UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Ms. Elise Rothschild
Deputy Director
Hazardous Waste Management Program
State of California
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Re: DTSC Grant #00936312 SFY2014 End of Year Evaluation

Dear Ms. Rothschild,

Congratulations to you and your DTSC staff for your strong performance under the Hazardous Waste Management Cooperative Agreement Work Plan for Fiscal Year 2014. This year DTSC continued to operate a robust compliance monitoring and enforcement program, using RCRA funds to complete 136 inspections, 32 financial responsibility reviews, and collect $1,407,493 in penalties from formal enforcement settlements. This grant period also included a large shift in DTSC's P2 activities toward implementation of the Safer Consumer Products program. This is a shift EPA supports strongly and applauds the progress DTSC has made in the past year. Additionally, DTSC met all of its grant commitments for the US-Mexico Border Program.

Moving forward in Fiscal Year 2015, EPA would like to increase its level of communication and coordination with DTSC. Ideally this would occur with more frequent mid-level manager and staff communications to keep both agencies properly apprised of the other's work related to the RCRA 3011 Grant. Additionally, EPA would appreciate the opportunity to offer enhanced support to both permitting and corrective action activities through more frequent discussions in the coming year.

I have enclosed a draft End of Year Evaluation for your review. Please let us know if you have any comments. If I do not hear from you in 30 days, this report will become final.

If you have any questions or comments, please contact Kelly Wedell, the California Project Officer, at 415-972-3735 or Wedell.kelly@epa.gov.

Sincerely,

Jeff Scott
Director, Land Division

Enclosure: EPA End of Year Evaluation

Cc with Enclosure: Donn Diebert
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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San Francisco, CA 94105

May 7, 2015

California RCRA/C 3011 SFY 2014 End of Year Report (Grant ID# D-00936312)

This report evaluates DTSC's performance on their grant work plan commitments for the state's RCRA C Grant. The commitments are based on national program goals and other program elements that reflect core requirements for implementing the RCRA program. The evaluation does not reflect an in depth review of the complete hazardous waste program. The evaluation is for activities for state fiscal year 2014 (July 1, 2013 to June 30, 2014), the third year of a three-year cooperative agreement (grant).

California was authorized to implement the RCRA/C program in lieu of U.S. EPA on July 23, 1992. California was last authorized to implement a revised RCRA/C program on October 7, 2011.

Executive Summary

We commend the Department of Toxic Substances Control for meeting the majority of its core commitments in the Hazardous Waste Management Cooperative Agreement Work Plan. We anticipate that by addressing the issues outlined in this report, DTSC will be able to meet all of the commitments for FY2015.

Program Accomplishments

DTSC continues to operate a robust compliance monitoring and enforcement program, using RCRA funds to complete 136 inspections, 32 financial responsibility reviews, and collect $1,407,493 in penalties from formal enforcement settlements in FY2014. We appreciate DTSC's continued effort to address our request to separate RCRA and non-RCRA funded inspection and enforcement activities. It helps us better understand how grant funds are utilized.

The permitting and corrective action programs both continue to have strong relationships with US EPA. The permitting program completed 6 Government Performance and Results Act (GPRA) Accomplishments in FY14, slightly short of their goal of 8 accomplishments (complete details in the body of the report). DTSC's GPRA cumulative percentage accomplishments for the corrective action program were: (a) human health exposure under control at 93.5% of the baseline facilities, (b) migration of contaminated groundwater under control at 78% of the baseline facilities, and (c) remedy constructed at 55% of the baseline facilities.

With regards to Data Management, DTSC's Permitting and Enforcement data has achieved greater transparency with the newest public version of Envirostor. Additionally, timely monthly submissions to the CME, Permits, and Corrective Action modules were made from Envirostor to RCRAInfo.

DTSC has met the grant commitments for the US-Mexico Border Program in FY2014. This included continuing to participate in activities to support the Border 2020 Program, and assisting in import/export inspections at the Otay Mesa and Calexico Port of Entry Crossings.

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This grant period also included a large shift in DTSC's P2 activities toward implementation of the Safer Consumer Products program. This is a shift EPA has supported strongly and DTSC has made great progress.

Program Recommendations

Continuing from FY2013 into FY2014, data management continues to be a challenge for tracking Hazardous Waste Program accomplishments for the DTSC and Certified Unified Program Agencies (CUPAs). Entering program accomplishments into RCRAInfo is not only an important part of recording work completed, it is a delegated program responsibility. Most programs at DTSC are maintaining some data in RCRAInfo, but much of this data does not match up with the data reported in DTSC's end of year self-assessment. Additionally, minimal generator enforcement and inspection data is being entered into RCRAInfo by or for the CUPAs. EPA and DTSC should continue to discuss methods for improving DTSC and CUPA data entry into RCRAInfo.

DTSC also needs to update their multi-year permitting strategy, which EPA did not receive in FY14. The updated strategy is beneficial to both EPA and DTSC in regards to tracking permitting progress and anticipating future workload levels. Additionally, DTSC should continue to focus substantial efforts on reducing their permits backlog. This is crucial to getting the State's hazardous waste program as up-to-date as possible.

The corrective action program is slightly behind national goals for groundwater control and remedy construction. As mentioned in the body of the report, this is most likely due to adding 16 facilities to the baseline in 2013. Ideally, EPA would like to see DTSC catch up with national goals in FY15 in order to be on track to meet the 2020 national corrective action goals

DTSC and EPA Region 9 also need to increase the frequency of their communications related to specific programmatic work. Regular mid-level manager meetings on program progress would help to eliminate any communication gaps experienced over the past year, and help ensure both programs are working together collaboratively and efficiently to improve California's Hazardous Waste Program as a whole.

Conclusion

DTSC is doing well in its core program areas that support the Hazardous Waste Program. It is Region 9's hope that increased communication over the next year can help ensure even more success across the program. EPA looks forward to continuing its work with DTSC in FY15.

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I.Compliance Monitoring and Enforcement

A. Inspection Program Accomplishments

The Enforcement and Emergency Response Division (EERD) reported completing at least 136 RCRA funded inspections and 174 non-funded facility inspections. EERD also reported responding to 693 formal complaints. A total of 32 RCRA funded and 25 non-RCRA financial assurance reviews were conducted, for a total of 48 reviews. Some of these activities cannot be verified due to the fact that the reporting of these activities has not been entered into EPA's RCRAInfo database.

EERD conducts active oversight of electronic waste collectors and recyclers, conducting 118 e-waste management inspections. DTSC continues to provide leadership in finding non-compliance in this sector and pursuing appropriate enforcement.

California's Regulated Universe[1]					
Active TSD	Land -fills	Combustion	LQG	SQG	Transporters
61	49	4	5,989[2]	48,309[3]	900

Table 1 – California's Regulated Universe
[1] Per RCRAInfo reports pulled 12/3/2014 (except transporter universe from DTSC's HWTS system)
[2] Large Quantity Generator. EPA obtained a copy of DTSC's manifest databases and estimated the LQG universe to be 5989 based on the number of generators that shipped 12 tons or more of RCRA hazardous waste in calendar year 2014.
[3] Small Quantity Generator. Includes numerous facilities that have not de-activated their ID numbers.

Inspection Accomplishments			
Type of Facility	Work plan Commitment	Outcome Reported in EOY	Number Reported in RCRAInfo
Operating TSD	37 – 39	41	47
Post-Closure Facilities	7 – 11	9	14
Generators (LQGs)	7	8	12[1]
Transporter	--	27	33[2]

Table 2 – Inspection Accomplishments
[1]This number is for DTSC inspections alone, not CEIs performed by CUPAs. Per California Environmental Reporting Systems (CERS), CUPAs have completed approximately 283 LQG inspections. Due to Quality Control/Quality Assurance issues, CERS inspection and enforcement data has not been uploaded to RCRAInfo.
[2]RCRAInfo does not clarify active and inactive transporters so it is difficult to confirm DTSC's EOY number of 27.
Note: California's hazardous waste program is both broader in scope and more stringent than the federal program. For example, under California regulations, some facilities are considered TSDs, but under federal regulations, and in RCRAInfo, these facilities would be categorized as waste generators. Additionally, a facility categorized as a small quantity generator in RCRAInfo could be a state-waste-only large quantity generator. Therefore, the individual inspection and enforcement outcomes reported by DTSC are difficult to reconcile with what is reported in RCRAInfo.

Inspection Summary

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1. TSD Inspections. DTSC reported 41 compliance evaluation inspections at operating RCRA TSDs in the End of Year Self-Assessment. There are 47 operating RCRA TSD inspections entered in RCRAInfo. According to both of these measures, the commitment of 37-39 inspections was met. EERP reported 9 inspections at post-closure (PC) TSDs. There are 14 compliance evaluation inspections at PC facilities entered in RCRAInfo. The number of PC TSDs inspections is within the commitment range of 7-11 inspections.

2. Generators. DTSC reported conducting 8 generator inspections. RCRAInfo shows 12 compliance evaluation inspections (CEI) performed by DTSC, and an additional 283 LQG CEIs performed by Certified Unified Program Agencies (CUPAs).[1] The DTSC commitment of 7 has been met and exceeded. Note: EPA expects 20% of the active LQG universe in California to be inspected on an annual basis. The number of LQG CEIs documented in RCRAInfo is significantly below 20%.

3. Transporters. DTSC reported conducting 27 transporter inspections. Due to the fact that transporters are often also listed as waste generators, it is difficult to determine the number of these inspections in RCRAInfo.

4. Used Oil. DTSC's Used Oil Team reported conducting inspections: 26 used oil appropriation and used oil contract funded. RCRAInfo does not identify used oil facilities as a separate universe, so EPA cannot distinguish these used oil inspections from generator inspections.

5. Complaints. DTSC reported responding to 693 formal complaints.

B. Enforcement Program Accomplishments

Enforcement Actions						
Agency Action	**Total Reported (RCRA & non-RCRA)**	**RCRA Cases[1]**	**Number in RCRAInfo**	**Number[2] Timely (%)**	**Criteria (days)**	**Goal (%)**
Informal Actions	**62**	**NA**	**62**	**59 (95%)**	**150**	**80%**
Formal Actions Initiated	**6**	**NA**	**6**	**0(0%)**	**240**	**80%**
Settlements (of admin. penalty orders)	**19**	**NA**	**19**	**8 (42%)**	**360**	**80%**
Enforcement SEPs [3]	**0**	**0**	**0**	**NA**	**NA**	**NA**

Table 3 – Enforcement Actions
[1]NA = Not able to determine from RCRAInfo data
[2] Number of timely per RCRAInfo data
[3]SEP = Supplemental Environmental Project (includes California Compliance School)

[1] According to CERS database.

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C. Key Compliance Program Indicators

Trends of Key Compliance Program Indicators (As Reported in RCRAInfo)				
Indicator	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Inspections (CEIs, FUIs, FCIs)	156	207	149	295
Operating TSDF Inspections	47	46	41	47
Inspections w/ Violations	76 (49%)	74 (36%)	50 (34%)	52 (18%)
Inspections w/SNC[1]	25 (16%)	28 (14%)	13 (9%)	14 (14%)
Informal Actions	89	80	62	62
Timeliness of Settlements	47%	58%	50%	42%
Settlements	19	21	16	19
Average # of days to settle	670	646	790	568
Fines and Penalties	$1,598,752	$3,411,057	$1,731,874	$1,447,615
SEPs[2]	0	4	0	0
Value of SEPs	$0	$13,000	0	0

Table 4 – Trends of Key Compliance Program Indicators
[1] SNC (significant non-complier)
[2] DTSC's definition of Supplemental Environmental Projects differs from EPA's definition, as DTSC may include referrals to the California Compliance School and reimbursement of compliance costs.

EERD reported initiating 54 administrative/civil cases and settling 42 with penalties totaling $1,722,125. Of these 42 settled cases, 23 were RCRA funded cases with penalties totaling $1,407,493. The remaining cases were non-RCRA funded cases with penalties totaling $314,632. RCRAInfo penalty information nearly matches that reported by DTSC, with 19 settlements and the total RCRA funded penalties being slightly more at $1,447,615. DTSC's data also indicates that 6 of their 6 formal cases were initiated in less than 240 days. This is a significant improvement from previous years. However, only 8 of 19 cases (42%) resulted in settlements in less than 360 day. This is consistent with previous years.

D. CUPA Program Activities

Oversight of the 83 local government agencies (–i.e., CUPAs) that implement the RCRA generator inspections and enforcement program as well as 5 other statutes in California presents a formidable challenge. During SFY14, EERD completed 25 CUPA program evaluations, and conducted 48 CUPA oversight inspections.

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DTSC provided training and technical assistance on an as-needed and as-requested basis to specific CUPAs. DTSC also provided multiple hazardous waste generator trainings, including 2 sessions of the California Compliance School. In addition, training held at the CUPA conference provided invaluable guidance to local government agencies on the hazardous waste program.

Imperial County and Trinity County Programs: Cal/EPA has designated DTSC as the CUPA for Imperial and Trinity Counties. DTSC performed 238 hazardous waste generator inspections in Imperial County and 13 hazardous waste generator inspections in Trinity County. Four enforcement actions completed for Imperial County resulting in total assessed penalties of approximately $75,000. One formal enforcement action was initiated by Trinity County in SFY2014.

The California Environmental Reporting System (CERS) was initiated in 2009 for regulated facilities in California to report hazardous materials and hazardous waste information for the various programs delegated to the CUPAs to implement (e.g., hazardous waste generator inspection and enforcement). Beginning in 2013, regulated facilities were required to enter facility data into the CERS. As of September 2013 only one of the state regulated facilities had entered site information data into CERS. Beginning 2014, CUPA inspection and enforcement data is to be either entered directly into CERS or indirectly through a compatible database.

E. Issues and Recommendations

Issue: The data in RCRAInfo significantly underreports the work and accomplishments that DTSC reported in the end-of-year self-assessment. Due to these differences in the federal vs. state program, the numbers DTSC provides are difficult to reconcile with the data in RCRAInfo. Note: A significant number (283) of LQG inspections are reported in CERS. However, due to CERS Quality Control/Quality Assurance issues the data has not been uploaded to RCRAInfo until these issues are satisfactorily addressed.

Recommendation: DTSC should develop data entry and quality control procedures that ensure all components of their RCRA inspection and enforcement program are reflected in RCRAInfo data. DTSC should periodically run RCRAInfo reports, and ensure all RCRA accomplishments are being entered. All RCRA accomplishments need to be recorded in RCRAInfo, because this is a requirement of a RCRA authorized State. This database is the official Federal database of record that is used for Congressional inquiries, GPRA reporting, tracking of RCRA accomplishments by EPA HQ, and the basis for information available to the public.

II. Permits

A. GPRA Goals and Planning

U.S. EPA and DTSC agreed upon and memorialized GPRA Permit Goals in the cooperative agreement work plan. Table 5 below outlines these goals and the results, which are measured in the number of approved controls in place and completed at hazardous waste facilities during the project period. DTSC's Office of Permitting is responsible for this task.

The following are considered approved controls in place:

- Final approval of an initial permit
- Final approval of a permit renewal
- Final approval of a post closure permit
- Closure with an approved post closure permit

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- Clean closure verification
- Transfer to Corrective Action

Approved controls in place are necessary to ensure that hazardous waste facilities are operating in a manner that protects human health and the environment.

DTSC's commitment for FY14 was to achieve eight permitting accomplishments toward the GPRA permitting goal. DTSC approved six controls in place (see Table 6 below). Though most of the work for an additional, seventh facility (Veolia) was accomplished, the permit did not become effective until October 7, 2014, and therefore it will become an accomplishment for FY15.

DTSC's Office of Permitting recently received extra temporary personnel, including CEQA and legal help for permit issues. Based on this increase, EPA looks forward to DTSC not only meeting the eight permitting commitments for FY15, but exceeding the goal as part of an overall strategy to reduce the permit renewal backlog. Since there will be a large number of permits expiring in 2017-2018, it is important to keep trained personnel and we suggest that, if possible, the temporary appointments be retained beyond their current appointment dates. Region 9 will continue to work with DTSC to track progress toward achieving these goals.

The work plan states that DTSC will update the multi-year strategy; however, we did not receive this for FY14. In the past EPA found this document helpful when we met to track permitting progress, as it more accurately reflects the current workload and backlog, and helps forecast the workload to reduce the backlog. EPA looks forward to receiving an updated multi-year strategy as part of the Mid-Year and End-of-Year Reports.

Table 5 – Permit GPRA Goals and Accomplishments Summary

GPRA Metric	2010-2011		2011-2012		2012-2013		2013-2014	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Approved Controls in Place	7	7	8	8[1]	8	3[2]	8	6[3]

[1]DTSC met the GPRA goal for federal FY12, even though 2 of these accomplishments occurred outside the July 1, 2011 to June 30, 2012 project period.
[2] DTSC had five additional permitting accomplishments which didn't count towards FY13 GPRA since they were not on the GPRA Permits baseline.
[3] DTSC accomplished seven permitting goals (See Table 6), however, the Veolia permit didn't become effective till October 7, 2014 translating to an accomplishment for FY15.

B. Program Accomplishments

DTSC had extra workload with the Class I, II, and III modifications. Though this work is not currently counted as the GPRA workload, we recognize that Class II and III modifications can be as labor intensive as permit renewals. During FY14 the Kettleman Class III modification fell into this category.

DTSC has shown high commitment to public engagement and public outreach, especially in Environmental Justice communities. We look forward to seeing the expanded outreach changes that were outlined during the EOY meetings.

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DTSC issued a lot of Emergency Permits in 2014. EPA would like DTSC to ensure that Emergency Permits are only issued for emergencies and to evaluate reducing the number of Emergency Permits. Repetitive emergency permits should be replaced by regular RCRA permits. This will help maintain the integrity of the Emergency Permits program and also reduce the workload on the permits staff.

Table 6 – Permit Accomplishment Details

California 2014 Permitting Accomplishments				
	Facility Name	EPA ID #	Completion Date	Approved Control in Place
1	TOSCO	CAD000072751	1/2014	Clean Closure
2	POSCO	CAD009150194	3/2014	Post Closure - Renewal
3	NORAC PHARMA	CAD008352957	9/29/14	Transfer to Corrective Action
4	ROMIC ENV TECHNOLOGIES	CAD009452657	1/2014	Transfer to Corrective Action
5	CROSBY & OVERTON	CAD028409019	9/2014	Renewal
6	DoD, Tracy	CA4971520834	6/5/2014	Transfer to Corrective Action
**	VEOLIA ES TECHNICAL SOLUTIONS LLC - RICHMOND	CAT080014079	9/8/2014 with an Effective Date of 10/7/2014. **This is a FY15 accomplishment.	Renewal

C. Data Management

Though a lot of data cleanup was done this year, more work still needs to be done. EPA would like to see DTSC continue the data cleanup in Envirostor in order to correct facility data (i.e., legal and operating status codes and unit data) before uploading this data to RCRAInfo. In addition, EPA needs DTSC to check and verify the quality of the data after every monthly upload to RCRAInfo.

The investment in cleaning up the data will result in a more accurate permitting universe in Envirostor and RCRAInfo databases which will help both EPA and DTSC more accurately identify the permitting backlog and better predict future workload.

III. Corrective Action

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A. GPRA Goals

EPA's 2020 GPRA Corrective Action goal is to achieve human exposures under control, groundwater under control, and remedy construction at 95% of the baseline facilities. The GPRA baseline for California contains 261 sites which includes the 16 new sites added to the baseline in early 2013. In order to be on track to meet the national 2020 GPRA goals, the federal fiscal year 2014 target was to have human exposures under control at 90%, groundwater migration under control at 80%, and remedies constructed at 57% of the baseline facilities.

Table 7 below identifies the annual percentage goals for each GPRA goal culminating in 95% for each in the year 2020, and Table 8 identifies DTSC's cumulative GPRA accomplishments compared to the totals across all of EPA Region 9.

Table 7

	Annual Percentage Goals for GPRA RCRA Corrective Action								
	2012	2013	2014	2015	2016	2017	2018	2019	2020
Human Health	81	85	90*	90*	95	95	95	95	95
Groundwater	69	73	80*	80*	84	88	92	95	95
Remedy Construction	46	51	57*	60*	75	80	85	90	95
Cleanup Complete**							25	TBD	TBD

*. The 2014 and 2015 goals were recently proposed by HQ. The goals beyond 2015 are milestones established by Region 9.
**. New goal established in Federal FY2013.

B. Program Accomplishments

At the end of federal fiscal year 2014, DTSC's GPRA cumulative percentage accomplishments were: (a) human health exposure under control at 93.5% of the baseline facilities, (b) migration of contaminated groundwater under control at 78% of the baseline facilities, and (c) remedy constructed at 55% of the baseline facilities. The addition of the 16 newly added facilities in the end of FY2013 is the reason DTSC is a bit behind on the national goal percentages. Yet, excluding the 16 newly added sites, DTSC achieved or exceeded all three 2014 milestones.

Table 8.

State	Facilities	HH		GW		RC		CC	
		Count	%	Count	%	Count	%	Count	%
CA	261	244	93.49	204	78.16	144	55.17	29	11.11

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In federal FY2014, DTSC accomplished 9 new Human Exposures Under Control; 11 new Ground Water Migration Under Control, and 15 new Remedy Construction Complete. Although DTSC completed only 1 Cleanup Complete in FY2014, it has a total of 29 facilities verified as Cleanup Complete since tracking began early in FY2013.

C. GPRA Planning – New Goal

In late fiscal year 2013, EPA adopted a new goal called, "Cleanups Complete." EPA has begun to track this goal as of federal fiscal year 2014 with a goal of having a minimum 25% of baseline sites meeting the goal by the end of federal fiscal year 2018. This goal is achieved when a facility has no further remedial action (RCRAinfo Code - CA999) and/or has achieved all applicable cleanup objectives and has enforceable institutional controls (RCRAinfo Code - CA900).

EPA requests that DTSC continue to maintain and update their projections for when each site will achieve the four GPRA goals. EPA requests that DTSC continue tracking and projecting "Cleanups Complete" and begin reporting the new goal in their end of year reports.

D. Issues and Recommendations

Issue: In RCRAInfo, Sierra Army Depot continues to be wrongly coded as achieving the remedy construction goal in 2013. The written form is clear that the facility has not achieved the goal. Please correct as soon as possible.

IV. Data Management

A. Program Accomplishments

DTSC's Permitting and Enforcement data has achieved greater transparency with the newest public version of Envirostor. Additionally, timely monthly submissions to the CME, Permits, and Corrective Action modules were made from Envirostor to RCRAInfo.

DTSC GISS staff compiled and began submitting data for the 2013 Biennial Report (BR) cycle which was ultimately completed (not QA'd) by 11/20/2014. This was an improvement since the 2011 BR cycle which was missing a large portion of California's data.

DTSC hired an IT specialist to document the flow of data from DTSC and other state agencies to federal databases including RCRAinfo (and ECHO.)

B. Issues and Recommendations

Issue 1: While DTSC took over management of a contract to process incoming Handler notifications, it has yet to address the absence of a Handler data flow from California to RCRAinfo. For example, the Handler module contains numerous IDs in the LQG status which, if compared to HWTS federal waste volumes, appear to no longer be LQGs.

Recommendation: DTSC needs to evaluate the interface between HWTS and RCRAinfo to determine if HWTS could provide base Handler information. A Handler data flow should resume; otherwise, DTSC should be prepared to manually correct RCRAinfo Handler records. HWTS/CERS/Envirostor/RCRAinfo universe comparisons are needed.

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Issue 2: During the state fiscal year, it was discovered that data flowed to the RCRAinfo CME module from the CUPA's database of record (CERS) did not undergo QA by DTSC or USEPA Region 9 before its submittal. Furthermore, since the flow of data was not sustained, CUPA-identified violations resolved locally did not have those records updated in RCRAinfo.

Recommendation: Provide IT staff or contractors with RCRAinfo CME Translator skills to help evaluate QA methods being developed by CalEPA to reduce the likelihood of incomplete or false data being migrated to RCRAinfo from CERS, so that the CERS flow can be resumed.

Issue 3: The 2011 Biennial Report cycle with California was never properly completed. It appears as though some of the data was lost when overwritten by a subsequent submittal, as the 2011 report lists only 1511 Handlers compared with 2598 from the 2009 cycle and 3107 from the 2013 cycle. Additionally, post-submittal QA has not been initiated for the 2013 Biennial Report cycle data.

Recommendation: DTSC should try to obtain historical BR records to compare the total number of BR Cycle 2011 records received to the records in RCRAinfo, and resubmit those missing records. DTSC should also maintain Biennial Report staffing through the conclusion of the 2013 cycle QA. Staff should utilize RCRAinfo BR QA reports to identify large volume discrepancies between wastes reported shipped and received.

V. Mexico Border

A. Program Accomplishments

DTSC met the RCRA grant commitments for US-Mexico Border Program Activities in FY2014. These activities included input on the Border 2020 program 2013-2014 Action Plan close-out and input for the 2015-2016 Action Plan planning process; inspecting 2501 border trucks at the port of entry north-bound, and providing and leveraging capacity building through partnerships with other agencies.

1. Border 2012 and Border 2020 Program Support

DTSC has participated in the Border 2020 Program, taking a leadership role in re-instituting and convening the California Environmental Enforcement Task Force twice this past year on May 28 in Calexico and September 17th in San Diego. They presented their agencies past work and proposed activities as part of the CA/Baja CA Regional Workgroup in Imperial Beach in 2014. They have been engaged in the steps to participate in the Waste Policy Forum scheduled February 10-11, 2015 in Tijuana, Mexico. DTSC has also actively engaged border stakeholders in developing and implementing hazardous waste compliance workshops and given support to Border 2020 projects, relating to special waste, such as e-waste.

2. Import/Export Inspections

DTSC and San Diego County performed north-bound environmental inspections and occasional south-bound inspections in coordination with US Customs and Border Protection (CBP). DTSC performed inspections at the Otay Mesa (Tuesday-Friday) and at the Calexico (Friday) port of entry crossings. San Diego County performed weekly inspections in Otay Mesa. In total, DTSC reported 2501 truck stop inspections north-bound. They initiated a pilot to conduct south-bound inspections over two days, resulting in 27 border trucks being inspected. They plan to conduct more regular south bound inspections in 2015.

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B. Capacity Building

DTSC has continued to provide training and information on inspections to support intelligence-lead enforcement efforts, in coordination with their partner San Diego County. In 2014, DTSC participated in the CUPA conference and the Industry Forum in Tijuana with over 150 participants. Both events allowed DTSC to share information on border inspections and import/export practices.

C. Comments

DTSC continues to be a key partner under Border 2020 and their role in supporting binational grants has been important for the success of these projects. EPA looks forward to their participation in the Waste Policy Forum and the National Coordinator Meeting being planned for 2015.

VI. Safer Products and Workplaces Program

A. Program Accomplishments

This grant period has been marked by a huge shift in DTSC's P2 activities toward implementation of the Safer Consumer Products program. This is a shift EPA has supported strongly and DTSC has made great progress. The program has finalized its set of Priority Chemicals and proposed a set of Priority Products, has drafted initial guidance on conducting Alternative Assessments, and has established partnerships to promote education and outreach on green chemistry and development of safer alternatives.

B. Issues and Recommendations

Issue: None at this time. We encourage DTSC to finalize the first set of Priority Products as soon as possible to more quickly drive market action on these products. We look forward to continuing our collaborative efforts under the DTSC/EPA MOU, and associated activities like those funded under DTSC's 2014 Pollution Prevention grant.

VII. Grant Administration

General

Currently a monthly conference call between EPA staff and DTSC serves as the main mechanism of communication on grant administration matters. Programmatic meetings are scheduled as needed to ensure proper grant management and to address specific program issues as they arise. EPA's Project Officer, Kelly Wedell, has a very strong working relationship with DTSC and appreciates their timely response to emails and calls.

As of the writing of this report (January 2015), DTSC has been given $21,234,041 (100%) of their total grant allocation. DTSC has successfully drawn down all of this funding. Throughout the entire grant DTSC was consistent with their drawdown rate, which allowed for the complete expenditure of their funds.

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Authorization

California received their based program authorization in 1985. The state has adopted various rules through January 2002. The last authorization was completed in October 2011. The State has established a team to revitalize this aspect of their program. The State is currently drafting a Universal Waste Rule Package. The team is working diligently on comparing the State and Federal Rules and EPA expects to have a draft application in FY2015. EPA along with the State identified various rules the state has not been authorized for that may impact the State program. The State will prioritize those rules for future authorization applications.

QAPP

DTSC submitted their draft Quality Assurance Program Plan (QAPP) in late FY2014. The previous plan was out –of-date, and submitting a draft plan brings DTSC closer to compliance with all of the RCRA 3011 Grant's terms and conditions. The completed QAPP is anticipated in FY2015.

Issues and Recommendations

Issue: California's hazardous waste program is the largest in the country and includes many different program components working together to run successfully. As part of EPA's oversight, Region 9 would like to be kept better up to speed on major programmatic work, as well as grant administrative progress. During the past year there have been gaps in these updates causing Region 9 to be uninformed at times about major program decisions that impact large communities.

Recommendation: To avoid future communication gaps, a mid-to-senior level managers meeting should be held quarterly to ensure all parties are up to speed on current programmatic and administrative projects. Ideally these meetings would be held in person, but video or teleconference can be used as a backup when needed.

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