's ([thebeasleys@flash.net](mailto:thebeasleys@flash.net)).
  - Lee- Aware of your concern. Departments as well

- Derogatory emails

- Kracov- applauds Lee for transparency
  - Two individuals
    - Lee- remarks uncovered last Spring 2015
      - Immediately ordered investigation
      - Sought outside review
      - Disciplinary action taken
      - Individuals transferred out of position
      - 90 derogatory emails out of 50,000
      - Personal details redacted
      - Offered counsel
      - Next batch 10,000 emails available next week
      - All people must be treated with respect
      - Video message
      - Task group (multi-level)
- Campbell – We all have to be sensitive to cultural differences.

- Vizzier - Do not accept this. This is a 'cancer' for a department. Zero Tolerance.
    - Lee- People are very upset. Keep an eye on the goal. Restore team.
  - Kracov- We accept your offer on the task group updates.
    - Lee- Yes, we look forward to working with the IRP
      - Addresses the individuals past work (5 years)
- ❖ Delores Mejia ([eastsidecoalition@gmail.com](mailto:eastsidecoalition@gmail.com)) Topic 7
  - Email – Battery Tax
  - Email – Additional IRP meetings
- Approximately 3:00 p.m.
- Closed Session- closed session is not open to the public
- Personnel- the IRP will meet in closed session for discussion and possible action on personnel matters consistent with Government Code section 11126, subdivision (a)(1)
- Litigation- the Panel will go into closed session to confer with legal counsel regarding potential litigation consistent with Government Code section 11126, subdivisions (e) (1) and (2)
- Reconvene and report out on closed session
- The IRP will make any announcements of actions taken during closed session, consistent with Government Code sections 11126.3 and 11125.2.
- Adjournment
  - Motion to Adjourn (5:09)