

Department of Toxic Substances Control
Public Meeting

December 16, 2013



To submit public comments or sign up for mail list via the Internet, please email to: DTSCPublicMeeting@dtsc.ca.gov

DTSC Public Meeting Agenda

- Welcome
- General Public Comment
- Legislative Update
- Update on Implementation of Safer Consumer Product Regulation
- Permit Review
- Closing Remarks



2013 Legislative Update

Jacqueline Arnold, DTSC Legislative Manager



Overview

- First year of a 2-year (2013-2014) session.
- 2,540 bills and resolutions introduced in 2013
- 1,003 chaptered
- 96 vetoed
- DTSC tracked 127 bills
- 7 bills chaptered that affect DTSC
- Statutes take effect Jan. 1, 2014

Chaptered Bills that Impact DTSC

- AB 324 (Bloom, Ch. 230) Glass beads: lead and arsenic.
- AB 440 (Gatto, Ch. 588) Hazardous materials: releases: local agency cleanup.
- AB 501 (Nazarian, Ch. 392) Vehicles.
- AB 1329 (V. Manuel Perez, Ch. 598) Hazardous waste.
- SB 4 (Pavley, Ch. 313) Oil and gas: well stimulation.
- SB 429 (Hernandez, Ch. 214) San Gabriel Basin Water Quality Authority Act.
- SB 483 (Jackson, Ch. 419) Hazardous materials: business and area plans



AB 440 (Gatto) Chapter 588

Hazardous materials: releases: local agency cleanup

- Gives local agencies tools and immunities, similar to what they had with Redevelopment Agencies, under the Polanco Redevelopment Act.
- Local agency must submit a cleanup plan for each property for approval.

AB 1329 (V. Manuel Perez) Chapter 598

Hazardous waste

- Requires DTSC to prioritize enforcement actions affecting communities identified by Cal/EPA as the most impacted environmental justice communities.



SB 4 (Pavley) Chapter 313

Oil and gas: well stimulation

- Requires the Division of Oil, Gas, and Geothermal Resources (DOGGR) to adopt rules and regulations for hydraulic fracturing by January 1, 2015.
- DTSC and other departments consult.



What's next?

- Statutes take effect Jan. 1, 2014.
- The Legislature reconvenes Jan. 6, 2014.
- DTSC is tracking a number of two-year bills.
- Bills must leave house of origin by Jan. 31.
- The Legislature has until Feb. 21 to introduce new bills for 2014.



For more information...

Jacqueline Arnold, DTSC Legislative Manager

Jacqueline.Arnold@DTSC.ca.gov

Legislative Summaries and other info can be found at:

www.dtsc.ca.gov/LawsRegsPolicies/



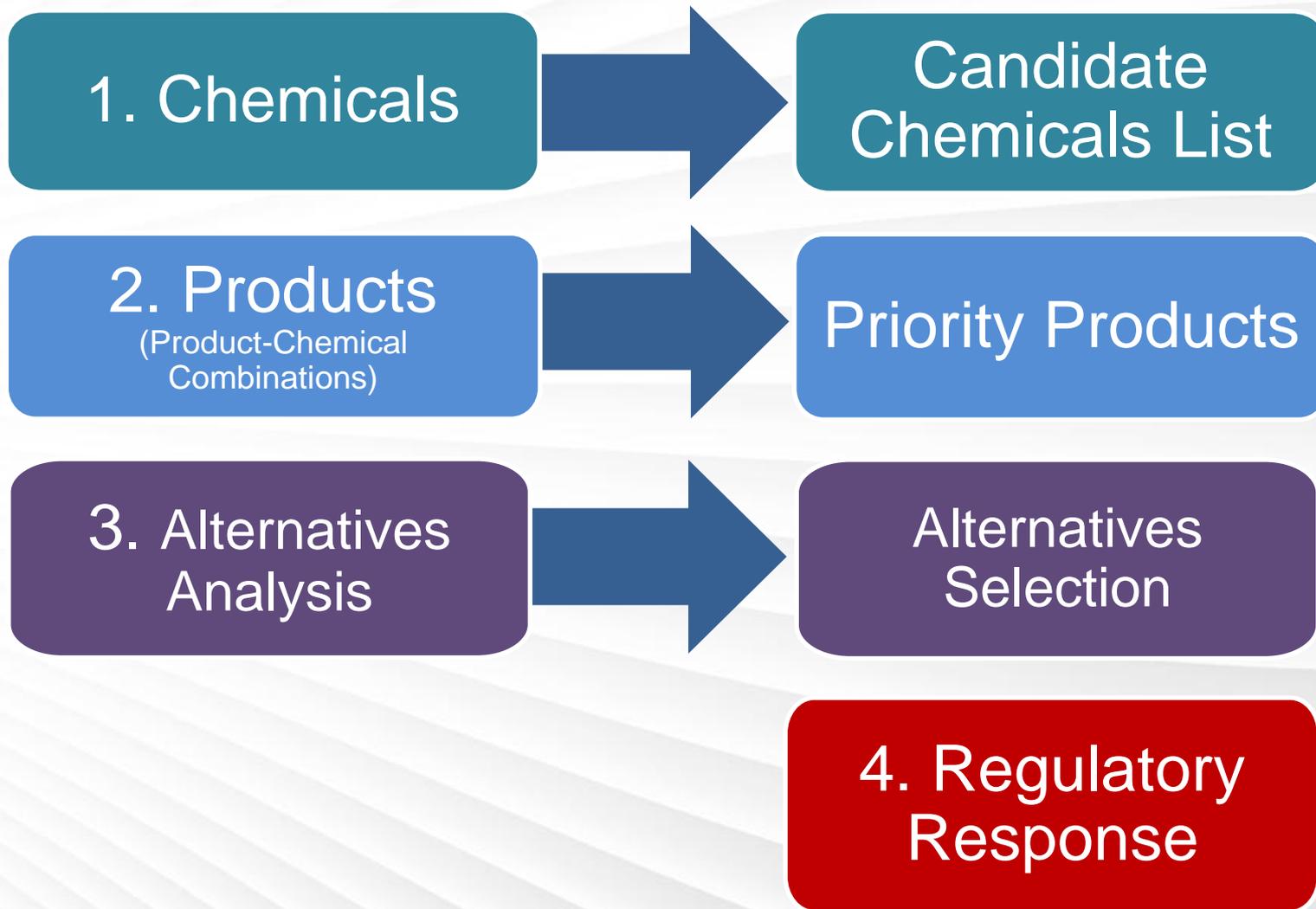


Safer Consumer Products Regulations Implementation Update

Karl Palmer, Environmental Program Manager



How It Works: The SCP Regulations



1. Candidate Chemicals Identification

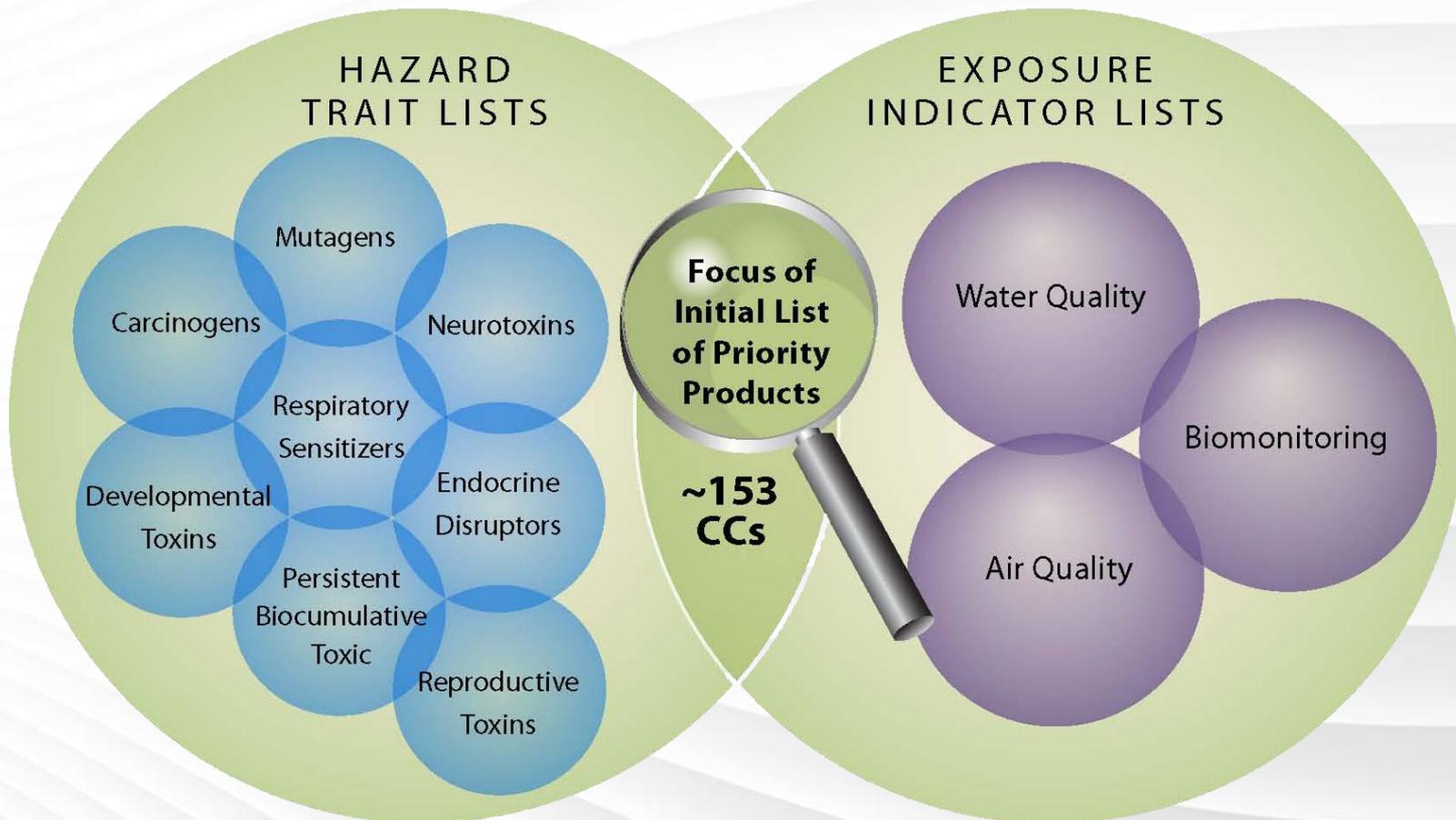
2. Identify Priority Products with Chemicals of Concern

3. Alternatives Analysis

4. Regulatory Response



List of Candidate Chemicals: ~1,100



List of Candidate Chemicals and Toxics Information Clearinghouse

September 26, 2013

- **Launch of new SCP Web Page:**
 - Informative List of Candidate Chemicals
 - Searchable Database
 - Toxics Information Clearinghouse



1. Candidate Chemical Selection
- 2. Identify Priority Products with Chemicals of Concern**
3. Alternatives Analysis
4. Regulatory Response



Key Prioritization Principles

- For each listed Priority Product there must be:
- Potential exposure(s) to the Candidate Chemicals in the product

AND

- Potential for exposures to contribute to or cause significant or widespread adverse impacts



Prioritization Factors for Product Selection

Hazards and Exposures

- Chemical properties, traits, env/tox endpoints
- Impact on sensitive subpopulations
- Market presence of product
- Exposure in households, workplaces and throughout product's life cycle including adverse waste and end-of-life effects



Prioritization Factors for Product Selection

Continued

Other considerations:

- Availability of information
- Other regulatory programs
- Alternative availability and feasibility



Next Steps for Priority Product Selection

- Identify Draft Priority Products (Prior to April 2014)
- No more than 5 Priority Products selected in first round
- Engage stakeholders
- Adopt PPs in regulations
- Publish Draft PP 3 Year Work Plan, (Finalize before October, 2014)



1. Candidate Chemical Selection
2. Identify Priority Products with Chemicals of Concern
- 3. Alternatives Analysis**
4. Regulatory Response



Alternatives Analyses

Goal - to encourage a shift toward safer products and to reduce the chances of regrettable substitution.



Next Steps...

- Re-establish the Green Ribbon Science Panel (GRSP) with first meeting January 29-30, 2014.
- Complete Draft Guidance for Preliminary AAs and hold stakeholder workshops (Spring 2014)
- Finalize AA Guidance prior to finalization of Priority Products list.



1. Candidate Chemical Selection
2. Identify Priority Products with Chemicals of Concern
3. Alternatives Analysis
4. **Regulatory Response**



List of Regulatory Responses

- No response
- Additional information to DTSC
- Additional information to consumer
- Additional safety measures
- Restrictions/Prohibitions on Sales
- End-of-life product stewardship
- Research funding

Other updates...

- Developing data, website and information management system
- MOU with US EPA supporting implementation
- Coordination with other states, business/industry, NGOs and other state agencies



The Market is Responding...

The screenshot shows a Windows Internet Explorer browser window. The title bar reads "Regulations demand safer adhesives | Articles | Flooring Covering Weekly - Windows Internet Explorer". The address bar shows the URL "http://www.floorcoveringweekly.com/Main/Articles/Regulations-dem...". The browser's menu bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". The Favorites bar contains "Writer's Diet", "State Salaries - The Sacram...", "Suggested Sites", "Free Hotmail", and "Web Slice Gallery". The address bar also shows "Final Draft: Technical Dossiers" and "Regulations demand safe...".

The main content area features a search bar with a "GO" button. Below it is a large banner for "FCW FLOOR COVERING WEEKLY" with the tagline "The Industry's Business News & Information Resource". To the right of the banner is an advertisement for "americhem" with the text "WE'LL FEED YOU GREAT KNOWLEDGE & LUNCH!" and a "SIGN" button. Below the banner is a navigation menu with buttons for "Editorials", "Columnist", "Archives", "Awards", "Events", "Market Place/Classifieds", "Media Kit", and "Product".

The article title is "Regulations demand safer adhesives". The issue is "October 28, 2013" and the posted date is "10/25/2013". The article text reads: "Home > Articles > Regulations demand safer adhesives. The potential impact of the California Department of Toxic Substances Control (DTSC) Safer Consumer Products regulations, taking effect Oct. 1, 2013, could be of grave concern to the flooring adhesive industry. Adhesive manufacturers must take action to eliminate higher risk toxic substances in their products. The regulations are designed to encourage manufacturers to use safer chemical alternatives in their products by identifying chemicals of concern, and restricting their subsequent use. Secondary goals of the program are to create new business opportunities in the safer consumer products category, and to reduce the burden on consumers and businesses attempting to identify any potentially toxic makeup of the products they purchase. The process starts with creating and publishing an initial list of candidate chemicals, expected to number 230 substances, but would grow to more than 1,200 chemical compounds, defined

On the right side of the article is a "Floor Covering Weekly DEALER CHOICE AWARDS" advertisement. It includes the text "Submit your entries NOW and be Premier Awards Program at Surfa" and "CLICK HERE TO SIGN Entry Deadline is December". At the bottom of the advertisement is the "COVERAG" logo.

The browser's status bar at the bottom shows "Internet" and "100%".

Questions and Information:

Email questions to:

SaferConsumerProducts@dtsc.ca.gov

Website: <http://www.dtsc.ca.gov/SCP>





Office of Permitting Response to CPS Review

Rizgar Ghazi, Peter Bailey , Wayne Lorentzen

Office of Permitting

Permitting's Response – “CPS Permitting Process and Analysis” Review

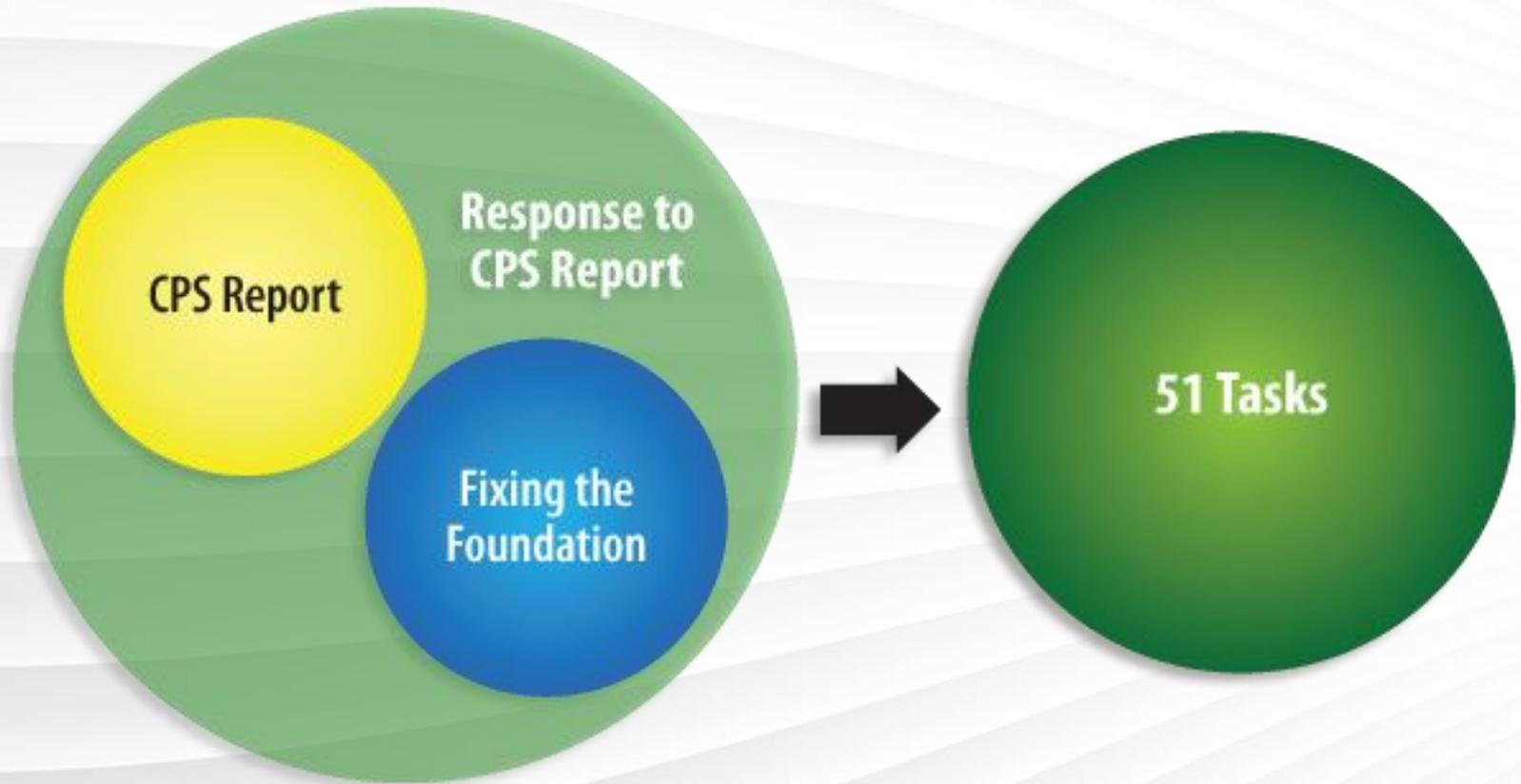


What is Permitting Doing?

- Defining our Tasks
- Defining our Process



Defining our Tasks



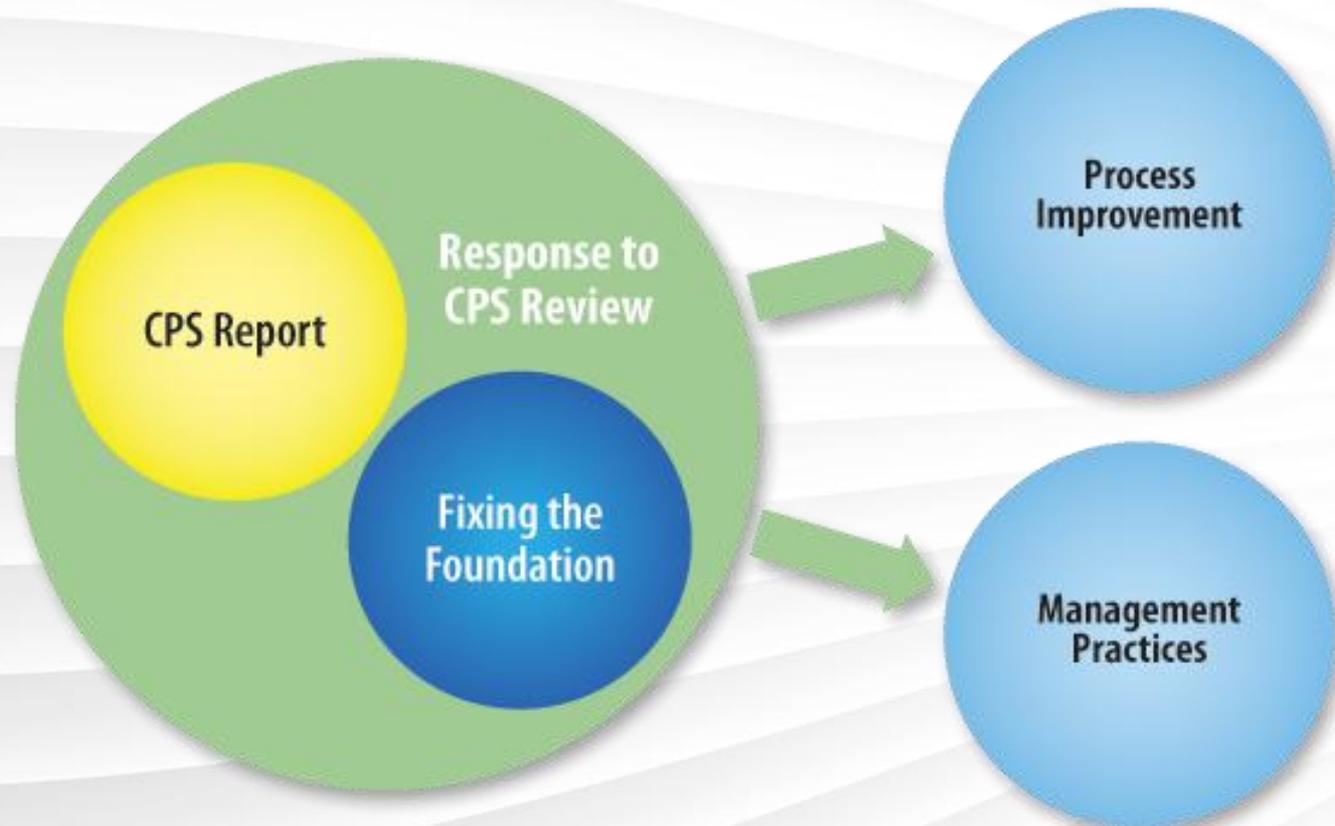
Defined Tasks for Response - 51 Tasks

- 16 completed
- 35 in progress

To see DTSC's Fixing the Foundation document:
<http://dtsc.ca.gov/FixingFoundation.cfm>

To submit your comments to DTSC's Office of
Permitting:
OfficeofPermitting@DTSC.ca.gov

Defining our Process



Process Improvement: What We Have Done

- Improve EnviroStor
- Enforcement Review of Permits
- CEQA Training
- Permitting Data
- Staff Progress Meetings



Process Improvement: What We Have Done

- Projected Schedule
- Submittal of Applications
- Financial Assurance Training
- Coordination with Enforcement



Management Practices: What We Have Done

- Branch Chief Meetings
- Realign Existing Team Structure
- USEPA Permit Writer's Conference Calls
- Continue Meetings with USEPA
- Retention Encouragement
- EnviroStor for Management
- Update Duty Statements
- Telecommute Agreements
- USEPA Region 9 Calls



Process Improvement: What is in Progress

Provide Training Modules in:

- General Facility Standards
- Closure Plans
- Tank Assessments
- Landfill Design
- Permitting Process
- Writing Permits
- Project Management
- CEQA
- Environmental Justice and Public Participation



Process Improvement: What is in Progress

- Policy
- Fact Sheet - Public's Role in Permitting Process
- Fact Sheet - Hazardous Waste Facility Permits
- Reinforce Language and Define Acronyms
- Evaluate Notice of Deficiency Frequency
- Cost Estimate Training
- Enhance Permitting Process Tasks
- Violations Considered in Permit Decisions



Process Improvement: What is in Progress

- Performance Measures
- Standard Operating Procedures
- Guidance, Manuals, Policy and Model Permits
- Create Electronic Permitting Library
- Develop Review Workgroup
- Permitting Process Flow Chart
- Mission Statement
- Health Risk Standards



Management Practices: What is in Progress

- Quarterly Audits of EnviroStor
- Policy on CPS Recommendations
- Performance Appraisals



Management Practices: What is in Progress

- Coordination on Projects
- Resources
- List of Tasks



To submit comments to DTSC's Office of Permitting:
OfficeofPermitting@dtsc.ca.gov

To submit public comments or sign up for mail list
via the Internet, please email to:

DTSCPublicMeeting@dtsc.ca.gov

