

STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
 DF-46 (REV 07/14)

Fiscal Year 2015-16	Business Unit 3960	Department Department of Toxic Substances Control	Priority No. 4
Budget Request Name 3960-003-BCP-BR-2015-GB		Program 3625 Hazardous Waste Mgmt 9900100 Administration 9900200 Distributed Administration	Subprogram

Budget Request Description
 Implementation of SB 1249

Proposal Summary

The Department of Toxic Substances Control requests an augmentation from the Hazardous Waste Control Account of \$527,000 and 2.5 positions in fiscal year (FY) 2015/16; \$311,000 and 2.0 positions in FY 2016/17; \$322,000 and 2.5 positions in FY 2017/18; and \$128,000 and 1.5 positions in FY 2018/19 ongoing to implement Senate Bill (SB) 1249 (Hill, Chapter 756, Statutes of 2014). SB 1249 requires DTSC to evaluate the risks and threats posed by metal shredders and the management of metal shredder waste, and to either develop alternative management standards that govern metal shredding activities, or rescind its 1987 era decisions that have allowed metal shredders to be managed as nonhazardous waste. SB 1249 also authorizes DTSC to assess a fee on the metal shredders to cover its costs in implementing the bill and for ensuring compliance with its standards in the future.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	
Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO	Date
For IT requests, specify the date a Special Project Report (SPR) or Feasibility Study Report (FSR) was approved by the Department of Technology, or previously by the Department of Finance. <input type="checkbox"/> FSR <input type="checkbox"/> SPR Project No. Date:		

If proposal affects another department, does other department concur with proposal? Yes No
 Attach comments of affected department, signed and dated by the department director or designee.

Prepared By <i>[Signature]</i>	Date 1/5/15	Reviewed By <i>Sara Benson</i>	Date 1/6/15
Department Director <i>[Signature]</i>	Date 1/6/15	Agency Secretary <i>[Signature]</i>	Date 1/6/15

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Technology Agency

BCP Type: Policy Workload Budget per Government Code 13308.05

PPBA	Original Signed By: Ellen Moratti	Date submitted to the Legislature JAN 9 2015
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Analysis of Problem

A. Budget Request Summary

The Department of Toxic Substances Control (DTSC) requests an augmentation from the Hazardous Waste Control Account (HWCA) of \$527,000 and 2.5 positions in fiscal year (FY) 2015/16; \$311,000 and 2.0 position in FY 2016/17; \$322,000 and 2.5 positions in FY 2017/18; and \$128,000 and 1.5 positions in FY 2018-19 ongoing to implement Senate Bill (SB) 1249 (Hill, Chapter 756, Statutes of 2014). SB 1249 requires DTSC to evaluate the risks and threats posed by metal shredders and the management of metal shredder waste, and to either develop alternative management standards that govern metal shredding activities, or rescind its 1987 era decisions under which metal shredders have operated without hazardous waste permits and managed their waste as nonhazardous waste. This proposal will allow DTSC to perform the responsibilities specified in the bill in the amount of time required by the bill. Even more importantly, this proposal will allow DTSC to reduce risks and hazards faced by California's most vulnerable and impacted communities in the vicinity of these types of facilities. SB 1249 also authorizes DTSC to assess a fee on the metal shredders to cover its costs in implementing the bill and for ensuring compliance with its standards in the future.

B. Background/History

At the end of their useful lives, automobiles and appliances are required to be "de-polluted" by removing hazardous components containing mercury, lead, and polychlorinated biphenyl (PCBs). At some facilities the remaining metal is then baled or compacted before being sent to a shredder for metal separation and recovery, or the metal may be directly exported. At other facilities, the remaining metal is processed through a shredder or a shearer on site, and that residue is further treated to remove ferrous and non-ferrous metals. Both the ferrous and non-ferrous metals are sold to smelters where they are recycled and used to manufacture various metal products. In automobile processing, approximately 25 percent of the original weight remains as shredder waste, which is a mixture of foam, plastics, rubber, glass, wood, paper, leather, textiles, and a small fraction of remaining metal pieces. About 480,000 tons of metal shredder waste was generated in 2013 in California. Although metal recycling facilities have been commonly referred to as "auto shredders," approximately 50 percent of the metal shredded is from appliances or other manufactured metal objects.

Beginning in 1984, shredder waste has been regulated as a hazardous waste in California because lead, cadmium, copper, and zinc are in the waste at concentrations that exceed the State's hazardous waste levels. In 1988, DTSC adopted a policy and issued decisions that allowed the metal shredder facilities to treat the metal shredder waste at their facilities and allowed them to manage it as nonhazardous waste under specified conditions. The treatment was intended to reduce the solubility of the metals and decrease their potential to leak from landfills.

This approval was generally based on a number of factors, including assumptions as to the "typical" composition of the waste, measured and expected concentrations of contaminants, negotiated practices of chemical and physical treatment of the waste, and anticipated disposal practices. All of these factors were integral to DTSC's decisions for each of the shredders.

Since DTSC made its determinations and established its policies in 1988, much has changed with the metal shredder industry, its practices, and the composition of automobiles and appliances in general. DTSC has become increasingly concerned that the composition of metal shredder waste and its characteristics have changed, and with that has been an increase in the hazardous contaminants found in the metal shredder waste. Over the years, DTSC has continued to monitor the changes in the waste's composition and concentrations of hazardous constituents.

In 2002 DTSC, after a significant effort to sample and analyze the metal shredder waste being generated by the metal shredding industry, produced a draft staff report. The draft report presented information alleging that the assumptions that DTSC's previous decisions were based on were no longer supported, and that its policy regarding metal shredder waste was no longer fully protective of human health and the environment. This report was never finalized. DTSC did not act on its allegations until 2008.

Analysis of Problem

In 2008, DTSC sent letters to all of the holders of the "f" letters proposing to rescind the previous decisions and repeal the policy that allowed the shredders to treat their waste without a permit. The industry responded with a significant amount of technical information to rebut DTSC's reasons for rescinding its decision, and procedural arguments contesting DTSC's ability to rescind the decisions. After DTSC extended the proposed effective date several times to time for the industry to provide additional information, the proposed rescission was delayed indefinitely. At that time, the metal shredding industry did express interest in negotiating a resolution to the continuing concerns about its waste and the questions about DTSC's previous decisions and policy. Proposed legislation was drafted but never introduced.

In 2012, in part at the request of the industry and its desire for a permanent resolution on its regulatory status, DTSC once again engaged with the industry. Recognizing the industry's desire for a permanent solution, DTSC raised the same questions previously raised about treatment efficacy and protectiveness of the policy and the industry's practices. DTSC invited the industry to provide information that supported the effectiveness of the chemical treatment, as well as to document its claims that the treatment was the best available treatment. DTSC anticipated that, with the information provided, it could determine whether its previous decisions should remain or be removed or replaced, and whether these facilities should continue operating without a permit.

DTSC and the metal shredding industry were negotiating the details of the study to be conducted, and planning for implementing the study, when SB 1249 was introduced and ultimately enacted. Those efforts are anticipated to be continued and incorporated into the analysis and evaluation required by SB 1249.

C. State Level Considerations

DTSC has been actively coordinating with the Department of Resources Recycling and Recovery (CalRecycle), the Air Resources Board, the Regional Water Quality Control Boards (Water Boards), local air quality management districts, the Certified Unified Program Agencies, and local enforcement agencies on this issue. The state entities most directly impacted by DTSC's decisions regarding the waste classification and management of metal shredder residues are CalRecycle and the Water Boards. These agencies share responsibilities in regulating solid waste disposal facilities, and both have adopted regulatory standards for disposing of non-hazardous wastes that rely on DTSC's waste classification decisions. Regulations from both the Water Boards and CalRecycle prohibit the disposal of hazardous wastes in solid waste landfills. CalRecycle regulations allow the use of metal shredder residue wastes as alternative daily cover, but only because DTSC classifies metal shredder residue waste as non-hazardous. DTSC has hosted several meetings with the California Environmental Protection Agency (CalEPA), CalRecycle, the Water Boards, and local enforcement agencies to inform them of DTSC's current treatability study, and to seek their input and advice. DTSC plans to continue to provide direct communication and accurate information to all affected agencies to assist them in planning their operations. If DTSC develops alternative management standards that change the classification or management of metal shredder residues, these other agencies will need to assess the impacts of those changes and may need to also change their regulations.

D. Justification

SB 1249's author introduced the legislation to enhance oversight of the metal shredding industry by DTSC in order to protect California communities and the environment, and ultimately to answer the questions that have been raised over the years about the protectiveness of DTSC's regulatory decisions and oversight of this industry.

SB 1249 imposes new requirements and responsibilities on DTSC to fully evaluate the metal shredding industry, and to then develop alternative management standards to regulate the metal shredding industry. SB 1249 also authorizes DTSC to collect an annual fee from metal shredding facilities at a rate sufficient to cover the costs for the Department to implement these provisions.

In implementing the requirements of SB 1249, DTSC will be performing the following activities:

Analysis of Problem

- **Annual Fee Schedule** – SB 1249 authorizes DTSC to assess an annual fee on metal shredders to pay for DTSC's reasonable and necessary costs to implement the requirements of SB 1249 and any alternative management standards that DTSC adopts. DTSC will be adopting the fee schedule and fee administration regulations as emergency regulations (as authorized by SB 1249) and will update the fee schedule annually to reflect DTSC's changing implementation costs and any newly identified metal shredding facilities that will be fee payers.
- **Conduct Environmental Analysis, Waste Treatability Study, and Report of Findings** –DTSC will be conducting a thorough evaluation of the industry, its practices, and the public health and environmental threats posed by the metal shredding process, the treatment of the wastes it generates, and the storage, transportation, and disposal of those wastes. Part of this evaluation will include evaluation of the results of a Treatability Study being conducted by the metal shredders on metal shredder wastes. The Treatability Study will allow DTSC to evaluate the treatment processes and chemicals needed to immobilize soluble toxic metals in the waste, to determine what treatment methods and chemical "recipes" yield the most protective results. DTSC intends to complete the Environmental Analysis, the Waste Treatability Study, and prepare a Draft Report of Findings, by January 1, 2016.
- **Assessment of Off-site Migration** – DTSC will be contracting for services to assess whether treated or untreated metal shredder waste can or does migrate off-site and impact residents or business occupants in the areas surrounding either the metal shredders, the transportation routes, or the disposal facilities where the treated metal shredder waste is disposed. The findings of this assessment will be incorporated into DTSC's environmental analysis and Report of Findings, and will inform DTSC's adoption of management standards for the industry and its waste. DTSC intends to complete this assessment by January 1, 2016.
- **Method Verification and Independent Evaluation** – DTSC will be contracting for services to verify the laboratory methods used to analyze metal shredder wastes, and to collect samples and independently verify the results being presented by the metal shredders in its Treatability Study. DTSC intends to complete this verification and evaluation by January 1, 2016.
- **Pre-Regulation Stakeholder Workshops** – Because the work required by SB 1249 is not part of a process routinely conducted by DTSC, it is important for DTSC to share the results of its efforts, the findings of its industry evaluation, and drafts of the standards it intends to adopt, to garner input and feedback that will help to improve the information being used to guide DTSC's subsequent regulatory efforts, and to reduce possible challenges or criticism of DTSC's efforts and regulatory proposals in the future. DTSC intends to conduct at least two public workshops (one in Northern California and one Southern California), but may conduct more workshops depending on stakeholder feedback and any modifications DTSC makes to its evaluation or regulation proposal. DTSC intends to hold these workshops prior to January 1, 2017.
- **Regulation Adoption** – Using the findings and stakeholder feedback from the workshops, DTSC will be preparing the necessary rulemaking documents, including proposed regulation text, an Initial Statement of Reasons, California Environmental Quality Act analysis, and Fiscal and Economic Impact analysis in support of adopting alternative management standards as regulations in accordance with the Administrative Procedures Act requirements. DTSC anticipates that its proposed rulemaking will also need to undergo scientific peer review. Section 57004 of the California Health and Safety Code requires DTSC to "submit the scientific portions of a proposed rule, along with a statement of the scientific findings, conclusions, and assumptions on which the scientific portions of the proposed rule are based and the supporting scientific data, studies, and other appropriate materials, to the external scientific peer review entity for its evaluation." DTSC must adopt these regulations prior to January 1, 2018. The authority granted in SB 1249 sunsets as of January 1, 2018.

Analysis of Problem

- **Laboratory Support** – DTSC anticipates using the analytical and sample preparation expertise of its own Environmental Chemistry Laboratory in support of all of the evaluation, study, and assessment efforts that DTSC must conduct in implementing SB 1249.
- **Inspections/Enforcement** – After DTSC adopts the Alternative Management Standards as regulations, it must regularly and routinely inspect the metal shredders, waste handlers, and disposal facilities to ensure that they are in compliance with those regulations. The safeguards that the regulations are intended to provide will succeed only to the extent of compliance with the regulations. Any noncompliance must also be followed up with appropriate enforcement actions that deter noncompliance and correct any environmental harm and conditions of noncompliance observed. DTSC intends to conduct inspections and enforcement on a regular basis, in most instances at least annual inspections, but more as circumstances may require. This activity will continue into the indefinite future.

E. Outcomes and Accountability

DTSC anticipates accomplishing the following:

- Regulations establishing an annual fee and fee administration requirements will be adopted as Emergency Regulations soon after January 1, 2015. DTSC anticipates that the facilities will make their first payment of this fee during calendar year 2015. DTSC will annually evaluate the fee assessment in comparison with its costs, and make adjustments to the fee in later years.
- DTSC will continue to work with the metal shredders to complete a Treatability Study that they have begun to assess the chemical makeup and potential treatment methods for metal shredder residue by January 1, 2016.
- DTSC anticipates conducting the required analysis of the risks and hazards posed by metal shredding activities and metal shredder residue, and providing its draft findings, by January 1, 2016.
- DTSC will conduct at least two workshops with the industry and interested stakeholders (one in Northern California and one in Southern California) to solicit feedback on its analysis and findings. More workshops will be scheduled if the feedback received in earlier workshops result in significant changes to DTSC's draft analysis and findings. These workshops are anticipated in the first half of calendar year 2017.
- DTSC will conduct at least two workshops with the industry and interested stakeholders (one in Northern California and one in Southern California) to solicit feedback on a set of draft regulations, prior to formally proposing them through the Administrative Procedures Act requirements. More workshops will be scheduled if the feedback received in earlier workshops result in significant changes to DTSC's draft regulations. These workshops are anticipated in the second half of calendar year 2017.
- DTSC anticipates a formal public notice for proposed rulemaking for its Proposed Alternative Management Standards for Metal Shredding Facilities on or about January 1, 2017, to be completed no later than January 1, 2018.
- DTSC will perform routine and ongoing inspections (and appropriate enforcement follow-up) at least once per year for each metal shredder, and at least once per year for each disposal facility. The inspections are to ensure compliance with the adopted Alternative Management Standards.

Analysis of Problem

F. Analysis of All Feasible Alternatives

Alternative 1: Augment DTSC's budget as requested to implement the requirements of SB 1249.

Pros:

- Metal shredders are often found in proximity to highly impacted communities. This alternative will reduce risks and hazards faced by California's most vulnerable and impacted communities.
- Will provide DTSC the resources it needs to fully analyze the metal shredding industry and its waste management practices.
- Will provide DTSC the resources it needs to develop the required set of Alternative Management Standards.
- Reduces risks and hazards posed by the metal shredding industry and its waste management practices.
- Allows DTSC to perform the responsibilities established in the bill in the time frame required by the bill.
- Contributes to improved quality of life in these impacted areas.

Con:

- Will increase the size of state government.

Alternative 2: Redirect existing staff to implement the requirements of SB 1249.

Pros:

- Requires no additional funds and allocation of additional positions.
- Reduces risks and hazards posed by the metal shredding industry and its waste management practices.
- Allows DTSC to perform the responsibilities established in the bill in the time frame required by the bill.
- Because metal shredders are often found in proximity to highly impacted communities, would reduce risks and hazards faced by California's most vulnerable and impacted communities.
- Contributes to improved quality of life in these impacted areas.

Con:

- Prevents DTSC from performing other high priority work that is necessary to assess environmental risks and hazards, and adopting other regulations and requirements that would limit or prevent risks and hazards to the environment and the public, some of which are in California's most vulnerable and impacted communities.
- Prevents DTSC from meeting its critical mandates.

Alternative 3: Request fewer resources to implement the requirements of SB 1249.

Pro:

- Will allow DTSC to analyze some of the aspects of the metal shredding industry and its waste management practices.
- Will allow DTSC to develop some Alternative Management Standards.
- Would reduce some risks and hazards posed by the metal shredding industry and its waste management practices.

Analysis of Problem

- Would provide limited resources for DTSC to perform the responsibilities established in the bill.
- Because metal shredders are often found in proximity to highly impacted communities, could reduce risks and hazards faced by California's most vulnerable and impacted communities.
- Could contribute to improved quality of life in these impacted areas.

Con:

- Would require the expenditure of additional funds and allocation of additional positions.
- DTSC would not be able to complete its work in the time frame required by the bill – the authority granted by SB 1249 to adopt regulations will sunset on January 1, 2018.

Alternative 4: Maintain status quo/Do nothing.

Pro:

- Would avoid the expenditure of additional funds or allocation of additional positions.
- Would ensure HWCA funds remain available for other DTSC priorities.

Con:

- Would not enable DTSC to fulfill a statutory responsibility.
- Would not provide resources necessary for DTSC to analyze the metal shredding industry and its waste management practices.
- Would not provide resources necessary for DTSC to develop a set of Alternative Management Standards.
- Would allow potential risks and hazards posed by the metal shredding industry and its waste management practices to continue unabated.
- Would perpetuate potential risks and hazards faced by California's most vulnerable and impacted communities.

G. Implementation Plan

MAJOR PROVISIONS AND EXPENDITURES FOR THE IMPLEMENTATION OF SB 1249

Prior to January 2015

Develop emergency regulation package for industry fee and fee administration requirements

July 2015

Conduct sampling and field work required by SB 1249 for MSR Treatability Study

Conduct additional analysis and prepare findings required by SB 1249 (Anticipated completion by January 1, 2016)

Prepare contract for assessment of off-site air migration (contract funds)

Prepare method verification, bench-scale treatability testing and independent evaluation of treatability study results (contract funds)

MSR Treatability Study samples submitted to DTSC's Berkeley ECL lab for analysis

January 2016

Pre-Administrative Procedures Act (APA) workshops - draft straw language for discussion and to solicit comments and feedback from stakeholders - multiple events in Sacramento, Southern California, and the Bay Area

Manage contract for assessment of off-site air migration (anticipated completion by June 30, 2016)

Analysis of Problem

Manage contract for method verification, bench-scale treatability testing and independent evaluation of treatability study results (anticipated completion by June 30, 2016)

MSR Treatability Study samples submitted to DTSC's Berkeley ECL lab for analysis

June 2016

Field observation activities to verify the assessment and rulemaking assumptions for metal shredding facilities

Inspection and enforcement follow-up of the metal shredding facilities

Identification of additional metal shredding operations subject to the Alternative Management Standards (ongoing)

January 2017

Adopt regulations per APA. Regulations to contain DTSC's proposed alternative management standards for metal shredding facilities (rulemaking will include required scientific peer review, fiscal and economic analysis, and CEQA analysis) (to be conducted from January 1, 2017 to January 1, 2018)

Prior to January 1, 2018

Adopt Alternative Management Standards for Metal Shredding Facilities

H. Supplemental Information

The operating expenses for the requested positions include computers, telephones, in state travel, and training. The Environmental Scientist will also require health and safety equipment for field work in the amount of \$11,000 annually. DTSC also requests contract funds: \$210,000 for the assessment of off-site air migration and method verification, bench scale treatability testing, and independent evaluation of Treatability Study results and outside laboratory sample analysis; DTSC will need approximately 150 samples of treated and untreated metal shredder waste analyzed during the course of the Treatability Study. The analysis of these samples would be conducted by contract laboratories, or by DTSC's Environmental Chemistry Laboratory, with contract funds used to pay for more routine analyses of samples collected as part of other DTSC efforts that can be conducted by contract laboratories. DTSC will also contract out for additional laboratory services for highly specialized work that DTSC's Environmental Chemistry Laboratory does not have the expertise, equipment, or capacity to perform. This contracted lab work will include method verification, bench scale treatability testing, and independent evaluation of Treatability Study results.

Other than the laboratory position (0.5 Chemist) which will be headquartered in DTSC's Berkeley Environmental Chemistry Laboratory, all positions will be located at the CalEPA headquarters building in Sacramento.

I. Recommendation

DTSC recommends Alternative 1 to augment DTSC's budget with fee-based revenues (HWCA) to implement the requirements of SB 1249. This alternative will provide DTSC the resources it needs to fully analyze the metal shredding industry and its waste management practices, to develop the required set of Alternative Management Standards, and ultimately reduce risks and hazards posed by the metal shredding industry and its waste management practices. Additionally, this alternative will allow DTSC to perform the responsibilities established in the bill in the time frame required by the bill. Most importantly, this alternative will reduce risks and hazards faced by California's most vulnerable and impacted communities.

BCP Fiscal Detail Sheet

BCP Title: Implementation of SB 1249

DP Name: 3960-003-BCP-DP-2015-GB

Budget Request Summary

FY15

	CY	BY	BY+1	BY+2*	BY+3*	BY+4*
Positions - Permanent	0.0	0.5		0.5	-	-
Positions - Temporary	0.0	2.0		1.5	-	-
Total Positions	0.0	2.5		2.0	1.5	1.5
Salaries and Wages						
Earnings - Permanent	0	188	161	164	76	76
Total Salaries and Wages	\$0	\$188	\$161	\$164	\$76	\$76
Total Staff Benefits	0	89	75	76	35	35
Total Personal Services	\$0	\$277	\$236	\$240	\$111	\$111
Operating Expenses and Equipment						
5301 - General Expense	0	18	14	18	9	9
5304 - Communications	0	3	2	3	1	1
5320 - Travel: In-State	0	5	4	5	3	3
5322 - Training	0	5	4	5	3	3
5340 - Consulting and Professional Services - External	0	210	50	50	0	0
5362 - Capital Asset Purchases - Equipment	0	8	0	0	0	0
539X - Other	0	1	1	1	1	1
Total Operating Expenses and Equipment	\$0	\$250	\$75	\$82	\$17	\$17
Total Budget Request	\$0	\$527	\$311	\$322	\$128	\$128
Fund Summary						
Fund Source - State Operations						
0014 - Hazardous Waste Control Account	0	527	311	322	128	128
Total State Operations Expenditures	\$0	\$527	\$311	\$322	\$128	\$128
Total All Funds	\$0	\$527	\$311	\$322	\$128	\$128
Program Summary						
Program Funding						
3625 - Hazardous Waste Management	0	527	311	322	128	128
9900100 - Administration	0	3	2	3	1	1
9900200 - Administration - Distributed	0	-3	-2	-3	-1	-1
Total All Programs	\$0	\$527	\$311	\$322	\$128	\$128

Personal Services Details

Positions	Salary Information				
	Min	Mid	Max		
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2015)	0.0	0.5	0.5	-	-
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2015)(LT 06-30-2018)	0.0	0.5	0.5	-	-
3726 - Hazardous Substances Engr (Eff. 07-01-2015)(LT 06-30-2017)	0.0	1.0	1.0	-	-
8060 - Chemist (Eff. 07-01-2015)(LT 06-30-2016)	0.0	0.5	0.0	-	-
Total Positions	0.0	2.5	2.0	2.5	1.5
Salaries and Wages	CY	BY	BY+1	BY+2*	BY+3*
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2015)	0	37	37	-	-
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2015)(LT 06-30-2018)	0	37	37	-	-
3726 - Hazardous Substances Engr (Eff. 07-01-2015)(LT 06-30-2017)	0	87	87	-	-
8060 - Chemist (Eff. 07-01-2015)(LT 06-30-2016)	0	27	0	-	-
Total Salaries and Wages	\$0	\$188	\$161	\$164	\$76
Staff Benefits					
5150350 - Health and Welfare Insurance	0	28	24	11	11
5150500 - OASDI	0	12	10	5	5
5150600 - Retirement - General	0	46	39	18	18
5150900 - Staff Benefits - Other	0	3	2	1	1
Total Staff Benefits	\$0	\$89	\$75	\$35	\$35
Total Personal Services	\$0	\$277	\$236	\$111	\$111

*Data by Classification not available at this time.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Workload Analysis Chart
 Budget Request Name: 3980-003-BCP-BR-2015-GB
 Budget Request Description: Implementation of SB 1249
 PRIORITY: 4

ACTIVITY/TASK	Basis/Assumption for Workload Standard	PROJECTED 2015-16					DIFFERENCE ADDITIONAL HOURS NEEDED
		HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY		
Annual Fee Schedule Development of Fee Regulations	DTSC will be adopting a fee schedule and fee administration regulations as emergency regulations (as authorized by SB 1249) and will update the fee schedule annually to reflect DTSC's changing implementation costs and any newly identified metal shredding facilities that will be fee payers	618	1	700	0	700	
Industry Evaluation Analysis and Draft Findings	DTSC will be conducting a thorough evaluation of the industry, its practices, and the public health and environmental threats posed by the metal shredding process, the treatment of the wastes it generates, and the storage, transportation and disposal of those wastes	1718	1	1,718	0	1,718	
Stakeholder Workshops Conduct workshops on draft findings and draft regulations	DTSC intends to conduct at least two public workshops (one in Northern California and one in the Bay Area), but may conduct more workshops depending on stakeholder feedback and any modifications DTSC makes to its evaluation or regulation proposal.	530	2	1,060	0	1,060	
Laboratory Support Analysis of treated and untreated metal shredder waste.	DTSC will need approximately 150 samples of treated and untreated metal shredder waste analyzed during the course of the evaluation. The analysis of these samples would be conducted by DTSC's Environmental Chemistry Laboratory, or by contract laboratories, with contract funds used to pay for more routine analyses of samples collected as part of other DTSC efforts that can be conducted by contract laboratories	6.75	150	1,013	0	1,013	
Inspections/Enforcement Metal Shredder Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	0	12	0	0	0	

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Workload Analysis Chart

Budget Request Name: 3960-003-BCP-BR-2015-GB

Budget Request Description: Implementation of SB 1249

PRIORITY: 4

ACTIVITY/TASK	Basis/Assumption for Workload Standard	PROJECTED 2015-16					DIFFERENCE ADDITIONAL HOURS NEEDED
		HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY		
Metal Shredder Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	0	4	0	0	0	
Disposal Facility Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	0	6	0	0	0	
Disposal Facility Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	0	2	0	0	0	
TOTAL HOURS REQUIRED PER YEAR				4,491	0	4,491	
NUMBER OF PY (Position) NEEDED (HRS/1800)				2.5	0.0	2.5	

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Workload Analysis Chart
 Budget Request Name: 3960-003-BCP-BR-2015-GB
 Budget Request Description: Implementation of SB 1249
 PRIORITY: 4

ACTIVITY/TASK	Basis/Assumption for Workload Standard	PROJECTED 2016-17					DIFFERENCE ADDITIONAL HOURS NEEDED
		HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY		
Annual Fee Schedule Development of Fee Regulations	DTSC will be adopting a fee schedule and fee administration regulations as emergency regulations (as authorized by SB 1249) and will update the fee schedule annually to reflect DTSC's changing implementation costs and any newly identified metal shredding facilities that will be fee payers	700	1	700	0	700	
Stakeholder Workshops Conduct workshops on draft findings and draft regulations	DTSC intends to conduct at least two public workshops (one in Northern California and one in the Bay Area), but may conduct more workshops depending on stakeholder feedback and any modifications DTSC makes to its evaluation or regulation proposal.	590	2	1,180	0	1,180	
Adopt Regulations Adopt regulations (per APA)	Prepare the required rulemaking documents, including proposed regulation text, an Initial Statement of Reasons, California Environmental Quality Act analysis, and Fiscal and Economic Impact analysis in support of adopting alternative management standards as regulations in accordance with the Administrative Procedures Act requirements. The proposed rulemaking will also need to undergo scientific peer review. Section 57004 of the California Health and Safety Code requires DTSC to "submit the scientific portions of a proposed rule, along with a statement of the scientific findings, conclusions, and assumptions on which the scientific portions of the proposed rule are based and the supporting scientific data, studies, and other appropriate materials, to the external scientific peer review entity for its evaluation."	1718	1	1,718	0	1,718	
Inspections/Enforcement Metal Shredder Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	0	12	0	0	0	
Metal Shredder Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution	0	4	0	0	0	

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Workload Analysis Chart

Budget Request Name: 3960-003-BCP-BR-2015-GB

Budget Request Description: Implementation of SB 1249

PRIORITY: 4

		PROJECTED 2016-17						
ACTIVITY/TASK	Basis/Assumption for Workload Standard	HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY	DIFFERENCE ADDITIONAL HOURS NEEDED		
Disposal Facility Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	0	6	0	0	0	0	
Disposal Facility Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	0	2	0	0	0	0	
TOTAL HOURS REQUIRED PER YEAR								
NUMBER OF PY (Position) NEEDED (HRS/1800)								
				3,598	0	3,598		
				2.00	0	2.00		

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Workload Analysis Chart
 Budget Request Name: 3960-003-BCP-BR-2015-GB
 Budget Request Description: Implementation of SB 1249
 PRIORITY: 4

PROJECTED 2017-18						
ACTIVITY/TASK	Basis/Assumption for Workload Standard	HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY	DIFFERENCE ADDITIONAL HOURS NEEDED
Annual Fee Schedule Development of Fee Regulations	DTSC will be adopting a fee schedule and fee administration regulations as emergency regulations (as authorized by SB 1249) and will update the fee schedule annually to reflect DTSC's changing implementation costs and any newly identified metal shredding facilities that will be fee payers	600	1	600	0	600
Adopt Regulations Adopt regulations (per APA)	Prepare the required rulemaking documents, including proposed regulation text, an Initial Statement of Reasons, California Environmental Quality Act analysis, and Fiscal and Economic Impact analysis in support of adopting alternative management standards as regulations in accordance with the Administrative Procedures Act requirements. The proposed rulemaking will also need to undergo scientific peer review. Section 57004 of the California Health and Safety Code requires DTSC to "submit the scientific portions of a proposed rule, along with a statement of the scientific findings, conclusions, and assumptions on which the scientific portions of the proposed rule are based and the supporting scientific data, studies, and other appropriate materials, to the external scientific peer review entity for its evaluation."	1718	1	1,718	0	1,718
Inspections/Enforcement Metal Shredder Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	40	12	480	0	480
Metal Shredder Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	250	4	1,000	0	1,000
Disposal Facility Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	40	6	240	0	240

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Workload Analysis Chart

Budget Request Name: 3960-003-BCP-BR-2015-GB

Budget Request Description: Implementation of SB 1249

PRIORITY: 4

		PROJECTED 2017-18					DIFFERENCE ADDITIONAL HOURS NEEDED
ACTIVITY/TASK	Basis/Assumption for Workload Standard	HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY		
Disposal Facility Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	230	2	460	0	460	
TOTAL HOURS REQUIRED PER YEAR				4,498	0	4,498	
NUMBER OF PY (Position) NEEDED (HRS/1800)				2.50	0	2.50	

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Workload Analysis Chart
 Budget Request Name: 3980-003-BCP-BR-2015-GB
 Budget Request Description: Implementation of SB 1249
 PRIORITY: 4

ACTIVITY/TASK	Basis/Assumption for Workload Standard	PROJECTED 2018 +				DIFFERENCE ADDITIONAL HOURS NEEDED
		HOURS TO COMPLETE TASK	NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY	
Annual Fee Schedule		600	1	600	0	600
Development of Fee Regulations	DTSC will be adopting a fee schedule and fee administration regulations as emergency regulations (as authorized by SB 1249) and will update the fee schedule annually to reflect DTSC's changing implementation costs and any newly identified metal shredding facilities that will be fee payers					
Inspections/Enforcement Metal Shredder Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	40	12	480	0	480
Metal Shredder Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	250	4	1,000	0	1,000
Disposal Facility Inspections	Hours include inspection preparation (file reviews and data evaluation); actual facility inspection (surveillance, facility walk-through, interviewing staff, evidence gathering/documentation); post-inspection activities (writing report, determining violations and required compliance actions); writing Statement of Violations (detailing inspection findings and violations observed); and Compliance verification. Hours include all necessary travel to facility site.	40	6	240	0	240

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Workload Analysis Chart
 Budget Request Name: 3960-003-BCP-BR-2015-GB
 Budget Request Description: Implementation of SB 1249
 PRIORITY: 4

ACTIVITY/TASK	Basis/Assumption for Workload Standard	HOURS TO COMPLETE TASK	PROJECTED 2018 +				DIFFERENCE ADDITIONAL HOURS NEEDED
			NUMBER OF TASKS PER YEAR	NUMBER OF HOURS NEEDED PER YEAR	NUMBER OF HOURS IN BASE FOR ACTIVITY		
Disposal Facility Enforcement Actions	Hours included in enforcement follow up involve enforcement case preparation, calculating appropriate penalties, drafting enforcement order, discussion of order and violations with violator and settlement negotiations, and, if settlement cannot be reached, case referral to an administrative hearing or referral to the Attorney General's Office for prosecution.	200	2	400	0	400	
TOTAL HOURS REQUIRED PER YEAR				2,720	0	2,720	
NUMBER OF PY (Position) NEEDED (HRS/1800)				1.51	0	1.51	