CDE SITE APPROVAL – DTSC REVIEW PROCESS
(For Districts seeking State Facility Program funding or CDE review, per AB972, Ed. Code 17213.1 & CDE Policies)

**CLEAN SITE**

- Phase I concludes no further invest. is required, District submits 2 copies of Phase I w/proof of qualific. to DTSC w/ at least 30 days of receipt of DTSC approval.
- DTSC approves Phase I or determines it is incomplete, requests addtl. info.
- Dist. submits additional Phase I info. to DTSC

**POTENTIAL HAZARDOUS MATERIALS**

- DTSC determines PEA (further investigation) is needed, notifies CDE/Dist.
- DTSC conducts review of Phase I (or addtl. info.) w/in 30 cal. days of receipt
- DTSC approves Phase I, District may take such action necessary to secure approval
- If nec. for PEA, Dist. seeks DTSC site access authority
- Dist. provides DTSC’s format of public notice to immediate area residents prior to starting PEA field work
- Option A: Notice offers to receive public comments for at least 30 cal. days, date/place of hearing & where PEA & DTSC requested changes/coresp. are available
- DTSC informs Dist. if it is likely to disapprove PEA & action required for approval, Dist. may take such action
- District conducts PEA public hearing, sends all public comments to DTSC & makes any PEA revisions avail. to public
- W/in 30 cal. days of close of Dist. public comment period, DTSC approves or disapproves PEA & informs District of action necessary to secure approval, District takes action to secure PEA approval
- DTSC approves PEA, determines “No Further Action” is required, no threat to health/environment, notifies District, Dist. sends PEA concl. summary to SFPD

**Option B**

- District completes & submits PEA to DTSC & publishes PEA newspaper notice & posts site, indicates DTSC submittal and that PEA will be available for review under Option A or B
- Option B: W/in 60 cal. days of receipt, DTSC either requests modification/further assmt. or Concurs with PEA adequacy pending receipt of public comments, or DTSC may concur with adequacy any time after receipt of DTSC requested PEA modifications
- District makes PEA available to the public on same time/basis as the site’s draft CEQA doc. If CEQA doc. will not be avail. until >90 days after DTSC aprvl., Dist. publ. separate newspaper notice w/in 60 days of aprvl.
- Dist. conducts simultaneous hearing on PEA & draft CEQA doc., approves CEQA doc. & immediately sends all PEA public comments to DTSC
- W/in 30 cal. days of Dist. CEQA doc. approval, DTSC approves or disapproves PEA & informs Dist. of actions nec. to secure aprvl. Dist. takes such action
- DTSC approves PEA, determines release, threat, or naturally occurring haz. materials, further invest. / Response Action is required, notifies District, Dist. sends PEA conclusion summary to SFPD

**Financial Hardship**

- Districts may seek CDE Contingent Site Approval at any time regardless of DTSC project status

**Note:** District may elect not to pursue a site at any point in this process, and not all requirements are shown on this chart.

- If lead-based paint is the only potential issue, Dist. may seek CDE final site/plan approval with DTSC agreement for lead investigation

- District enters DTSC Voluntary Cleanup Agrmnt., contracts Assessor for prep. of Removal Action Workplan or studies leading to a Remedial Action Plan for DTSC approval, conducts DTSC Public Participation Plan activities, prepares financial analysis & cost estimate of response action, assesses benefits compared to alter. sites, evaluates suitability of altern., obtains SFPD Contingent Site Approval, & may seek Environ. Hardship (DTSC indicates >6 months to complete RAP and SFPD “best avail. site” determination) Dist. or DTSC is lead agency on separate or concurrent Response Action CEQA doc. DTSC notifies DSA if any facility design conditions are required to protect response action.

- If necessary & after project CEQA approval, District acquires site.

- District implements Response Actions under DTSC oversight

- District may proceed with Final Site Approval SFPD 4.01 requirements

- DTSC certifies all Response Actions completed

**Major AB972 changes shown in highlighted boxes, effective 10/14/01**