

Community Engagement

BACKGROUND

Senate Bill (SB) 673 (2015) required the Department of Toxic Substances Control (DTSC) to consider adopting new hazardous waste permit criteria in California regulations and to implement programmatic reforms.¹ DTSC began adopting new permit regulations and programmatic reforms in 2019. In 2021, DTSC proposed a framework to implement the permit criteria related to community vulnerability and setback distance.

In response to the public input received, DTSC has revised the framework to better address the public’s comments and propose further programmatic reform.

DTSC is releasing three information sheets to communicate the revised regulatory framework that is guiding regulation development to enhance community protections. This information sheet shares DTSC’s plan to achieve GOAL 1. Future information sheets will address the remaining goals.

The revised framework has three main goals:

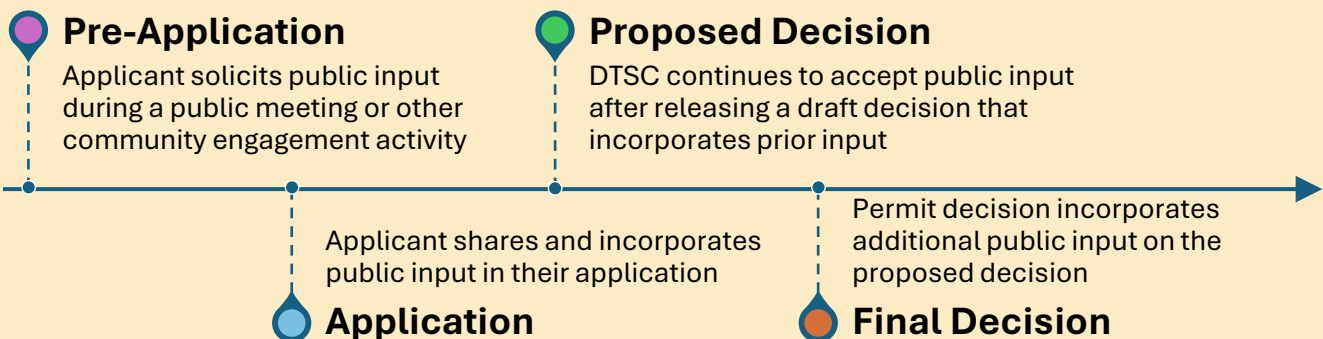
-  **GOAL 1:** Provide earlier opportunities for public input
-  **GOAL 2:** Consider community vulnerability in permit decisions and conditions
-  **GOAL 3:** Develop science-based setback distance for community protection

How we plan to achieve GOAL 1

Promote community engagement and transparency by:

1. Expanding upon current requirements so that permit applicants will need to complete a community engagement activity (e.g., open house, discussion with community-based organization, community survey, etc.) before submitting a new permit or permit renewal application; and
2. Creating mechanisms for the public to see how DTSC considered their input throughout the permitting process.

NEW PUBLIC INPUT PROCESS WITH PROPOSED CHANGES



¹ Health and Safety Code sections 25200.21 and 25200.23

DETAILS OF GOAL 1 PROPOSED FRAMEWORK

DTSC is proposing to expand on current requirements by requiring that permit applicants:

- Complete a DTSC-approved community engagement activity for new federal² and state³ hazardous waste permit applications and applications for permit renewals;
- Inform the public about proposed hazardous waste management activities and their potential environmental, health, and other impacts on nearby communities;
- Inform the public about how the applicant will manage potential risks to nearby communities in the pre-application meeting or other community engagement activity (see page 4); and
- Summarize and incorporate public input from the pre-application public meeting or other community engagement activity in the permit application.



Applicants will need to address public input on community vulnerabilities in a Community Vulnerability Profile and Community Vulnerability Analysis, which will be presented in Information Sheet #2.

DTSC will use information gathered in pre-application public meetings and other community engagement activities to inform permit conditions and decisions.

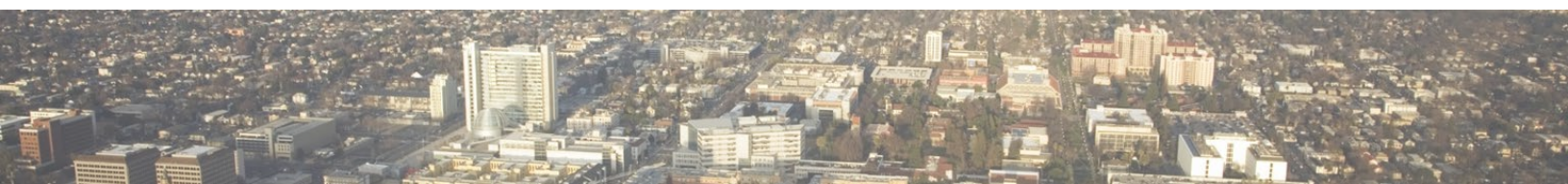
BENEFITS OF GOAL 1

Community Members

- ✓ Promotes transparency to the public, as the applicant will need to incorporate public input in the permit application
- ✓ Enhances accountability, as the public has opportunities to provide feedback throughout the permitting process

Permit Applicants

- ✓ Provides opportunity for applicants to share information about their operations and impacts with the public early in the permit application process
- ✓ Allows applicants to identify and address concerns earlier in the permitting process, which may help reduce delays in the permit decision



² Resource Conservation and Recovery Act (RCRA) permit

³ Standardized permit

COMPARISON OF CURRENT AND PROPOSED PUBLIC INPUT REQUIREMENTS

	Current Requirements ⁴	Proposed Requirements
Early Engagement		
Who	RCRA permit applicants	<u>All</u> applicants (RCRA and standardized permit applicants)
When	Before an application is submitted to DTSC (i.e., pre-application phase) for an initial permit or major modification	Before an application is submitted to DTSC (i.e., pre-application phase) for an initial permit or permit renewal (and for major modifications to RCRA permits)
What	Applicants hold a public meeting	Applicants hold a public meeting or complete <u>community engagement activity</u> ⁵
How	Applicants must solicit questions from the community and inform the community about their operations	In addition to current requirements, applicants must share information about <u>potential risks and impacts to nearby communities</u> and how they will manage these potential risks and impacts
Consideration of Public Input in Permit Application		
Who	RCRA permit applicants	<u>All</u> applicants (RCRA and standardized permit applicants)
When	Application is submitted to DTSC for initial permit or major modification	Application is submitted to DTSC for an initial permit or permit renewal (and for major modifications to RCRA permits)
What	Applicants include public input in permit application	Applicants include public input in permit application
How	Applicants must include a summary of the pre-application public meeting, a list of attendees, and any materials submitted at the meeting	In addition to the current requirements, applicants will also be required to summarize and discuss public input related to <u>community vulnerabilities</u>

⁴ California Code of Regulations Title 22 sections 66271.31 and 66270.14

⁵ See page 4

COMMUNITY ENGAGEMENT ACTIVITIES

Current state and federal regulations for RCRA permits require permit applicants to hold a pre-application public meeting under the following circumstances:

1. An initial application for a RCRA permit; and
2. A major modification to an existing RCRA permit.

DTSC is proposing to expand upon these current regulations to require that applicants, i.e., hazardous waste facilities with federal RCRA and state standardized permits, will need to complete a DTSC-approved community engagement activity before submitting an application for a new permit or permit renewal.



Examples of community engagement activities include but are not limited to:

- Open houses
- Public meetings
- Discussions with community-based organizations (CBOs) or other advisory groups
- Fact sheets shared with nearby communities
- Community-focused webpages
- Online or paper community surveys

CONTACT US

Provide Input

Fill out our revised framework Information Sheet [online survey](#).



Get Notified

[Sign up](#) to receive email notifications on updates and invitations to public events.



Questions?

Email us at permits_hwm@dtsc.ca.gov.



For additional information, please see our [SB 673 Permit Criteria – Community Protection](#) webpage.