

The Department of Toxic Substances Control is one of six Boards and Departments within the California Environmental Protection Agency. The Department's mission is to restore, protect and enhance the environment, and to ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.



State of California



Department of Toxic Substances Control

Public Involvement

FACT SHEET, October 2003

The Public's Role in Environmental Decisions

Introduction

This fact sheet explains how the Department of Toxic Substances Control (DTSC) encourages members of the public to become involved in our activities.

Public participation role

DTSC's public participation program ensures that communities have an opportunity to actively participate in the decision-making process. Statute and policy mandate a community involvement program that creates a dialog with the public when we are overseeing cleanup at a hazardous waste site, reviewing a permit application, or engaging in other regulatory activities. Moreover, we recognize that meaningful public involvement ultimately results in better environmental risk management decisions.



Get to know the community

The key to a better decision-making process is early and continuous public involvement. To be most effective, the interested public must have the opportunity to make its concerns known while the project is in its earliest stages. At the start of a project, DTSC's public participation staff assesses the community to evaluate the level of interest, identify interested parties, and determine the nature of potential concerns. This assessment allows us to outline the various communication steps we will take to involve the public.



Keep the community informed

One of the most common ways we keep the community informed is by developing a mailing list of interested or affected people, and mailing timely fact sheets about the project. To include your name on a mailing list, contact either the project manager or public participation specialist. If you would like more information on a project, you can visit a local information repository for general interest information and reports about a project, or visit the DTSC regional office to view a more thorough administrative file.

The energy crisis facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web site at www.dtsc.ca.gov.



Interested community members are also encouraged to informally contact DTSC staff identified on fact sheets. These are often the most useful contacts because they can answer your questions directly.

Often, DTSC staff can meet with individuals or groups to provide information helpful in understanding the process or a proposed decision. We also encourage interested community members to visit our Web site at www.dtsc.ca.gov.

Meet with interested parties



DTSC's public participation specialists and project managers hold formal meetings on most projects. Early community meetings focus on proposed activities at a site or facility. Discussion may also cover any available information

such as the results of preliminary research or testing. Later meetings often focus on investigation results, health issues, or proposed decisions. Once DTSC has gathered enough information to make a decision, a public notice runs in the local newspaper of general circulation and a public comment period begins. The public comment period can last from 30 to 120 days depending on community interest, urgency of a decision, and legal requirements. The need for a public meeting or hearing during this time depends on community interest and legal requirements.

Welcome all viewpoints

Throughout the public comment period, we produce documents that explain the proposed decision, the process used to reach it, and the information considered. The proposed decision is subject to public comment by mail, e-mail, or verbal comment taken at a formal hearing or a community meeting. DTSC's project manager must respond to all relevant public comments received during this period.



Public comment often alters a draft decision and, if the changes are significant, we may seek additional notification and public involvement. In any case, we mail a project update to the interested public when the decision is final. As site

work begins, project staff often involve the community further on project details such as time of work, noise, and dust control.

Communicate appropriately

One of the most important results of public participation is ensuring that the community has enough knowledge to understand and respond to prospective decisions. Some communities do not have the resources to understand the complicated science of a site assessment or the factors that go into determining potential health risks. Without this knowledge, the community may feel unable to interpret DTSC's proposals. Our public participation specialists are trained to assess these issues and to develop an outreach strategy that addresses them.



Many aspects of a community can affect communication. Early in the decision-making process, we assess these aspects and examine how staff members can communicate with a community. Public participation specialists identify community leaders, meeting locations, times when meetings are appropriate for a community, and linguistic and cultural considerations. At some point, you may be asked for this type of information.



One of the most important aspects of this effort is the language spoken within a neighborhood. Where necessary, we provide informational documents such as fact sheets in appropriate languages and provide interpreters at meetings.

Another key question is how the community receives its information. Newspapers, television stations, and radio programs often need to be identified so they may have an opportunity to provide news coverage of the project. Public notices are placed in newspapers of general circulation to announce meetings and comment periods.

If you feel your community does not have adequate information about a project, then you should notify

the public participation specialist immediately. His or her name, e-mail address, and phone number will appear on every fact sheet.

Environmental Impact Report

One of the most important laws regarding information on environmental issues is the California Environmental Quality Act, commonly known as CEQA. CEQA requires public agencies that are making discretionary decisions on a project to conduct an analysis to determine if the project could have a significant effect on the environment.

The process is used to analyze environmental conditions at the property and surrounding area, as well as any impacts the project may have on wildlife, land use, traffic, noise, and adjacent communities. The analysis results in a negative declaration or an environmental impact report. This document provides information to the agency and to the public about the nature and extent of those impacts and, if necessary, any measures needed to counteract those impacts.

The CEQA document is available in the information repository for a project, and is subject to public review and comment. While the CEQA document does not present a decision, it is a good source of information for community members.

The public's role in the contaminated site cleanup process

In the DTSC cleanup program, scientists collect data regarding the potential type and extent of hazardous waste and develop potential cleanup alternatives. They also prepare a health risk assessment, which looks at the potential affect on human health for each cleanup alternative.

When DTSC feels it has enough information to support an alternative, the draft decision undergoes a

public comment period, usually lasting 30 days and usually including a community meeting. Once they have selected an alternative, DTSC's site mitigation staff members work with environmental contractors to



implement it. A "cleanup" may take a few days or many weeks. Sometimes, leaving some waste behind is the safest way to protect people and the environment.



The public's role in the facility permitting process

When DTSC receives an application for a permit, a permit renewal, a permit modification, or closure of a permitted unit, a project manager is assigned to the facility. The project manager decides if the applicant has provided enough information to determine that the proposed action meets DTSC's requirements. The project manager may request additional information to ensure that the proposal protects people and the environment and that it is technically realistic.



Depending on public interest, DTSC may hold meetings and distribute fact sheets on the project. Local residents can view the permit application and other documents in the information repository.

Public comment periods are required for nearly all permit decisions (some emergency permits are the exception). These may run from 30 to 120 days.

A public hearing is often held within the comment period to facilitate gathering public comment.

Hearings are formal meetings where communication generally goes one way; however, when the public has significant questions about a project, a less formal "question-and-answer" meeting can improve understanding about a proposal.



For more information

For further information about the public's role in the environmental cleanup or permitting process, please call the DTSC Regional Office near you and ask to speak with a public participation specialist, or call 1-800-72TOXIC (1-800-728-6942).



For more information, please contact the DTSC office nearest you, or call the regional Public and Business Liaisons at (800) 72TOXIC (1-800-728-6942).

DTSC Headquarters
1001 I Street,
Sacramento, CA 95812
(916) 323-2678

Glendale Office
1011 North Grandview Avenue
Glendale, CA 94710
(818) 551-2830

Sacramento Office
8800 Cal Center Drive
Sacramento, CA 95826
(916) 255-3617

Cypress Office
5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5400

Berkeley Office
700 Heinz Avenue, 2nd Floor
Berkeley, CA 94710
(510) 540-3739

San Diego Office
2878 Camino del Rio S., Ste. 402
San Diego, CA 92108-3847
(619) 278-3734

Clovis Office
1515 Tollhouse Road
Clovis, CA 93611-0522
(559) 297-3901

Media contacts call (916) 322-0476

or visit DTSC's Web site at
www.dtsc.ca.gov

Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812