

BES Metrics Subcommittee Hazardous Waste Management Program Metrics

Introduction

The Board of Environmental Safety (BES) is responsible for developing performance metrics for the Department of Toxic Substance Control (DTSC) and its programs, in consultation with the Director, as mandated by Health and Safety Code 25125.2(b)(4). To fulfill this responsibility, BES established a Metrics Subcommittee composed of two board members and supporting staff to engage with DTSC's program leadership, develop metrics for each of DTSC's programs, and present recommendations to the full Board.

Background and Approach

This document provides an overview of the metrics proposed by the BES Metrics Subcommittee based on extensive discussions with DTSC's Hazardous Waste Management Program (HWMP) team. It is intended to provide additional context to inform BES members and stakeholders ahead of discussions and possible vote at the March 2025 BES meeting.

The Subcommittee worked with HWMP's Permitting, Enforcement and Emergency Response (EERD), and Office of Criminal Investigations (OCI) divisions to develop key performance metrics that effectively capture program activities. The proposed subset of metrics (Table 1) is drawn from DTSC's [Strategic Plan Dashboard](#) (Table 2) and additional performance metrics developed by the Subcommittee to expand on DTSC's existing metrics.

The Subcommittee focused on elevating the most critical metrics, recognizing that DTSC will continue tracking other data for additional detail. These proposed metrics are intended as a starting point for ongoing reporting, with BES and DTSC committed to refining them over time to ensure they remain effective, relevant, and meaningful. At this stage, no specific targets are being set, though future discussions with the HWMP team will focus on target-setting using baseline data.

The proposed metrics were shared for public feedback at the [January 29, 2025, BES Metrics Workshop](#) and were discussed in additional stakeholder meetings. Feedback gathered through this engagement process informed refinements to the proposed HWMP metrics, which will be presented for BES consideration at the March 19, 2025, BES meeting.

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Table 1 – Proposed HWMP Metrics

No.	Metric/KPI	Division	Intent and Context	Proposed Metric
1	Continued Permits	Permitting	<p>Intent: To report on DTSC’s progress in reducing permits continued for more than 1 year.</p> <p>Context:</p> <ul style="list-style-type: none"> • SB158 mandate (HSC 25200) instituted permit decision timelines to ensure that permit holders operate on up- to-date permits. • DTSC Permitting must issue a decision on the permit renewal application no later than 1 year after end of permit term • The law allows permittees to operate on a permit past its expiration date (continued permit) if permit renewal application is determined to be complete. 	<p>Metric: Number of permits continued for more than 1 year in the fiscal year.</p>
2	On-Time Permit Decisions	Permitting	<p>Intent: To track the effectiveness of Permitting in reducing overdue permits by issuing permit decisions within the statutory timeline.</p> <p>Context:</p> <ul style="list-style-type: none"> • SB158 mandate (HSC 25200) instituted permit decision timelines to ensure that permit holders operate on up- to-date 	<p>Metric: Percentage of final permit renewal decisions completed on time (on-time renewal decisions/total renewal decisions in the fiscal year).</p>

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No.	Metric/KPI	Division	Intent and Context	Proposed Metric
			<p>permits.</p> <ul style="list-style-type: none"> DTSC Permitting must issue a decision on the permit renewal application no later than 1 year after end of permit term. The law allows permittees to operate on a permit past its expiration date (continued permit) if permit renewal application is determined to be complete. 	
3	Timely Permit Application Reviews	Permitting	<p>Intent: To track the permitting program's ability to complete permit application reviews and publish decisions in a timely manner.</p> <p>Context:</p> <ul style="list-style-type: none"> Once renewal permit applications are submitted, DTSC conducts administrative and technical reviews before issuing draft and final permit decisions. "On time" means technical reviews completed within 140 days, a time determined by DTSC to provide for subsequent permit decisions finalized by the due dates. The data will provide insight into permits most at risk of becoming 	<p>Metric: Number of technical permit application reviews completed "on time" compared to total initial technical reviews completed (on-time initial technical reviews/total initial technical reviews completed).</p>

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			continued, and tracks delays early in the process.	
4	Supplemental Environmental Projects (SEPs)	EERD/OCI	<p>Intent: To provide insight into the number of SEP applications and trends in the use of SEPs over time.</p> <p>Context:</p> <ul style="list-style-type: none"> • SEPs increase opportunities for funding for tangible community benefit projects in vulnerable communities. • Information will provide insight regarding (a) whether community outreach is needed to increase the number of SEP applications and (b) whether facility owners are supporting the funding of SEPs when available. 	<p>Metrics:</p> <ol style="list-style-type: none"> 1. Number of settled administrative and civil cases eligible for Supplemental Environmental Projects annually. 2. Number and total dollar amount of SEPs funded as part of the resolution of administrative and civil cases annually. 3. Number of applications received and evaluated for SEP eligibility annually.
5	Compliance Rates for Violations Issued	EERD	<p>Intent:</p> <ul style="list-style-type: none"> • To provide a deeper understanding of compliance across different violation classes, issued to permitted and non-permitted facilities, in vulnerable and non-vulnerable communities. • Assess violation data in vulnerable communities to understand what, if any, differences exist in 	<p>Metrics:</p> <ol style="list-style-type: none"> 1. Baseline number of violations by class that distinguishes violations issued to permitted or non-permitted facilities, and whether the facilities are in vulnerable or non-vulnerable communities. 2. Quarterly percent of return to compliance for each violation

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			<p>the effectiveness of enforcement activity in vulnerable communities.</p> <p>Context:</p> <ul style="list-style-type: none"> • The Return to Compliance Rate is the number of violations corrected to total violations issued. • Three types of violations are issued - Class 1, Class 2, and Minor. Class 1 are the most serious types of violations that may pose a significant threat to human health or the environment. • The return to compliance rate for each violation type indicates the effectiveness of inspection activities in improving compliance. 	<p>class.</p> <p>3. Year to year analysis of return to compliance for each violation class.</p> <p>Definitions:</p> <p><u>Permitted</u> – hazardous waste facility with a Treatment, Storage, Disposal Permit or Post-Closure Permit issued by DTSC.</p> <p><u>Non-Permitted</u> - Hazardous waste facilities that include but are not limited to generators, metal shredders, metal recyclers, transporters, household hazardous waste, universal waste, e-waste collectors, e-waste recyclers, and mercury collection sites that are regulated by DTSC</p> <p><u>Vulnerable Communities</u> – Communities with CalEnviroScreen Score greater than or equal to 70%</p>
6	Inspections Tracking	EERD	<p>Intent: To track inspections as required by the RCRA grant through the USEPA Compliance Monitoring Strategy.</p> <p>Context:</p> <ul style="list-style-type: none"> • Facility inspections are the primary tool for monitoring compliance. • DTSC is required to conduct inspections at a frequency defined in 	<p>Metric:</p> <p>Percent of permitted facility inspections completed per fiscal year.</p>

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No.	Metric/KPI	Division	Intent and Context	Proposed Metric
			USEPA's RCRA grant program.	

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Table 2 – DTSC Strategic Plan Dashboard Metrics

These metrics represent DTSC’s existing Strategic Plan Dashboard metrics, which track various aspects of the Hazardous Waste Management Program (HWMP). As part of the evaluation process, the BES Metrics Subcommittee reviewed these metrics to determine their effectiveness in measuring program performance. Metrics elevated by the Subcommittee are included in Table 1. The remaining metrics may still be tracked by DTSC within its dashboard to provide additional program insights.

No.	Dashboard Metric	BES Recommendation
1	Number of Trainings Provided to Local Agencies (CUPAs) Div: EERD	Existing metric may continue to be tracked through the DTSC Dashboard. The Subcommittee recommended modifications to this metric to track the effectiveness of training. However, resource limitations prevent advancing the recommended modifications.
2	Number of Collaborative Enforcement Activities with other Agencies, Tribes, and Attorneys Div: EERD	The Subcommittee recommended modifications to this metric to track the effectiveness of collaborative activities. The metric may be modified in the future by DTSC. Similar information will be tracked in the DTSC Strategic Plan and reported through DTSC’s Dashboard.
3	Number of Permit Renewal Application Packages Sent 12 Months Before Application Due Date Div: Permitting	The Subcommittee is proposing Metrics #1-3 (Table 1) to evaluate factors impacting the timeliness of permit decisions. Existing metric may continue to be tracked through DTSC’s Dashboard.
4	Number of Permit Application [Technical] Reviews Completed within 140 Days Div: Permitting	Proposed Metric #3 - Timely Permit Application Reviews (Table 1) Title changed to <i>Timely Permit Applications Reviews</i> . Original dashboard metric revised for clarity.
5	Permit Backlog Div: Permitting	Proposed Metric #1 – Continued Permits (Table 1) Title changed to <i>Continued Permits</i> . Original metric revised to add context.

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No.	Dashboard Metric	BES Recommendation
		<p>Facility information and rationale for delays will be provided in DTSC’s Permit Decision Status Reports issued in accordance with HSC 25200.25 when decisions are not made within the statutory deadlines specified in HSC 25200.25. BES will make these reports available through the BES website.</p>
6	<p>US EPA Grant Commitments: Percent of Permit Decisions Completed</p> <p>Div: Permitting</p>	<p>Overdue permits pending final decision are tracked under Metric #1 (Table 1).</p> <p>Existing metric may continue to be tracked through DTSC’s Dashboard.</p>
7	<p>1. Permitted Facilities: Compliance Rates for Violations issued</p> <p>2. All Facilities: Compliance Rates for Violations issued</p> <p>3. Permitted Facilities in Vulnerable Communities: Compliance Rates for Violations issued</p> <p>4. All Facilities in Vulnerable Communities: Compliance Rates for Violations Issued</p> <p>Div: EERD</p>	<p>Proposed Metric #5 - Compliance Rates for Violations Issued (Table 1)</p>
8	<p>Percent of Permits Issued with Required Financial Assurance</p> <p>Div: Permitting</p>	<p>Financial assurance is a requirement for issuing a final permit decision. Financial assurance information is provided to the public via the facility’s EnviroStor page.</p> <p>Existing metric may continue to be tracked through the DTSC Dashboard.</p>