

Department of Toxic Substances Control

Public Participation Manual

CHAPTER 6 SECTION I  
Information Repositories

# Chapter 6, Section I

## Information Repositories

### Table of Contents

#### **Information Repositories**

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Overview .....	6-114
Responsibilities .....	6-114
Timing .....	6-114
Site Mitigation .....	6-114
HWM .....	6-115
Techniques .....	6-115
Repository Contents .....	6-115
Administrative Record .....	6-116
Site Mitigation .....	6-116
HWM .....	6-117
Exhibit 6-35 Information Repository Inventory List .....	6-118

# Public Participation Tasks and Techniques

## Section I ♦ Information Repositories

### Overview

Information repositories are project files established in locations near the site or facility (usually in a public library or other local government office to the public). They contain key documents on site-related activities, and general information about DTSC’s hazardous waste permitting or site remediation program. Information repositories allow free and convenient public access to information on the nature of site problems, remedial response activities, and DTSC permitting activities. Information repositories contain key documents from the Administrative Record and project file.

Refer to Repository Contents below for a listing of documents usually found in a repository.

### Responsibilities

Information Repositories Task Responsibilities		
Public Participation Specialist	PPS, PM, or clerical support	Project Manager
<ul style="list-style-type: none"> <li>♦ Establish location.</li> <li>♦ Identify documents to be included.</li> <li>♦ Monitor status during project.</li> </ul>	<ul style="list-style-type: none"> <li>♦ Maintain inventory of documents sent to each repository.</li> <li>♦ Send documents.</li> </ul>	<ul style="list-style-type: none"> <li>♦ Identify documents to go to repository.</li> <li>♦ Provide copies to library for inclusion.</li> </ul>

### Timing

#### Site Mitigation

The repositories must be established before RI field work begins or prior to initiating any remedial action. Repositories may be warranted for other site mitigation activities (including emergency removals or PEAs), consult with the Public Participation Specialist.

Repositories must be opened before the draft permit, corrective action, or “high” community interest closure plan is public noticed. For “high” community interest actions, repositories should be established earlier in the process, as determined by the Public Participation Specialist. For new RCRA application and permit renewals, if the project is potentially high interest as determined by the Public Participation Specialist, a public repository should be established containing the permit application and related documents when it is determined there is a need.

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## Techniques

At least one repository must be established for every remedial site, and for each permit application, corrective action, or “high” community interest closure plan.

A recommended approach for establishing a repository is described below.

- ◆ Determine a location early in the response or application process. One or more locations is determined during the community assessment. Typical locations for repositories include local public libraries, town halls, or public health offices.
  - ◆ Depending on the level of community concern, or the geographic location of the site or proposed facility relative to the surrounding communities, it may be desirable to establish more than one repository. For example, if a county government seat is located several miles away from a remedial action site, and county officials have expressed strong interest in the site, it may be advisable to establish two repositories: one in the community, closest to the site itself; and the other in the city or town where the county government seat is based. At least one repository location should be open during evening hours and on weekends, if at all possible.
  - ◆ Establish a contact person at the repository location. Materials sent to the repository should always be addressed to the contact person (refer to Exhibit 6-34, for an example of a transmittal letter).
  - ◆ Publicize the existence of the repository. Include repository location(s) and phone number(s) in all fact sheets and public notices. Other techniques for publicizing repositories include newsletters produced by local community organizations and church groups.
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## Repository Contents

Update the repository as information becomes available. Ensure that new information is sent to the repository in a timely manner. It is helpful to provide the contact person at the repository with an inventory list on which they may note the date, title, and date of receipt of new materials (refer to Exhibit 6-35, for a sample inventory list). In this way, both interested community members and DTSC staff may easily determine what information is available. Also, project staff should consider making arrangements for the information to be kept in a three-ring binder or file box, to ensure that project information does not become lost.

Select and deposit the materials to be included in the file. A cover letter should always accompany materials sent to the information repositories (refer to Exhibit 6-33, for an example of a transmittal letter). A project file should include:

- ◆ Copies of the draft permit or closure plan determination, Remedial Investigation/Feasibility Study workplan, the Public Participation Plan, draft Remedial Action Plan, and any other reports written for the site or facility;
  - ◆ Brochures, fact sheets, public notices, and any other information developed for the public regarding the permit, closure, or the site; and,
  - ◆ Any other reference material that may be relevant to the site or facility (e.g., journal articles discussing the potential risks associated with specific chemicals that have been found at the site or that are of concern at the proposed facility).
  - ◆ An index of documents for large complex projects.
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## Administrative Record

### Site Mitigation

The Administrative Record has two purposes:

- ◆ The record provides an opportunity for the public to be involved in the site cleanup decision-making process; and,
- ◆ If the lead agency is challenged concerning the adequacy of a response action, judicial review of that selection will be limited to the Administrative Record.

The Administrative Record file shall consist of:

- ◆ The final Public Participation Plan;
- ◆ DTSC staff information in records of communication and comments used in the remedy decision-making process;
- ◆ The text of all comments submitted during the public comment period by the public, including the potential responsible party;
- ◆ The lead agency's consideration of all significant public comments; and,
- ◆ "Late comments" received after the close of the formal comment period, but before the Record of Decision (ROD) is signed.

Comments received after the ROD is signed should be placed in a post-decision document file. These comments may be added to the Administrative Record if the documents are relevant to the selection of the remedy that the ROD does not address.

The Administrative Record contains documents separate from materials in the information repository. Each Administrative Record file must be indexed to identify all of the documents that comprise the record file, including a list of those documents that do not have to be present in the file because of their voluminous nature (e.g., raw data), but which are considered part of the record. The index will

give the location of such documents. Documents in the Administrative Record file should be well organized so interested parties may easily find the documents they need.

The Administrative Record must be made available to the public, except in the case of emergency removal actions lasting less than 30 days, the record may be at the lead agency office.

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#### HWM

DTSC shall base final permit decisions on the Administrative Record. According to Title 22, the Administrative Record for any final permit shall consist of the Administrative Record for the draft permit and:

- ◆ All comments received during the public comment period;
- ◆ Tape or transcript of any hearing;
- ◆ Any written materials submitted at a hearing;
- ◆ The response to comments;
- ◆ Other documents contained in the supporting file for the permit; and,
- ◆ The final permit.

# Exhibit 6-35

## Information Repository Inventory List

Date: \_\_\_\_\_

Repository Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

Project: \_\_\_\_\_

Project Manager: \_\_\_\_\_

Public Participation Specialist: \_\_\_\_\_

The following documents should be organized in binders that are easy to use and convenient for the repository host. For projects that involve a large number of documents, separate file boxes should be provided as a convenience to the repository host to ensure that the documents remain organized. **NOTE:** Not all documents are required to be placed in the repository.

Date of Deposit	Materials	Location in Repository
_____	Background information on the site/facility	_____
_____	Public participation plan (if developed)	_____
_____	Draft permit	_____
_____	Draft RAP	_____
_____	Draft RAW	_____
_____	PEA	_____
_____	Final RAP	_____
_____	Report prepared as part of the corrective action investigation, including the RFA, RFI and the CMS	_____
_____	Fact sheets prepared on the draft permit or corrective action plan:	
_____	Fact Sheet #1: _____	_____
_____	Fact Sheet #2: _____	_____
_____	Fact Sheet #3: _____	_____
_____	Notice of decision	_____
_____	Response to comments	_____
_____	Copies of relevant Federal & State statutes, regulations & guidance documents	_____
_____	A copy of the DTSC Cooperative Agreement	_____
_____	Documentation of site sampling results	_____
_____	Brochures, fact sheets, and other information about the specific site/facility (including past enforcement history)	_____
_____	Copies of news releases and clippings referring to the site	_____
_____	Any other relevant material (e.g. published studies on the potential risks associated with specific chemicals that have been found stored at the site)	_____