

**CHECKLIST FOR ADMINISTERING AGENCY
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

D E P T	Laws, Ordinances, Regulations & Standards	Description	Permit Requirement	Appropriate Support Agency
A	California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq., Regulations 14 CCR 15000 et seq.	Administering Agency as lead agency shall implement CEQA for the remedial action.	No	All
	Occupational Health and Safety Act, Labor Code, Division 5, Section 6300 et seq.	Regulations to assure safe and healthy working conditions includes requirements for investigations and remedial actions.	No	All
R	Air Resources Act; Health & Safety Code, Division 26, Section 39000 et seq., 17 CCR, Part III, Chapter 1, Section 60000 et seq. Title 17, Section 70200	Regulates both non-vehicular and vehicular sources of air contaminants in California; defines relationship of the California Air Resources Board and local or regional air pollution control districts; establishes California Ambient Air Quality Standards.	No	Air Resources Board (ARB)
B	Local Air Pollution Ordinances (e.g. South Coast Air Quality Mgmt. District (SCAQMD) rules & regulations)	The Local Air Pollution Control District sets allowable emission standards; emission limits will need to be established for remedial alternatives	Yes	Appropriate Air Pollution Control District or Air Quality Mgmt. District
	<p>Regulation IV Rule 401</p> <p>Rule 402</p>	<p>Prohibitory Rules Visible emission. Limits visible emissions from any point source.</p> <p>Nuisance. Prohibits the discharge of any material (including odorous compounds) that causes injury, or annoyance to the public, property, or business or endangers human health, comfort, repose or safety.</p>		

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W A T E R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13000, 13140, 13263, 13304) State Water Resources Control Board Resolution No. 68-16 ("Anti-degradation Policy")	Requires that high quality surface and ground waters be maintained to the maximum extent possible. Degradation of waters will be allowed (or allowed to remain) only if it is consistent with the maximum benefit to the people of the state, does not unreasonably affect present and anticipated beneficial uses, and does not result in water quality less than that prescribed in RWQCB and SWRCB policies. If degradation is allowed, the discharge must meet best practicable treatment or control, which must prevent pollution or nuisance and result in the highest water quality consistent with maximum benefit to the people of the state. Cleanup action must prevent	Yes Any discharge to water or land requires a permit	State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB)
B O A R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13000, 13140, 13240, 13260, 13263, 13267, 13300, 13304, and 13307) State Water Resources Control Board Resolution No. 92-49 (As amended April 21, 1994)	Establishes requirements for investigation and cleanup and abatement where "waste" has discharged, or threatens to be discharged, to waters of the states. Among other requirements, discharges must cleanup and abate the effects of discharges in a manner that promotes the attainment of either background water quality, or the best water quality that is reasonable if background water quality cannot be restored. Requires the application of Title 23, CCR, Section 2550.4, requirements to cleanups.	No	SWRCB or RWQCB
D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13260 13263, 13263.1, 13263.2, 13263.5, 13264, 13272.1) Waste Discharge Requirements	Any person proposing to discharge waste to waters of the state or to land where it could impact waters of the state must obtain waste discharge requirements (i.e., permit) prior to discharging waste that implements the requirements of the Water Code and all plans and policies of SWRCB and RWQCB. For example, the discharge of treated groundwater from a groundwater cleanup requires waste discharge requirements. If the discharge is to surface water, it requires an NPDES permit.	Yes	SWRCB or RWQCB

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W A T E R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Division 2, Subdivision 1 (Section 20080 et seq.) Title 23, CCR, Division 3, Chapter 15 (Section 2510 et seq.)	Establishes waste and siting classification systems and minimum waste management standards for discharges of waste to land for treatment, storage, and disposal. Engineered alternatives that are consistent with Title 27/Title 23 performance goals may be considered. Establishes corrective action requirements for responding to discharges to land, including spills and leaks and other unauthorized discharges.	Yes	SWRCB or RWQCB
E R B O	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20090(d) Title 23, CCR, Section 2511(d)	For action taken by public agencies to clean up unauthorized releases of waste, wastes removed from immediate place of release and discharged to land must be managed in accordance with classification (Title 27, CCR, Section 20200/Title 23, CCR, Section 2520) and siting requirements of Title 27 or Title 23 and wastes contained or left in place must comply with Title 27 or Title 23 to the extent feasible.	Yes	SWRCB or RWQCB
A R D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20400 Title 23, CCR, Section 2550.4	Concentration limits must be established for groundwater, surface water, and the unsaturated zone. Must be based on background, equal to background, or for corrective actions, may be greater than background, not to exceed the lower of the applicable water quality objective or the concentration technologically or economically achievable. Specific factors must be considered in setting cleanup standards above background levels. Title 23 applies to hazardous waste; Title 27 applies to non-hazardous waste.	Yes	SWRCB or RWQCB

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W A	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20410 Title 23, CCR, Section 2550.6	Requires general soil, surface water, and groundwater monitoring where waste is left in place and during the implementation of the cleanup soil or groundwater.	Yes	SWRCB or RWQCB
T E R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20415 Title 23, CCR, Section 2550.7	Requires general soil, surface water, and groundwater monitoring.	Yes	SWRCB and/or RWQCB
B O A	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20425 Title 23, CCR, Section 2550.9	Requires an assessment of the nature and extent of the release, including a determination of the spatial distribution and concentration of each constituent.	Yes	SWRCB and/or RWQCB
R D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 20430 Title 23, CCR, Section 2550.10	Requires implementation of corrective action measures that ensure that cleanup levels are achieved throughout the zone affected by the release by removing the waste constituents or treating them in place. Source control may be required. Also requires monitoring to determine the effectiveness of the corrective actions.	Yes	SWRCB and/or RWQCB
	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304) Title 27, CCR, Section 21090	Requires a final cover constructed in accordance with specific prescriptive standards, to be maintained as long as wastes pose a threat to water quality.	Yes	SWRCB and/or RWQCB

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W A T E R	California Safe Drinking Water Act (California Health & Safety Code Section 4010 et seq.) Title 22, CCR, Section 64400 et seq.	Requirements for public water systems. Includes Maximum Contaminant Levels (MCLs) and Secondary Maximum Contaminant Levels (SMCLs). there are some State MCLs which are more stringent than the federal MCLs, or not addressed by federal MCLs.	Yes	SWRCB and/or RWQCB
B O D Y	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13269) Title 23, CCR, Section 2520, 2521	Requires that hazardous waste be discharged to Class I waste management units that meet certain design and monitoring standards.	Yes	SWRCB and/or RWQCB
B O D Y	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13269) Title 27, CCR, Sections 20200(c), 20210	Requires that designated waste be discharged to Class I or Class II waste management units.	Yes	SWRCB and/or RWQCB
A R D I T	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13269) Title 27, CCR, Section 20230	Requires that inert waste does not need to be discharged at classified units.	Yes	SWRCB and/or RWQCB
D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13269) Title 27, CCR, Section 20200(c), 20220	Requires that nonhazardous solid waste be discharged to a classified waste management unit.	Yes	SWRCB and/or RWQCB

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W A	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13269) Title 27, CCR, Section 21400 Title 23, CCR, Section 2582	Requires surface impoundments to be closed by removing and treating all free liquid and either removing all remaining contamination or closing the surface impoundment as a landfill.	Yes	SWRCB and/or RWQCB
T E R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13269) Title 27, CCR, Art. 1, Section 20385-20435 Title 23, CCR, Sections 2550 - 2550.10	Where groundwater monitoring is required under 2510 or 2511 or Chapter 15 (and equivalent for Title 27), Article 5 applies to authorized waste management units as well as unauthorized discharges of waste to land and to closed, abandoned or inactive units.	Yes	SWRCB and/or RWQCB
B O A	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13269) Title 27, CCR, Section 20420 Title 23, CCR, Section 2550.8	Requires detection monitoring to determine if a release has occurred.	Yes	SWRCB and/or RWQCB
R D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13269) Title 27, CCR, Sections 20950; 22207; 21090; 22212; and 22222 Title 23, CCR, Sections 2550.; 2580; and 2580	General closure requirements, including continued maintenance of waste containment, drainage controls, and groundwater monitoring throughout the closure and post-closure maintenance periods.	Yes	SWRCB and/or RWQCB

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W A T	Porter-Cologne Water Quality Control Act (California Water Code Sections 13000, 13140, 13240) State Water Resources Control Board Resolution No. 88-63 ("Sources of Drinking Water Policy") (as contained in the RWQCB's Water Quality Control Board)	Specifies that, with certain exceptions, all ground and surface waters have the beneficial use of municipal or domestic water supply.	Yes	SWRCB and/or RWQCB
E R	Ocean Plan	Establishes beneficial uses and water quality objectives for ocean waters.	Yes	SWRCB
B	Thermal Plan	Establishes temperature requirements for discharges of waste to certain waters of the state.	Yes	SWRCB
O A R	California Constitution article 10	Establishes State's rights in waters of the state, including the requirement to prevent unreasonable use, and requirements concerning ownership. May apply where a cleanup involves pumping, treating, and discharging water.	Yes	SWRCB
D	Staff Report of the RWQCB, CVR The Designated Level Methodology for Waste Classification and Cleanup Level Determination	Provides guidance on how to classify wastes according to Title 27, CCR, Division 2, Subdiv. 1/ Title 23, CCR, Division 3, Chapter 15, Article 10. Cleanup of groundwater must at least attain applicable water quality objectives specified in Basin Plan; cleanup of soil must at least prevent migration of waste that impacts water at or above the water quality objective. The goal is to cleanup the background.	Yes	RWQCB

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W A T E R	Porter-Cologne Water Quality Control Act (California Water Code Sections 13240, 13241, 13242, 13243, 13260-5) Water Quality Control Plan (Basin Plan) for the RWQCB.	Establishes water quality objectives, including narrative and numerical standards, that protect the beneficial uses and water quality objectives of surface and groundwaters in the region. Describes implementation plans and other control measures designed to ensure compliance with statewide plans and policies and provide comprehensive water quality planning. Requires permits for discharges to land or water.	Yes	RWQCB / SWRCB
R B O A R D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13260, 13263, 13370.5, 13372, 13373, 13374, 13375, 13376, 13377, 13383) 40 CFR Parts 122, 123, 124, National Pollution Discharge Elimination System, implemented by California Storm Water Permit for Industrial Activities, State Water Resources Control Board Order #97-03-DWQ	Regulates pollutants in discharge of storm water associated with hazardous waste treatment, storage, and disposal facilities, wastewater treatment plants, landfills, land application sites, and open dumps. Requirements to ensure storm water discharges do not contribute to a violation of surface water quality standards.	Yes, must be issued by SWRCB or RWQCB (federal permit)	RWQCB / SWRCB
R D	Porter-Cologne Water Quality Control Act (California Water Code Sections 13260, 13263, 13370.5, 13372, 13373, 13374, 13375, 13376, 13377, 13383) 40 CFR Parts 122, 123, 124, National Pollution Discharge Elimination System, implemented by State Water Resources Control Board Order #92-08-DWQ	Regulates pollutants in discharge of storm water associated with construction activity (clearing, grading, or excavation) involving the disturbance of 5 acres or more. Requirements to ensure storm water discharges do not contribute to a violation of surface water quality standards.	Yes (federal permit)	RWQCB
	Above-Ground Petroleum Storage Act; California Water Code Section 13752	Requires submission of storage statements, monitoring programs, and spill control and prevention plans for above-ground petroleum storage tanks as specified.	Yes	RWQCB

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W A T E R B O A R D	Waterground Storage of Hazardous Substances Requirements; H&SC, Division 20, Chapter 6.7; Section 25280, et seq.	Regulations governing the testing, monitoring and replacing of underground storage tanks.	Yes	RWQCB / Local Agency / CUPA
	Toxic Pits Cleanup Act H&SC, Div. 20, Ch. 6.5 Article 9.5 §§, 25208 et. seq.	Regulates the closure of surface impoundments containing hazardous waste.	No	RWQCB/SWRCB
D T S C	Hazardous Waste Control Act Health & Safety Code, Division 20, Chapter 6.5, Section 25100 et. seq. Title 22, California Code of Regulations, (22 CCR) Division 4.5, Environmental Standards for the Management of Hazardous Wastes	Regulations governing hazardous waste control; management and control of hazardous waste facilities; classification of extremely hazardous, and non-hazardous waste; corrective action ("Title 22").	Yes	Department of Toxic Substances Control (DTSC)
	Hazardous Substance Account, Health & Safety Code, Division 20, Chapter 6.8, Section 25300, et. seq.	Establishes a program to provide for response authority for releases of hazardous substances, including spills and hazardous waste disposal sites that pose a threat to the public health or environment; and makes funding available for NPL state match and orphan sites.	No	DTSC
	Expedited Remedial Action Program H&SC, Division 20, Chapter 6.85, Title 22, Section 25396, et. seq.	Pilot Program was designed to address many of the problems identified in the Federal Superfund Program. Purpose was to establish the pilot program to determine if expedited problems for coming out response actions are appropriate and protection of human health and the environment.	No	DTSC

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D E P T	Laws, Ordinances, Regulations & Standards	Description	Permit Requirement	Appropriate Support Agency
D T S C	Water Quality Monitoring and Response Programs for Interim Status and Permitted Facilities (22 CCR, 66264.90 and 66265.9)	This article contains the requirements for the water quality monitoring of air, soil, and water for onsite facilities that treat, store, or dispose of hazardous waste. General requirements include a provision for groundwater monitoring.	Yes	DTSC
	Criteria for Identifying Hazardous Waste Title 22, Chapter 11, Section 66261.10 -, 66261.126 and Appendices thereto; Chapter 6.5, Section 25100, et. seq.	Tests for identifying hazardous characteristics are described in these sections; if a chemical is either listed or tested and found hazardous, then it must comply with the hazardous waste requirements under Title 22.	No	DTSC
	Persistent and Bioaccumulative Toxic Substances; Title 22, Ch. 11, Art. 5, §§ 66261.113	Total Threshold Limit Concentrations (TTLCs) and Soluble Threshold Limit Concentrations (STLCs) have been established for selected toxics to be used in establishing whether waste is hazardous; if a chemical is either listed or tested and found hazardous, then it must comply with the hazardous waste requirements under Title 22.	No	DTSC
	Standards Applicable to Generators of Hazardous Waste, Standards for Owner and Operators of HWTSDFS. Title 22, Ch. 12, Sections 66262.10-66262.89 Also Title 22, Ch. 14 §§ 66264.1 - 66264.1102	Requires that generators comply with regulatory standards established under Title 22 of the CRC. These standards include regular reporting, marking, limits on accumulation, keeping manifests, submission of manifests to DTSC within 30 days of shipment, preparation of a biennial	No	DTSC
	Standards for Owners and Operators of TSDF, Title 22, Ch. 14 Standards for Owners and Operators of TSDFS	Describes general facility standards, preparedness and prevention, contingency plan and emergency procedures, manifest system, and environmental monitoring requirements for permitted and interim status facilities.	Yes	DTSC

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D T S C	Closure and Postclosure of Interim Status and Permitted Facilities Title 22, Chapters 14 and 15, §§ 66264.110-120 and 66265.110-120	Requires that the facility shall be closed in a manner that minimizes the need for further maintenance, and controls, minimizes, or eliminates postclosure except of hazardous waste decomposition products to the ground or surface waters or the atmosphere. Where hazardous waste will remain after closure, postclosure care must continue for 30 years.	Yes	DTSC
	Tanks at Interim Status and Permitted Facilities Title 22, Ch. 14, Article 10 §§ 66264.190 - 66264.199 Ch. 15, Article 10 §§ 66265.190 - 66265.200	Requires tank systems to meet design standards and provide for: containment and detection / monitoring of leaks, monitoring and inspection, secondary containment and proper closure procedures.	Yes	DTSC
	Corrective Action Title 22, Division 4.5, Chapter 50, §§ 68500.1, et. seq. Ch. 15, Article 11 §§ 66265.220 - 66265.230	Establish requirements for corrective action that are applicable whenever a reg.-party is required by an Admin. Agency to take corrective action, or takes corrective action subject to the oversight of an Administrative Agency in response to the release of a Haz. Waste, haz. constituent or Haz. Substance; Refer to the narrative description of the regulations for corrective action. Note: Regulations promulgated on an emergency basis, not yet subject of final rulemaking.	Yes	DTSC
	Land Disposal Surface Impoundments, Title 22, Ch. 14, article 11 §§ 66264.220 - §§ 66264.231 and 66265.220-230	Requires the owner or operator of a surface impoundment to install 2 liners and a leachate collection system. Monitoring/Inspection, Emergency/Contingency Plans, and Closure/Postclosure care must be provided.	Yes	DTSC

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D T S C	Waste Piles Title 22, Ch. 14, Article 12 §§ 66264.250 - .25, Ch. 15, Article 12 §§ 66265.250 - 66265.260 Landfills; Ch. 14, Article 14 §§ 66264.300 - .318; Ch. 15, Article 14 §§ 66265.300 - .317	Provides for the same general requirements as surface impoundments. Construction of new or replacement landfill units onsite requires a liner of acceptable material strength and engineering design, a leachate collection system immediately above the liner, monitoring and inspection, and closure/postclosure care.	Yes	DTSC
	Land Treatment, Title 22, Ch. 14, Article 13 §§ 66264.270 - .28, Ch. 15, Article 13 §§ 66265.270 - .282	Hazardous constituents shall be degraded, immobilized, or transferred within the treatment zone; treatment must be demonstrated, design criteria must be met, and unsaturated soil zone must be established.	Yes	DTSC
	Title 22, Ch. 14, Article 15 §§ 66264.340 - .35 Ch. 15, Article 15 §§ 66265.340 - .352	Sets forth request for permit to incinerate hazardous waste. Requires that the waste feed be analyzed for constituents listed in the permit. Requires performance standards and monitoring of various parameters during operation of the incinerator. At closure, requires the owner or operator to remove all hazardous waste and hazardous	Yes	DTSC
	Hazardous Waste Hauler Registration, Title 22, Ch. 13 §§ 66263.10 - .50	Hazardous waste must be transported by a hauler registered by DTSC. Applicable also to transport into CA from outside U.S.; mixing different waste types in a single container. Also requires reporting of certain occurrences, requires inspections of manifesting and recordkeeping.	Yes	DTSC
C I W M B	California Integrated Waste Management Act of 1989; Public Resources Code Section 40000, et seq.	Regulates solid waste landfills.	Yes	CIWMB/Local Enforcement Agencies

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F I S H & G A M E	Fish and Game Code Section 1600-1607	Requires streambed alteration agreement for any alteration of the bed or banks of any specified water body.	Agreement Required	Dept. of Fish & Game (F&G)
	Spill Prevention and Response, Government Code 8670, et seq.		No	F&G
	Fish and Game Regulations on Pollution; Fish and Game Code, Division 6, Part 1, Chapter 2, Section 5650, et seq.	Codifies the prohibition of water pollution with any substance or material deleterious to fish, plant or bird life.	Yes	F&G
	Endangered Species Act; Fish and Game Code Section 2050, et seq. Chapter 1.5, Sections 2050-2100	Requires protection of endangered and threatened species and habitat; may require a permit.	Yes	F&G
D H S	California Safe Drinking Water Act; H&SC, Division 5, Part 1, Chapter 7, Section 4010, et seq.	Regulations governing public water systems, Drinking Water Quality standards--maximum contaminant levels; requirements may have more stringent requirements.	No	Department of Health Services (DHS) or local water purveyor
C O A S T A L	Coastal Act, Section 30600, et seq. of the Public Resources Code	Establishes coastal plans and permit requirements for development in the coastal zone (may apply to remedial actions requiring construction).	Yes	State Coastal Commissions/ Regional Coastal

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B C D C	Bay Area Conservation & Development Commission; Public Resources Code Section 66600, et seq.	Establishes coastal plans and permit requirements for development in San Francisco Bay.	Yes	San Francisco BCDC
S L C	State Lands Commission, Public Resources Code 6301	Jurisdiction over tidal and submerged lands.	No	State Lands Commission (SLC)
D W R	State of California Department of Water Resources; Water Well Standards, Bulletin 74-81, 1989 or draft 1990	This document sets standards to be applied to the construction or destruction of water wells throughout the State of California.	Yes	Department of Water Resources (DWR)/local agencies
L O C A L	Local government ordinances	Various permits and other requirements, e.g., grading and well drilling.	Yes	Local agencies
	Watermasters of various court - adjudicated groundwater basins	Regulates extraction and pumping of groundwater.	Yes	Local Watermaster
O T H E R	Various port authorities	Regulates activities at ports including discharges cleanups - all activities on port land.	No	Port Authorities
	Federally required permits -- must be issued by listed support agencies as required by Federal law	RCRA, NPDES, stormwater permits; Clean Water Act 401/404 certifications.	Yes	DTSC/RWQCB/ SWRCB

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