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Mark Your Calendars -- Hazardous Waste Facilities That Received DTSC Provisional VSP Scores Subject to Imminent October 27, 2019 Deadline

October 2019

Important deadlines with legal and operational consequences loom for operators of permitted hazardous waste facilities that recently received provisional compliance scores from the California Department of Toxic Substances Control (“DTSC”).

DTSC is in its first year of implementing new regulatory requirements governing hazardous waste facility compliance. On September 27, 2019, DTSC issued provisional “Facility Violations Score Procedure” ratings or “VSPs” to 78 permitted hazardous waste facilities in California.

Facilities that received scores of 40 or greater are provisionally assigned to an “Unacceptable” compliance tier. Facilities that received scores of 20 to 39 are assigned the “Conditionally Acceptable” compliance tier. Scores of 0 to 19 are assigned the “Acceptable” compliance tier. The provisional scores become final if the facility does not formally dispute its provisional score within 60 days of the notice. Ultimately, high final VSP scores will cause a permitted facility to be assigned to an “Unacceptable” compliance tier which will trigger DTSC to initiate proceedings to suspend or revoke a facility’s operating permit.

Facilities may request a single 60-day extension to submit their dispute to DTSC. Importantly, DTSC **must receive** this extension request at least 30 days before the written dispute is due. For notices issued on September 27, 2019, requests to extend the time period to submit a written dispute of a provisional VSP must be received by DTSC by **October 27, 2019**.

For more information on this subject, please contact us at www.hartmankinglaw.com.

#hazardouswaste #DTSC #environmentalattorneys

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