



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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Maziar Movassaghi  
Acting Director  
1001 "I" Street  
P.O. Box 806  
Sacramento, California 95812-0806



Arnold Schwarzenegger  
Governor

February 18, 2010

Ms. Joan Mulcare  
Director of Environmental Health  
Merced County Department of Public Health  
777 West 22<sup>nd</sup> Street  
Merced, California 95340

### **NOTICE OF APPROVAL FOR TIER 2 LEVEL IMPLEMENTATION AND ENFORCEMENT OF ENVIRONMENTAL ASSESSMENT AND CORRECTIVE ACTION, MERCED COUNTY CERTIFIED UNIFIED PROGRAM AGENCY**

Dear Ms. Mulcare:

Thank you for your letter of February 5, 2010, regarding delegation of corrective action oversight authority to Merced County Unified Program Agency. The Department of Toxic Substances Control (DTSC) has completed the review of the Merced County Certified Unified Program Agency's (Merced CUPA) Tier 2 Application for the authority to implement and enforce environmental assessments and corrective action conducted pursuant to Health and Safety Code sections 25200.3(c)(3), 25187, 25187.1, 25200.10, and 25200.14. This application was submitted to DTSC on February 18, 2009. Based on its review, DTSC has determined that Merced CUPA is qualified at the Tier 2 Level to implement and enforce the environmental assessments and corrective action in accordance with the requirements of California Code of Regulations, title 22, §68400.11 et seq. The Merced CUPA Application for environmental assessment and corrective action delegation is hereby approved.

In order for DTSC to effectively coordinate and manage corrective action activities statewide, DTSC is requesting Merced CUPA for the following:

1. Provide DTSC with a 30-day written notice of the name, address and permitting status of the facility or site before any corrective action activity is initiated.

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2. Refer to DTSC any facility or site requiring corrective action that is beyond Merced CUPA's expertise. [Cal. Code Regs., tit 22, §68400.11(g)].
3. Provide DTSC with simultaneous copies of fact sheets, notices issued during the corrective action process, remedy selection approval documents, and corrective action completion determination documents. The documents should be sent to:

Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630  
Attn: Ms. Violeta Mislant

DTSC is delegating the corrective action oversight authority under Chapter 6.5 of Division 20 of Health and Safety Code. This delegation does not authorize Merced CUPA to implement or enforce environmental assessment or corrective action under any other Chapter of Division 20 of Health and Safety Code.

If you have any questions regarding the delegation of authority, please contact Mr. Robert M. Senga at (714) 484-5436, or at [Rsenga@dtsc.ca.gov](mailto:Rsenga@dtsc.ca.gov).

Sincerely,



Maziar Movassaghi  
Acting Director  
Department of Toxic Substances Control

CERTIFIED MAIL  
7008 1300 0001 2492 5543  
Return Receipt Requested

cc: Mr. Stewart Black  
Acting Deputy Director  
Brownfields and Environmental Restoration Program  
Department of Toxic Substances Control  
1001 "I" Street  
P.O. Box 806  
Sacramento, California 95812-0806

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cc: Mr. John Scandura  
Performance Manager  
Brownfields and Environmental Restoration Program  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

Mr. Robert M. Senga, Unit Chief  
Brownfields and Environmental Restoration Program  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

Mr. Eric Swenson, Project Engineer  
Environmental Health Division  
Merced County Department of Public Health  
777 West 22<sup>nd</sup> Street  
Merced, California 95340

Ms. Susan Laney  
Assistant Deputy Director  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control  
1001 "I" Street, 11<sup>th</sup> Floor  
Sacramento, California 95814

Mr. Charles McLaughlin  
Performance Manager  
State Oversight and Enforcement Branch  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control  
8800/8810 Cal Center Drive  
Sacramento, California 95814

Mr. Jim Bohon, Chief  
Cal/EPA Unified Program  
Office of the Secretary  
Cal/EPA Headquarters, 4<sup>th</sup> Floor, Office 24  
1001 "I" Street/P.O. Box 2815  
Sacramento, California 95812-2815

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