

Debbie's Message — A path forward, 2013-2015

For an organization to chart a course forward, it must first understand its starting point. Over the last 18 months, DTSC has taken significant steps to obtain feedback on its operations and performance. Our stakeholders, from community members and staff to regulated entities and other government organizations have evaluated our programs, policies and internal operations.

We have assessed our organization's strengths and weaknesses. We held World Cafe events to discuss Hazardous Waste Management and Laboratory issues. We administered the first employee satisfaction survey in 4 years and have conducted town hall-style meetings with both external stakeholders and our own staff. We took a hard look at our financial structure.

The findings were clear. Our organization has made significant strides in protecting human health and the environment, but we still have a lot of work to do in order to meet our full potential.

We recognize how important it is for us to move forward and improve. Knowing the challenges we face and the areas in which we are deficient, we have developed multiple initiatives to move in that direction.

Our fixing the foundation initiative focuses on identifying and responding to the basic needs of any organization; a departmental re-org has focused on proper allocation of our resources based on our mandates and responsibilities; a prioritization project has helped us identify our most important unresolved issues; an employee satisfaction action plan is enabling us to respond to the needs of our staff; the cost recovery action team has focused on improving our capabilities to recover costs incurred from site cleanup, as well as other initiatives that are all working towards solving our challenges .

Now it's time to memorialize these efforts in a singular document that charts our path forward.

Our Department's Strategic Plan lays out the key actions we plan to take over the next three years. It is a singular response to all of the feedback we've received. More than simply a list of new initiatives, the Strategic Plan captures the essence of our efforts to evolve. It will serve as a beacon to help allocate resources and guide future decisions. Our Strategic Plan describes what success will look like and how our organization will be stronger, more effective, and more efficient.

Mission, Vision, Values, & Guiding Principles

Mission

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances through the restoration of contaminated resources, enforcement, regulation, and pollution prevention.

Vision

Californians enjoy a clean and healthy environment, and as a result of our efforts:

- Communities are confident that we protect them from toxic harm
- Businesses are confident that we engage them with consistency and integrity
- Consumers are confident that we stimulate innovation in the development of safer products

Values

Leadership

Sincere, honest, and professional leaders at all levels are able to create a clear vision and communicate how we get there.

Respect

DTSC staff is recognized as the most important resource that the Department has. Each individual's contributions and commitment to work excellence and public service is recognized and valued.

Teamwork

DTSC staff work together with an understanding of each other's experience, knowledge, roles, and responsibilities under an effective leadership system.

Innovation

DTSC plays an important role in defining future issues and developing innovative solutions. DTSC staff is empowered to be innovative and challenged to suggest ways of improvement, and are supported through training opportunities and networking events with the public, stakeholders, and other agencies.

Commitment

Protecting public health and the environment is the foremost priority at DTSC. Excellence is consistently demonstrated with a commitment to the highest standards.

Guiding Principles:

In conjunction with our values, DTSC's guiding principles serve as a cornerstone for the decisions we make and policies we pursue. They are:

Legally Defensible

Technically Sound

Practical

Meaningful & Protective

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Goals & Strategies

Goal 1: Prevent pollution by regulating the use and disposal of toxic chemicals in consumer products.

- 1.1: Develop and implement the Safer Consumer Products Regulations.
- 1.2: Implement regulations that promote a functional model for Extended Producer Responsibility, starting with the Mercury Thermostat Regulations

Goal 2: Protect Californians through the effective development, interpretation, and enforcement of hazardous waste laws and regulations.

- 2.1: Effectively identify enforcement and emergency response priorities through better utilization of staff, technology, and planning resources.
- 2.2: DTSC's efforts to regulate hazardous waste are effective, coordinated, and consistently implemented.
- 2.3: All DTSC permitted facilities are properly authorized and in compliance with the law.

Goal 3: Increase the impact of Cleanups to reduce or eliminate the threat to public health and environment.

- 3.1: Improve efficiency and overall effectiveness of investigation and cleanup.
- 3.2: Promote green remediation and sustainable remediation approaches.
- 3.3: Work with the United States Environmental Protection Agency and other state and federal agencies to prioritize and fund the cleanup of orphan sites and National Priorities List match.

Goal 4: Improve organizational services, effectiveness, and efficiency.

- 4.1: Establish a framework for ensuring long-term fiscal stability.
- 4.2: Ensure personnel practices are current and address future organizational needs.
- 4.3: Deliver training that enhances staff and manager development.
- 4.4: Improve organizational planning, performance management practices, and public reporting mechanisms.
- 4.5: Strengthen environmental chemistry laboratory capacity and capabilities to serve our programs.

Goal 5: Engage with external partners to achieve our mission.

- 5.1: Modernize our public participation model to meet the needs of the communities we serve.
- 5.2: Communicate priorities, capabilities, and outcomes timely and accurately.

Goal 1: Prevent pollution by regulating the use and disposal of toxic chemicals in consumer products.

Context:

DTSC has a significant role in pollution prevention. The department promotes scientific and engineering innovation, provides businesses with best practices, and encourages business to become better stewards of the environment. DTSC has taken on additional responsibilities for enforcing state laws that regulate toxic chemicals in specific consumer products. The department has responded to numerous single-product bans addressing toxics in products including lead in children's jewelry, heavy metals in packaging and copper in vehicle brake pads.

Despite these efforts, new products continue to enter the consumer goods markets with toxic chemicals as ingredients. As new chemicals and compounds enter the supply chain every year, a need has arisen for a systematic approach to safeguard consumers from toxic harm.

In 2008, the California Legislature passed and Governor Schwarzenegger signed AB 1879, which gave DTSC authority to establish procedures in regulation to evaluate alternatives to chemicals of concern in products, and to specify regulatory responses where chemicals of concern are found in products.

This is a significant paradigm shift for both DTSC and California manufacturers. With the forthcoming adoption of the Safer Consumer Product Regulations, DTSC will shift from focusing on single chemicals to consumer products. In addition to protecting public health and the environment, the department's efforts will also prevent pollution at the source.

What DTSC will accomplish in the next 3 years:

DTSC will work with manufacturers to ensure that consumer products are safe for public use. Over the next two years, the department plans to begin implementation of the statutory requirements. This work starts with adoption of the Safer Consumer Product Regulations. Once adopted, the department will develop the internal infrastructure needed to launch the program. By 2015, the department plans to have identified the first round of priority chemical/product combinations and initiated the first work plan cycle for their review.

Strategies and Actions:

1.1: Develop and implement the Safer Consumer Products Regulations.

- Action 1: Complete the Safer Consumer Product Regulatory Process.
- Action 2: Develop the necessary infrastructure, policies and procedures, time tables, guidance, and mission goals to successfully implement the Safer Consumer Product Regulations.

- Action 3: Identify the first round of priority products and initiate the first 3-year work plan cycle for addressing chemical/product combinations.
- Action 4: Integrate work place safety philosophy and practice into the considerations, goals and practices envisioned under the Safer Consumer Product Regulations.

1.2: Implement regulations that promote a functional model for Extended Producer Responsibility, starting with the Mercury Thermostat Regulations.

- Action 1: By July 2013, engage stakeholders, complete outreach efforts on new regulations, and help build collaborative relationships between key partners.
- Action 2: By May 2014, complete analysis of first year activities and adjust program goals as necessary.
- Action 3: By July 2015, complete a program evaluation that documents effectiveness, accomplishments, and best practices to help guide future replication.

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Goal 2: Protect Californians through the effective development, interpretation, and enforcement of hazardous waste laws and regulations.

Context:

DTSC is responsible for implementing the State Hazardous Waste Control Law (HWCL) and the Federal Resource Conservation and Recovery Act (RCRA). Together, these laws create a framework for the management of hazardous waste storage, treatment, and disposal facilities as well as hazardous waste generators and transporters. DTSC implements these laws by issuing permits, and registering hazardous waste transporters. DTSC enforces these laws through inspecting hazardous waste handlers and providing compliance assistance, training, and response to emergency situations around the state.

Emerging technologies provide us with new tools that will help us: identify facilities and communities where there is a high risk or threat to human health and the environment; analyze enforcement compliance trends; monitor hazardous waste trends; and more effectively and efficiently address hazardous waste issues.

What DTSC will accomplish in the next 3 years:

The department will focus enforcement on punishing violators of hazardous waste laws and regulation, removing economic benefits of non-compliance, improving deterrence efforts and promoting compliance. We will work to clarify unclear regulations and ensure that 100% of facilities within our purview are properly permitted and meet financial assurance requirements. We will increase coordination with our key enforcement partners; the Certified Unified Program Agencies, the United States Environmental Protection Agency, local prosecutors, and other enforcement entities.

Strategies and Actions:

2.1: Effectively identify and implement enforcement and emergency response priorities through better utilization of staff, technology, and planning resources.

- Action 1: Meet 100% of statutory mandates for inspection and enforcement actions.
- Action 2: Create an enforcement work plan that prioritizes enforcement activities using existing data sources, new environmental screening methods, and Geographic Information System (GIS) technology to provide the greatest positive public health and environmental benefit.
- Action 3: Increase collaborative enforcement efforts between DTSC's Enforcement Unit, DTSC's Office of Criminal Investigations, Certified Unified Program Agencies (CUPA's),

the United States Environmental Protection Agency (US-EPA), local prosecutors, and other enforcement agencies.

- Action 4: Reposition DTSC's emergency response program to ensure that it is properly structured, funded, and equipped to fulfill the expectations of the public, Cal-EPA, and the Governor's Office.

2.2: DTSC's regulation of hazardous waste is effective, coordinated, and consistently implemented.

- Action 1: By June 2014, develop and implement a system for identifying, researching, prioritizing, and resolving future hazardous waste policy issues.
- Action 2: By December 2015, resolve the 16 top priority hazardous waste policy issues identified by the policy and program coordination team.
- Action 3: Evaluate historical metal shredder waste reclassification decisions and respond as necessary to ensure public health and the environment are protected.
- Action 4: Research and evaluate hazardous waste management data, industrial trends, and chemical usage to identify future hazardous waste regulatory efforts.

2.3: All DTSC permitted facilities are properly authorized and in compliance with the law.

- Action 1: Ensure all operating facilities have current permits by 2015 and address any existing unclear permit conditions.
- Action 2: Ensure all commercial hazardous waste management facilities have accurate cost estimates and financial resources for closure, post closure, accidental liability and corrective action costs.
- Action 3: Conduct independent review of DTSC's permit processes, products and standards and provide public access to the review and its findings.

Goal 3: Increase the impact of Cleanups to reduce or eliminate the threat to public health and environment.

Context:

DTSC investigates and oversees the cleanup of sites where releases of hazardous materials to soil, soil gas, groundwater, and surface water have occurred. This includes thousands of California properties, including former industrial plants, military bases, small and large businesses, school sites, and landfills.

DTSC's Cleanup Program identifies contaminated sites, determines the potential risks to health and human environment based on scientific analysis, and works with property owners, governments, communities, and responsible parties to complete the cleanup of contaminated sites.

DTSC's Cleanup Program faces 2 critical challenges when cleaning up contaminated sites. Funding sources for cleanup activities are severely limited in this economic climate. At the same time, the department discovers more sites than it has the capacity to cleanup. These challenges will continue to increase in complexity as our population grows and land use needs change.

What DTSC will accomplish in the next 3 years:

DTSC plans to counter these challenges through a variety of methods. We will focus internally on how we can be more efficient and effective with our processes. We will reach out to our partners to prioritize orphan sites and ensure we're maximizing every opportunity for funding. We will focus on using remediation techniques that are more sustainable. For projects with long-term cleanup timetables, we will look to find alternative beneficial uses for the land to offset the costs of cleanup and improve sustainability.

Strategies and Actions:

3.1: Improve efficiency and overall effectiveness of investigation and cleanup.

- Action 1: Meet all 2013 Operation Plan Goals.
- Action 2: By June 2013, complete procurement of the construction contractor for Stringfellow and finish construction of the new treatment plant by 2015.
- Action 3: Complete approval of the remedy selection documents for Santa Susanna by December 2015 and complete soil cleanup by June 2017.
- Action 4: By July 2014 complete 3 pilot projects utilizing Geographic Information Systems (GIS) information to identify contamination sources of major soil and groundwater plumes in the San Gabriel Valley.
- Action 5: Update existing policies and procedures, develop new guidance, and deliver targeted training to enhance staff capabilities and improve the effectiveness and efficiency of cleanup program activities.

3.2: Promote green remediation and sustainable remediation approaches.

- Action 1: Request funding from Cap & Trade Revenue to upgrade treatment systems at orphan/National Priorities List (NPL) to improve energy efficiency or attain carbon neutrality.
- Action 2: By August 2013, identify 3 brownfield sites with long-term cleanup obligations and high potential for energy generation to facilitate the development of alternative energy generation.

3.3: Work with the United States Environmental Protection Agency and other state and federal agencies to prioritize and fund the cleanup of orphan sites and National Priorities List match.

- Action 1: By June 2014, develop a prioritization mechanism for funding orphan and National Priority List match sites.
- Action 2: By January 2015, identify and use excess funding under Proposition 84 to remediate groundwater contamination at orphan/NPL match sites.

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Goal 4: Improve organizational services, effectiveness, and efficiency.

Context:

The public and the regulated community are best served by an efficient, effective, and agile DTSC. The department's success in fulfilling its mission depends on its ability to direct resources toward actions that are the most productive and protective to human health and the environment.

Our staff is our most important asset and the department recognizes the value of investing in human capital. The department must be able to attract and retain high-performing staff, continually update their skills so they are abreast of the latest developments in their field, and create organizational structures and work processes that are efficient and effective. The department's information technology and laboratory environments must provide staff the tools they need to view, analyze, and act upon the data and other information relevant to oversight.

What DTSC will accomplish in the next 3 years:

The department will invest in and place a heavy focus on our internal operations and staff engagement over the next 3 years. We will continually evaluate our personnel policies and procedures, identify and act upon opportunities for staff growth and development, and invest in the tools and resources that will help the department be successful. The department will place special emphasis on both laboratory and information technology, and we will focus on improving our public accountability by tracking and publicly sharing our key performance data. We believe investing in these tools will enhance our ability to be more effective and efficient.

Strategies and Actions:

4.1: Establish a framework for ensuring long-term fiscal stability.

- Action 1: Develop and institute a structure that ensures revenues support long-term organizational objectives.
- Action 2: Update existing cost recovery policies, procedures, and guidelines and rebuild the Cost-Recovery Billing System to improve billing and collections.

4.2: Ensure personnel practices are current and address future organizational needs.

- Action 1: Ensure personnel policies and procedures are current, easy to understand, and readily accessible.
- Action 2: Improve employee recruitment efforts through the development of online examinations for key classifications.
- Action 3: Develop tools that assist managers in identifying and selecting the most qualified job applicants.

4.3: Deliver training that enhances staff and manager development.

- Action 1: Ensure all staff receive “Crucial Conversations” training.
- Action 2: Develop training programs that enhance leadership and managerial skills of first line supervisors.
- Action 3: Implement targeted training to supervisors and managers on providing meaningful performance appraisals and ensure all staff receive an annual appraisal.
- Action 4: Develop and deliver training to educate staff on Office of Civil Rights programs and functions.
- Action 5: Implement a sustainable needs assessment tool that continuously evaluates departmental training programs.

4.4: Improve organizational planning, performance management practices, and public reporting mechanisms.

- Action 1: Develop and implement a supportable performance measurement system that includes publically accessible DTSC environmental and performance data.
- Action 2: Develop a long-range information technology plan and implement first tier priority projects.
- Action 3: Update the Hazardous Waste Tracking System (HWTS) to better support program activities.
- Action 4: Enhance the cross-functionality between Envirostor, HWTS, and other mission-critical databases to support program data analysis efforts.
- Action 5: Implement an electronic document library for categorizing past decisions and transferring organizational knowledge, beginning with the Office of Legal Affairs.
- Action 6: Develop and implement a document management system for the Safer Consumer Products Program.
- Action 7: Use technology to share inspection priorities and integrate enforcement data and documents into our public Envirostor website.

4.5: Strengthen environmental chemistry laboratory capacity and capabilities to serve our programs.

- Action 1: Obtain state-of-the-art lab instruments and infrastructure to meet current and emerging chemical issues.
- Action 2: Attain ISO 17025 certification of the environmental chemistry laboratory’s quality management system for data defensibility.
- Action 3: Improve work efficiency, data quality, and coordination with the laboratory’s customers by developing and implementing training and problem resolution processes.

Goal 5: Engage with external partners to achieve our mission.

Context:

DTSC believes in engaging and empowering communities and partners to support our efforts to protect human health and the environment. The department recognizes the importance of providing accurate and timely information to the public and our stakeholders. DTSC maintains open communication with a diverse public and community network statewide. Statute and policy mandate a community involvement program that creates and promotes open dialogue with public stakeholders when DTSC is involved in the initiatives of site cleanups, permit application reviews, land reuse, and when engaging in other regulatory activities.

DTSC values the public's involvement in all stages of its decision-making process. DTSC also handles hundreds of media inquiries from media outlets around the world who want to know what the department is doing on behalf of the environment. DTSC works to provide accurate, transparent and timely information to members of the media.

The department recognizes that the current state-mandated system for public participation doesn't always meet the needs of the communities we work with. Technology has created new tools for communicating while at the same time making some communication methods obsolete. In addition to the technological challenges, DTSC has recognized that we must develop more community specific public engagement approaches if we are going to be successful in solving the issues that face us.

What DTSC will accomplish in the next 3 years:

The department will focus efforts on updating all of our current communication tools and public participation methods to better meet the needs of the public and communities we work with.

Strategies and Actions:

5.1: Modernize our public participation model to meet the needs of the communities we serve.

- Action 1: Update and revise our existing public participation guidance, community advisory group guidance, media guide, and writing guide.
- Action 2: Outline and adopt a tailored outreach strategy for environmental justice communities.
- Action 3: Develop and provide communication training and tools to program staff to ensure that departmental communications are understandable and audience specific.

5.2: Communicate priorities, capabilities, and outcomes timely and accurately.

- Action 1: Update our public website and develop interactive tools to provide accurate, timely, and flexible access to information.
- Action 2: Develop and implement multiple communication strategies to improve public understanding of DTSC's mission, priorities, and accomplishments.