



CALIFORNIA LAND RECYCLING CONFERENCE

Imagine | Innovate | Implement
September 29 – October 1, 2026 | Foster City

WHO'S ON FIRST?

| Understanding California's Cleanup | Regulators and Regulations



OFFICE OF BROWNFIELDS
Department of Toxic Substances Control - Cleanup in Vulnerable Communities Initiative



CENTER FOR CREATIVE
LAND RECYCLING
RECLAIM. CONNECT. TRANSFORM.



MARYAM TASNIF-ABBASI

CA Department of Toxic Substances
Control (DTSC)



TAMARIN AUSTIN

Austin Clean Water Advisors, Inc.



JACOB MADDEN

San Mateo County Groundwater
Protection Program



ROSS STEENSON

San Francisco Bay Regional
Water Quality Control Board



STEVE MCMASTERS

State Water Resources Control Board

SPEAKERS

The California Environmental Regulatory Structure



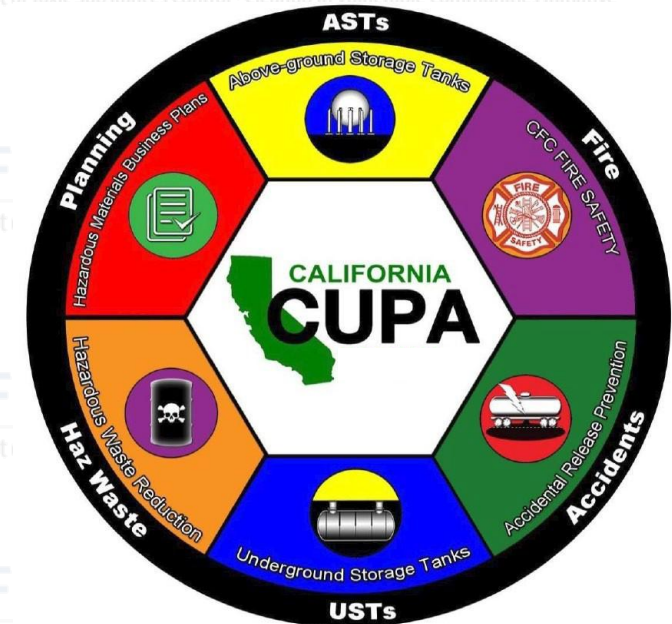
Local Oversight Program

– Leaking USTs

Departments



Program



AB 304 Agencies – Voluntary Agreements



Local Enforcement Agencies – Landfills/Solid Waste

AB304 Local Agencies



**San Francisco
Public Health**



1. [Alameda County Department of Environmental Health](#)
2. [Los Angeles County Fire Department, Health & Hazardous Materials Division](#)
3. [City of Vernon \(Los Angeles County\)](#)
4. [Orange County Health Care Agency](#)
5. [Riverside County Department of Environmental Health](#)
6. [San Francisco City & County Department of Public Health](#)
7. [Sacramento County Environmental Management Department](#)
8. [San Bernardino County Fire Protection District, Hazardous Materials Section](#)
9. [San Joaquin County Environmental Health Department](#)
10. [San Mateo County Groundwater Protection Program](#)
11. [Santa Barbara County Public Health Department, Environmental Health Services Division](#)
12. [Santa Clara County Department of Environmental Health](#)
13. [Santa Cruz County Environmental Health Division](#)

How the Lead Agency is Determined

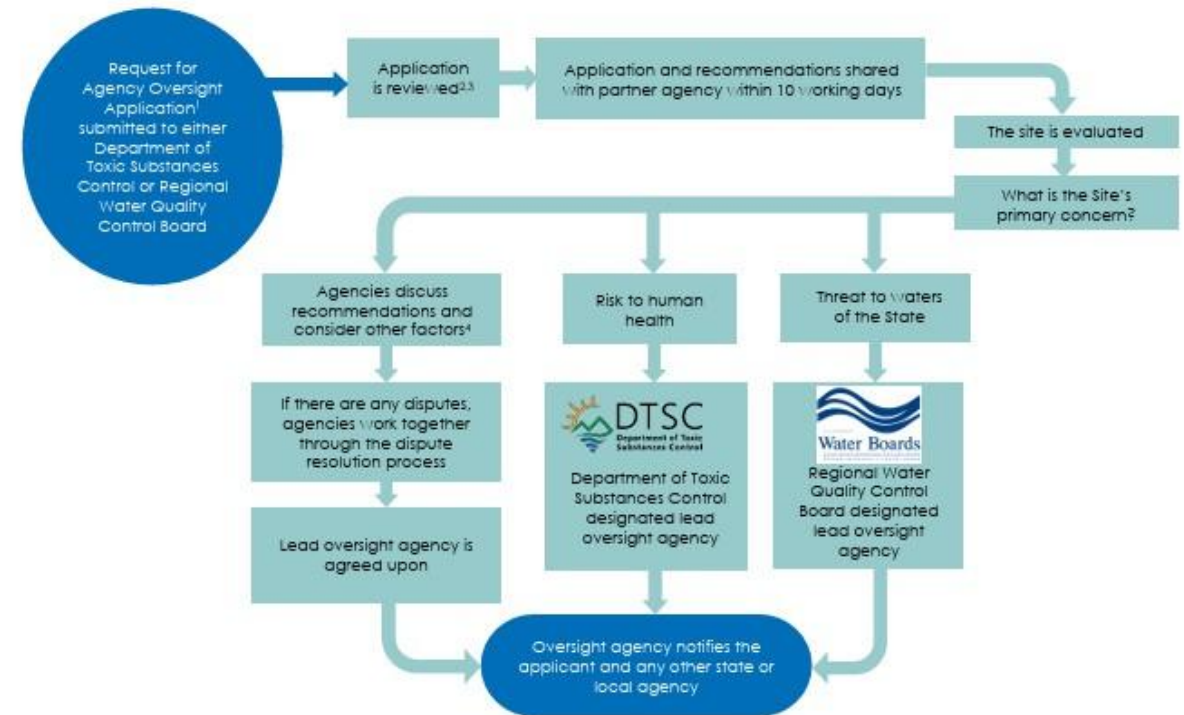
Regional Boards and DTSC

- [Memorandum of Agreement 2005](#)

Regional Board, DTSC and Local Agencies

- [Assembly Bill 304](#)

Lead Agency Determination Flow Chart



updated 07/16/2025

What Are Environmental Regulators Looking For?

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Department of Toxic Substances Control • Cleanup In Vulnerable Communities Initiative

Identification

What are the contaminants of concern and what media are affected?

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Delineation

How deep and widespread is the contamination?

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Source

What are the on and off-site sources of contamination?

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Risk

How are people on the site being exposed and are they safe?

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Risk

What ecological receptors are being exposed and are they safe?

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Off-site Impacts

Has contamination migrated and is it impacting neighbors?

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Collaboration

How can we work together to achieve health, safety, and reuse?

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Long-term Protection

How will the site continue to remain safe and protective in perpetuity?

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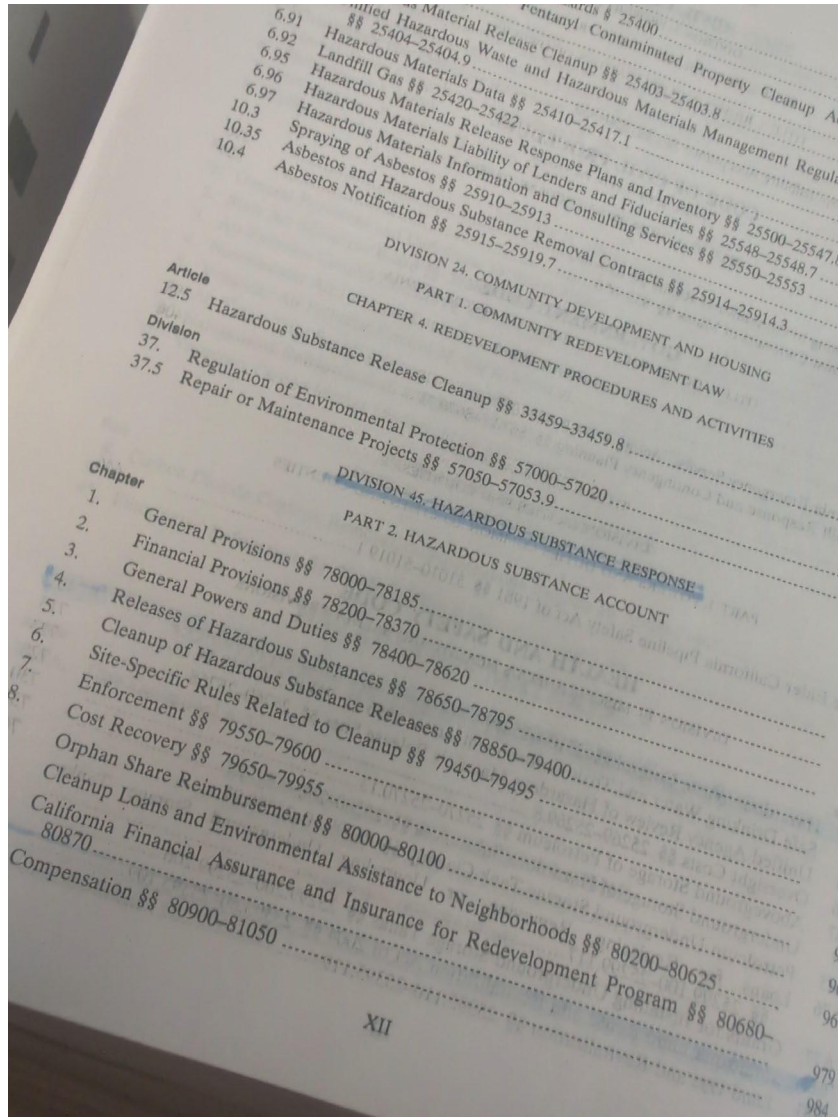
Solutions

What needs to be done to address the contamination source and make sure that exposure is eliminated or mitigated?

Community Engagement How will you help people understand what you are doing in their community?

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Nov 2025

DTSC's Cleanup Authority



- DTSC's cleanup authority comes from **California Health & Safety Code Division 45, Part 2**
- It used to be Division 20 Chapter 6.8
- We are calling this **45-2**
- **45-2** generally aligns with and is more protective than its federal counterpart CERCLA
- DTSC's powers are similar to CERCLA's imminent or substantial endangerment provisions
- DTSC can issue orders and oversee work under various agreements
- DTSC cleanups must also comply with California Water Code

San Mateo County Groundwater Protection Program

- Local Oversight Program (Fuel Underground Storage Tanks)
- AB 304 (Voluntary Cleanup Program)
- DTSC Delegated Tier 2 UPA Authority

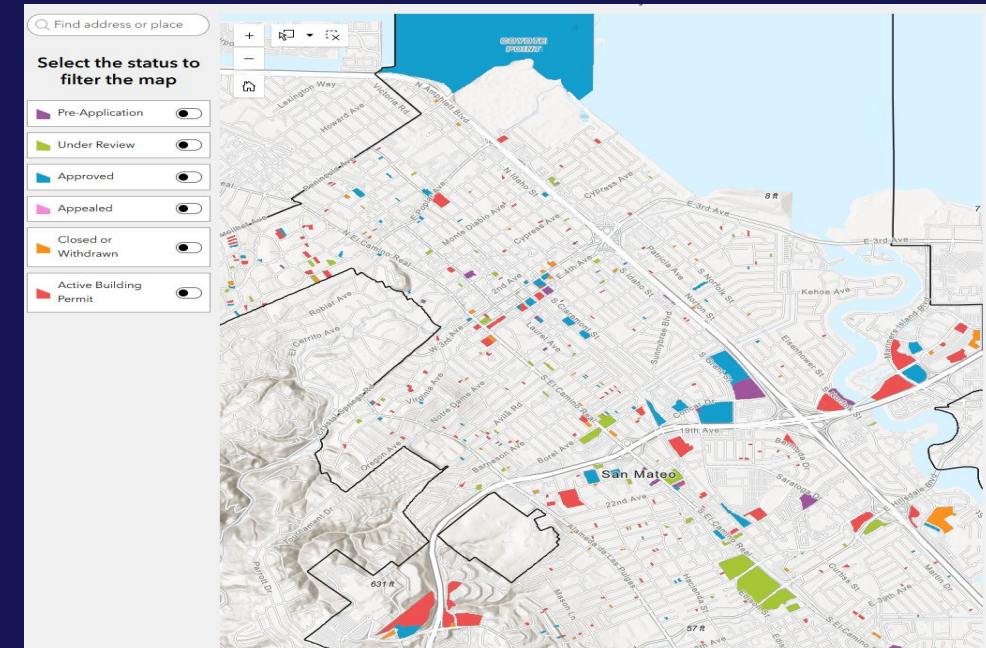
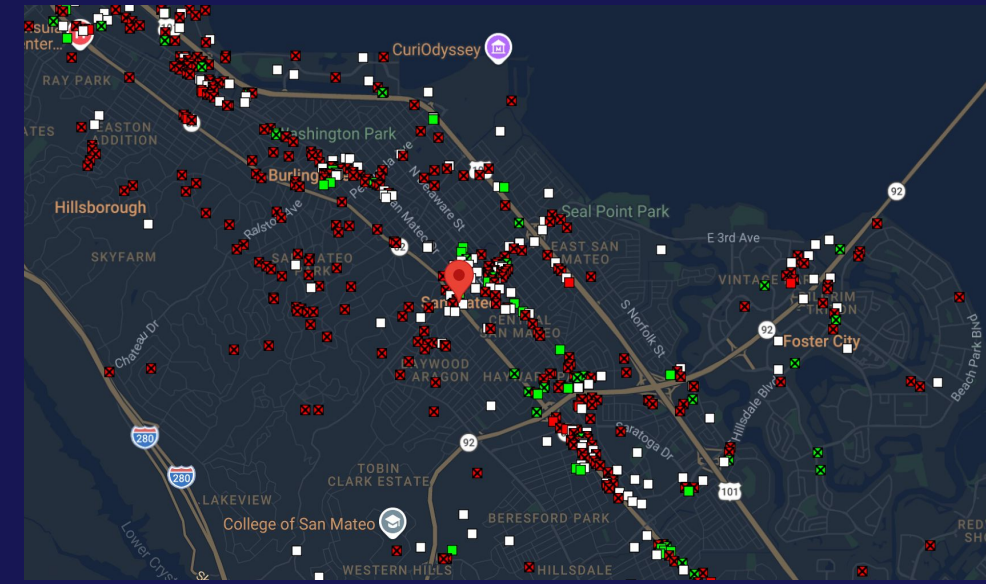


SAN MATEO COUNTY HEALTH

**ENVIRONMENTAL
HEALTH SERVICES**

What We Regulate

- Underground Storage Tanks (USTs)
 - 32 Open UST Cases
 - 1249 Closed UST Cases
- Cleanup Program Cases (both voluntary and from UPA inspections)
 - 68 Open Cleanup Program Cases
 - 169 Closed Cleanup Program Cases
 - 599 Non-Case Information Cases
- Drilling Permits (Environmental Data Required)



Working Together

Referrals to DTSC and Water Boards:

- Enforcement path not possible
(release pre-dates CUPA Program)
- Complicated multi-source and/or regional impacts
(Many stakeholders)
- When RP requests

Referrals from DTSC and Water Boards:

- USTs (LOP program)
- Small sites – Example 4 unit residential with city condition (non-case)



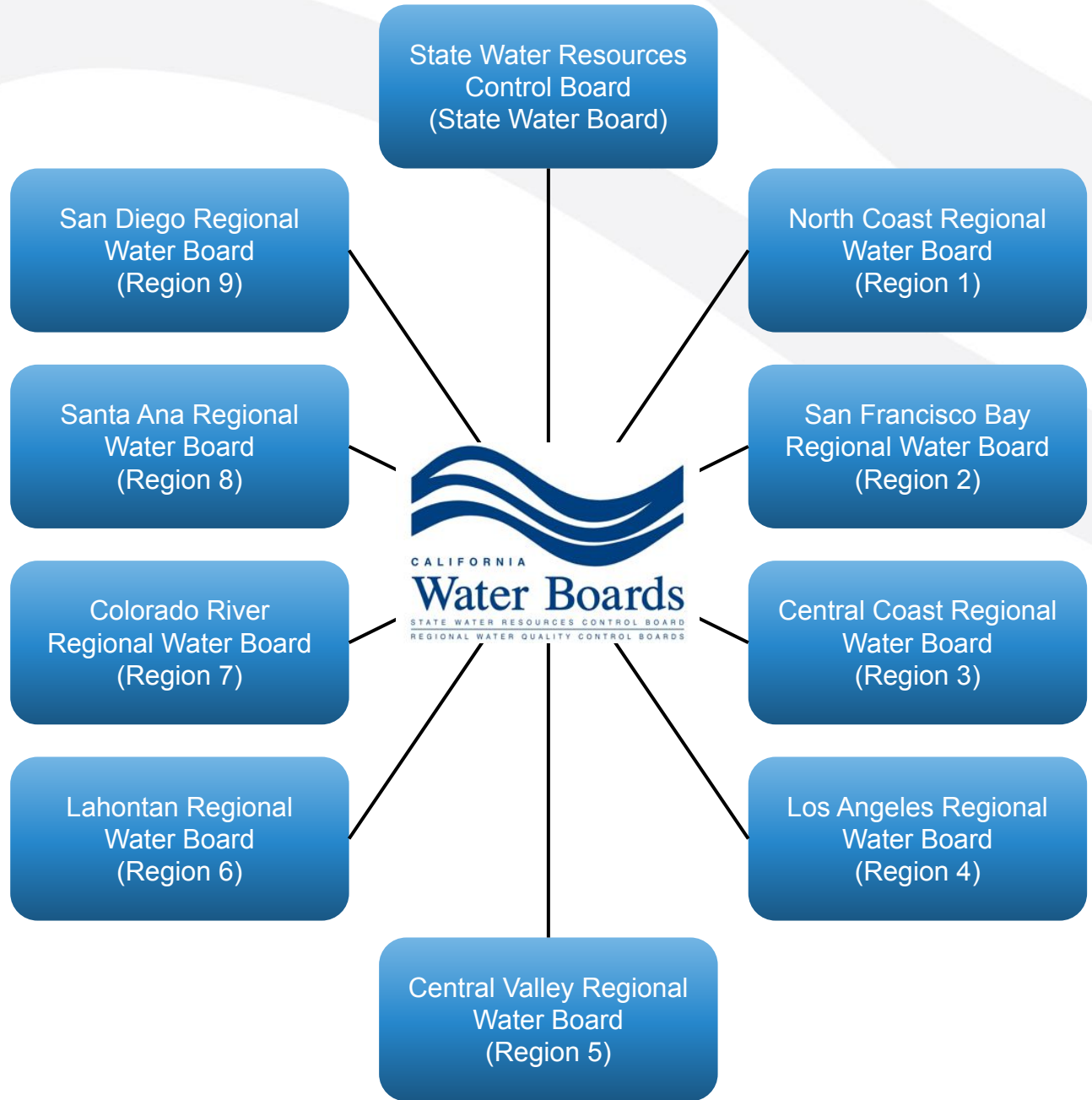
SAN MATEO COUNTY HEALTH
ENVIRONMENTAL
HEALTH SERVICES

California Water Quality Control Boards

California Land Recycling Conference
September 29, 2026

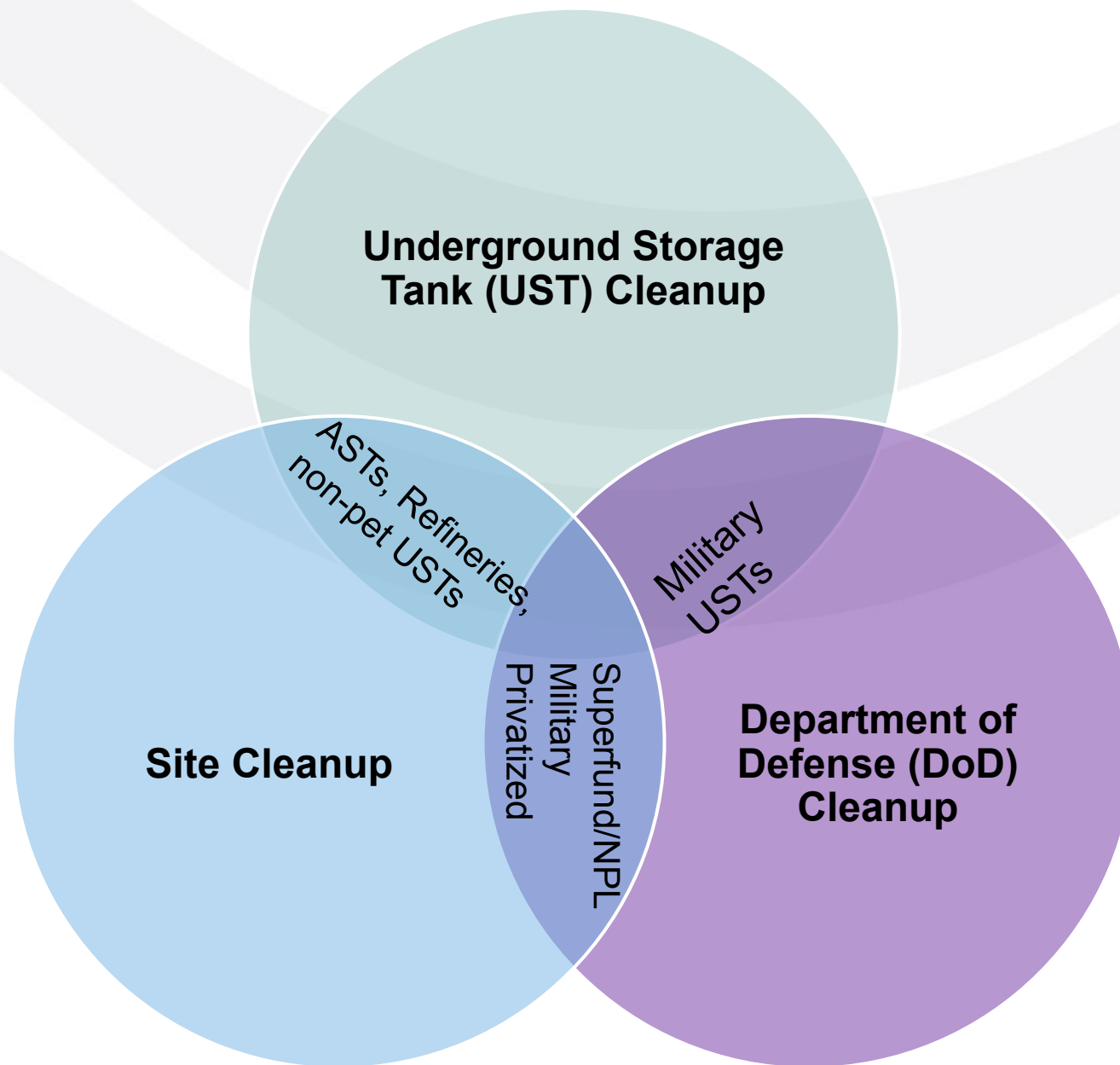


Steve McMasters, Division of Water Quality





Water Board Cleanup Programs



Underground Storage Tanks (USTs) Story

Operating USTs

Removal, Replacement,
Closure

**State Water Board Statutes &
Certified Unified Program Agencies
(CUPA)**

Required Sampling &
Reporting

**CUPA reports results to Regional Water
Boards
& Local Oversight Program (LOP) agencies**

Unauthorized Release
Identified & UST Cleanup
Case

Regional Water Board/LOP Determination Only

Legend



Realm of CUPA & UST
Leak Prevention



Realm of Cleanup
Programs

1. UST Cleanup Program
(Petroleum)
2. Site Cleanup Program
(non-Petroleum)

Regional Water Board or LOP Oversight Only

Cortese List & Suitability Determinations

(Cleanup Cases Only)

- All 40,000+ UST Cleanup Cases
- Any Site w/ Cease and Desist Order or Cleanup & Abatement Order under the Site Cleanup Program
- Suitability Determinations
 - Tasked to State Water Board
 - Any residential or mixed-use residential for current/historical cleanup cases
 - Coordinate with Regional Water Boards & LOPs
 - Challenge: most historical sites closed under commercial settings/use

Requesting Oversight from the San Francisco Bay Regional Water Board

California Land Recycling Conference
September 29, 2026



Ross Steenson, SF Bay Regional Water Quality Control Board

Introduction

- San Francisco Bay Regional Water Quality Control Board (Region 2)
- Mission: preserve, enhance, and restore the quality of the San Francisco Bay Region's water resources for the protection of the environment, public health, and all beneficial water uses.
- [Strategic Plan](#)



State Agency Oversight of Brownfields

2005 Brownfields Memorandum of Agreement (MOA)

- Purpose: Avoid duplication of oversight efforts
- DTSC application portal:
https://dtsc.fluxx.io/user_sessions/new
- Region 2 Site Cleanup / Requesting Oversight
 - Case Intake Team:
 - RB2CaseIntakeTeam@waterboards.ca.gov

MEMORANDUM OF AGREEMENT
BETWEEN
THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL
AND
THE STATE WATER RESOURCES CONTROL BOARD
AND
THE REGIONAL WATER QUALITY CONTROL BOARDS
AND
THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
FOR THE
OVERSIGHT OF INVESTIGATION AND CLEANUP ACTIVITIES
AT BROWNFIELD SITES
March 1, 2005

The purpose of this Memorandum of Agreement (MOA) is to improve coordination between the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (State Board) and the Regional Water Quality Control Boards (Regional Boards) (collectively "the agencies") regarding the oversight of investigation and cleanup activities at brownfield sites. This MOA has been developed to ensure effective and expeditious investigation and cleanup of brownfield sites in a manner that is protective of public health and safety and the environment.

https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/sitecleanup/SCP_MOA_Agreement.pdf

Agency Selection Considerations

Characteristic	DTSC	Regional Water Board
Soils Only / Human Health	Yes	
Threat to Groundwater or Surface Water Beneficial Uses		Yes
Petroleum Only		Yes

Other Considerations:

- Previous involvement with the site or area
- Staffing capacity
- Applicant preference

R2 Case Intake Team Stats (since 2018)

Averages:

- Applications/referrals/inquiries: 55
- New cases: 24
- Non-case determinations: 29

Other Types of Cases / Tracking

- Agency referrals
- Reopened cases
- Spinoff cases
- New spills / complaints
- New underground storage tank program cases
- County notifications for new voluntary cleanup cases under County oversight (AB 304)
- Requests for Cortese List suitability letters – State Board

Where DTSC and Water Boards Overlap

Joint oversight may occur

- Avaya, Glasgow + Rho-Chem
- Commingled Groundwater Plumes
- Draft CAO Issued in 2024
- Joint Agency Directive 2026

 DTSC Department of Toxic Substances Control 5796 Corporate Avenue Cypress, California 90630 https://dtsc.ca.gov	KATHERINE M. BUTLER, MPH, Director	 Water Boards DAVID NAHAI, Chair SUSANA ARREDONDO, Executive Officer 320 West 4th St., Suite 200, Los Angeles, CA 90013 www.waterboards.ca.gov/losangeles
May 13, 2026		
Ms. Gwendolyn Faino Avaya, Inc. 350 Mt. Kemble Avenue Morristown, New Jersey 07960		CERTIFIED MAIL RETURN RECEIPT REQUESTED <u>CLAIM NO.: 9589 0710 5270 2639 0933 99</u>
Mr. Louise Koper K.P. Auto Center, LP 626 Isis Avenue Inglewood, CA 90301		CERTIFIED MAIL RETURN RECEIPT REQUESTED <u>CLAIM NO.: 9589 0710 5270 2639 0934 05</u>
Mr. Brian Mastin CEMEX, Inc 2282 Roberts Way Fort Mohave, AZ 86426		CERTIFIED MAIL RETURN RECEIPT REQUESTED <u>CLAIM NO.: 9589 0710 5270 2639 0934 12</u>
Mr. David Stanton Rho-Chem, LLC 334 South Warminster Road Hatboro, PA 19040		CERTIFIED MAIL RETURN RECEIPT REQUESTED <u>CLAIM NO.: 9589 0710 5270 2639 0934 29</u>
SUBJECT: JOINT AGENCY DIRECTIVE FOR AVAYA, GLASGOW, AND RHO-CHEM DISCHARGERS TO FORM WORKGROUP TO COMPLY WITH SUBSURFACE INVESTIGATION AND CLEANUP REQUIREMENTS; REQUEST FOR UNIFIED SITE CONCEPTUAL MODEL REPORT		
SITE: AVAYA PROPERTY, 400 SOUTH HINDRY AVENUE INGLEWOOD, CALIFORNIA (SCP NO. 1071, SITE NO. 2040018); GLASGOW PROPERTY, 315 SOUTH GLASGOW AVE, INGLEWOOD, CALIFORNIA (SCP NO. 0746, SITE NO. 2040388); AND RHO-CHEM FACILITY, 425 ISIS AVENUE, INGLEWOOD, CALIFORNIA (SITE CODE: 300226)		

Imagine – Innovate – Implement

- DTSC supports Regional Water Boards and Local Agencies
 - Toxicology support
 - Public participation support
- Dedicated project management teams
- Open to conversation and making accommodations for specific circumstances

Perils of Self-Directed Environmental Cleanups

- DTSC recognizes that self-directed work occurs
 - Uncertainty associated with timelines
 - Costs associated with oversight

Risk:

- Investors and construction agencies may *unexpectedly* require agency approval
 - Environmental cleanup timelines may not match construction schedules
 - Agencies may be unable to accept the project
- May not accept cleanups conducted without oversight
- Potential for significant schedule delays and loss of funding

Is your self-directed project a timebomb?

Case Study: When lack of oversight leads to problems



SAN MATEO COUNTY HEALTH
ENVIRONMENTAL
HEALTH SERVICES

Use Best Tools

Rapid Assessments

- Control uncertainty with a good accelerated assessment.
- Typical construction timelines do not allow for multiple assessment phases or remediation phases.

Engage Early

- A site management plan is never a bad Idea for commercial/industrial redevelopments.
- Be prepared for the unknown.
- Engage as soon as plans are finalized. Don't wait until you are asked!



Sample ID:	B-2	B-2	B-2	B-2
Sample Date:	Oct. 2005	Oct. 2005	Oct. 2005	Oct. 2005
Sample Depth:	7.0 feet	10.0 feet	13.0 feet	18.0 feet
PCE in soil (µg/kg)	ND (<10)	ND (<10)	ND (<10)	ND (<10)

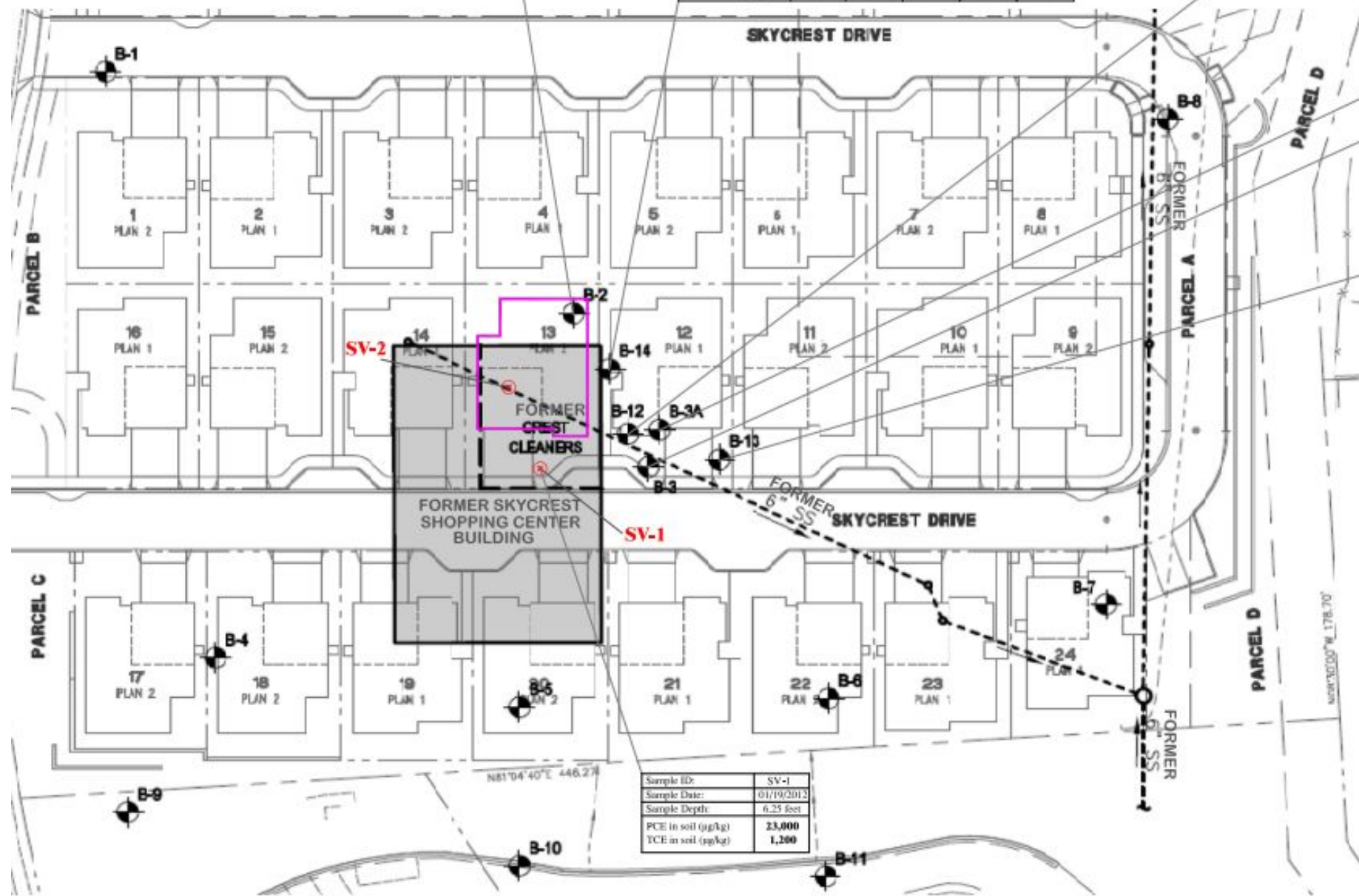
Sample ID:	B-14	B-14	B-14	B-14	B-14
Sample Date:	Dec. 2005	Dec. 2005	Dec. 2005	Dec. 2005	Dec. 2005
Sample Depth:	6.0 feet	10.0 feet	15.0 feet	20.5 feet	25.0 feet
PCE in soil (µg/kg)	ND (<10)	ND (<10)	ND (<10)	ND (<10)	ND (<10)

Sample ID:	B-12	B-12	B-12	B-12	B-12
Sample Date:	Dec. 2005	Dec. 2005	Dec. 2005	Dec. 2005	Dec. 2005
Sample Depth:	6.0 feet	10.0 feet	15.0 feet	20.0 feet	25.0 feet
PCE in soil (µg/kg)	53	ND (<10)	ND (<10)	ND (<10)	ND (<10)
PCE in water (µg/L)	11.5				

Sample ID:	B-3	B-3
Sample Date:	Oct. 2005	Oct. 2005
Sample Depth:	7.0 feet	11.0 feet
PCE in soil (µg/kg)	710	36

Sample ID:	B-13	B-13	B-13
Sample Date:	Dec. 2005	Dec. 2005	Dec. 2005
Sample Depth:	6.0 feet	10.0 feet	17.0 feet
PCE in soil (µg/kg)	ND (<10)	ND (<10)	ND (<10)
PCE in water (µg/L)	ND (<1)		

Sample ID:	SV-1
Sample Date:	01/19/2012
Sample Depth:	6.25 feet
PCE in soil (µg/kg)	23,000
TCE in soil (µg/kg)	1,200



Perfect Storm

1. Building and Planning Dept. without environmental expertise or aware of regulatory landscape
2. Geotech contractor offering “environmental services” with lack of expertise
3. Small developer relying on city and contractor with no prior environmental experience

Based upon your development plans for the Skycrest Center and our environmental assessments and soil borings, elevated levels of contaminants were not identified in the soil or groundwater, and we believe no remediation is required and the site is safe for residential and park uses.

If you have any questions, please do not hesitate to call.



SAN MATEO COUNTY HEALTH
**ENVIRONMENTAL
HEALTH SERVICES**

Field Point ID:	SV-4					
Sample ID:	SV-4D5	SV-4D5R	SV-4D5	SV-4D5	SV-4D5	SV-4D5R
Sample Date:	08-10-2016	08-10-2016	08-12-2016	09-01-2016	10-12-2016	10-12-2016
1,1-DCE	ND (<470)	ND (<2,400)	ND (<970)	ND (<4,700)	5,200	8,000
cis-1,2-DCE	2,600	9,100	8,700	18,000	24,000	41,000
TCE	15,000	51,000	47,000	120,000	170,000	250,000
PCE	1,200,000	4,100,000	3,400,000	9,400,000	14,000,000	18,000,000
Other VOCs	ND (<300 to <5,100)	ND (<1,600 to <26,000)	ND (<630 to <10,000)	ND (<3,000 to <50,000)	ND (<3,000 to <51,000)	ND (<3,800 to <64,000)

Field Point ID:	SV-2					
Sample ID:	SV-2	SV-2 Dup	SV-2	SV-2R	SV-2	SV-2
Sample Date:	02-01-2012	02-01-2012	09-10-2013	09-10-2013	08-10-2016	10-12-2016
2-Propanol	ND (<7.6)	ND (<8.1)	ND (<12)	ND (<11)	ND (<12)	12
MEK	ND (<9.1)	ND (<9.7)	ND (<14)	ND (<14)	ND (<14)	49
Ethanol	6.1	7.0	NA	NA	NA	NA
Acetone	19	24	NA	NA	NA	NA
Toluene	3.4	ND (<3.1)	NA	NA	NA	NA
PCE	11	ND (<5.6)	ND (<8.1)	ND (<7.9)	ND (<8.3)	ND (<8.1)
Other VOCs	ND (<1.7 to <33)	ND (<1.8 to <35)	ND (<4.7 to <51)	ND (<4.6 to <50)	ND (<3.1 to <52)	ND (<3.0 to <51)

Field Point ID:	SV-10	
Sample ID:	SV-10	SV-10
Sample Date:	08-10-2016	10-12-2016
2-Propanol	ND (<39)	23
Carbon Disulfide	ND (<50)	22
PCE	ND (<27)	43
Other VOCs	ND (<10 to <170)	ND (<3.6 to <60)

Field Point ID:	SV-9			
Sample ID:	SV-9D5	SV-9D5	SV-9D5	SV-9D5
Sample Date:	08-10-2016	08-12-2016	09-01-2016	10-12-2016
1,1-DCE	550	790	1,600	ND (<2,600)
cis-1,2-DCE	310	400	700	ND (<2,600)
TCE	24,000	31,000	46,000	29,000
PCE	540,000	680,000	1,400,000	1,000,000
Other VOCs	ND (<140 to <2,300)	ND (<180 to <3,100)	ND (<370 to <6,200)	ND (<1,700 to <28,000)

Field Point ID:	SV-7	
Sample ID:	SV-7D5	SV-7D5
Sample Date:	08-09-2016	10-12-2016
Vinyl Chloride	27	28
1,1-DCE	45	52
trans-1,2-DCE	57	83
cis-1,2-DCE	160	170
TCE	2,400	2,800
PCE	4,500	3,700
Other VOCs	ND (<14 to <140)	ND (<7.8 to <83)

Field Point ID:	SV-5	
Sample ID:	SV-5D5	SV-5D5
Sample Date:	08-09-2016	10-12-2016
2-Propanol	ND (<13)	20
cis-1,2-DCE	12	12
Chloroform	31	ND (<5.9)
TCE	17	20
PCE	260	210
Other VOCs	ND (<3.4 to <56)	ND (<3.1 to <52)

Field Point ID:	SV-3			
Sample ID:	SV-3	SV-3R	SV-3	SV-3
Sample Date:	09-10-2013	09-10-2013	08-09-2016	10-12-2016
2-Propanol	ND (<12)	ND (<12)	ND (<12)	47
Chloroform	20	19	ND (<6.0)	8.5
2-Butanone (MEK)	ND (<6.5)	ND (<6.5)	18	ND (<14)
PCE	41	37	62	72
Other VOCs	ND (<4.8 to <52)	ND (<4.8 to <52)	ND (<3.1 to <52)	ND (<3.2 to <53)

Field Point ID:	SV-8	
Sample ID:	SV-8D5	SV-8D5
Sample Date:	08-09-2016	10-12-2016
trans-1,2-DCE	ND (<110)	100
cis-1,2-DCE	840	940
TCE	3,700	4,700
PCE	38,000	42,000
Other VOCs	ND (<69 to <1,100)	ND (<69 to <1,100)

Field Point ID:	SV-6	
Sample ID:	SV-6D5	SV-6D5
Sample Date:	08-09-2016	10-12-2016
trans-1,2-DCE	110	94
cis-1,2-DCE	ND (<100)	67
TCE	2,000	520
PCE	230,000	10,000
Other VOCs	ND (<67 to <1,100)	ND (<10 to <170)

Notes:

Approximate location of site buildings, underground utilities and sample locations.

SB-8 -Soil angle boring, at a western direction (GEL, 04/2013)

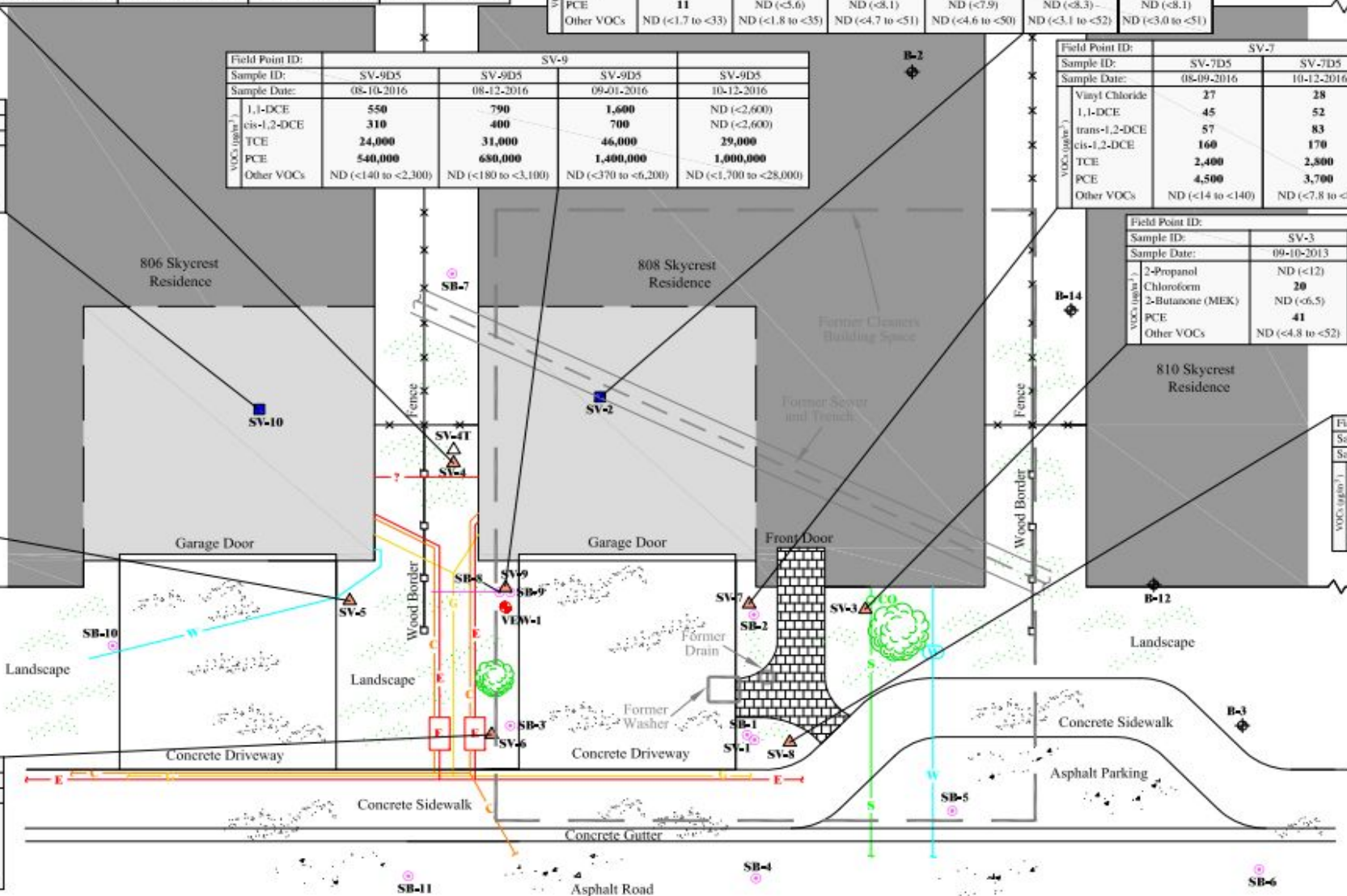
PCE Tetrachloroethene

TCE Trichloroethene

DCE Dichloroethene

MEK Methyl ethyl ketone

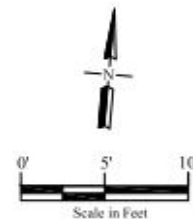
CO Sewer Cleanout



Skycrest Drive

Approximate location of underground facilities:

S Sewer
 G Gas
 W Water
 C Cable
 E Electric
 E Electric below ground vault



	DATE	PCE	TCE	cis-1,2-DCE
PSVT-RISER	10/25/2024	2,100	190	660
	4/14/2025	85	< 2.9	22
	11/25/2025	11,000	240	980
	6/23/2026	390	44	170
PSVT-RISER (DUP)	10/25/2024	1,900	160	630
	4/14/2025	36	< 2.7	8.5
	11/25/2025	9,500	250	880
	6/23/2026	420	47	190

806 SKYCREST RESIDENCE

	DATE	PCE	TCE	cis-1,2-DCE
SV-11-3	6/19/2025	5.1	< 2.7	< 2.0
	11/25/2025	86	< 2.7	< 2.0
	6/23/2026	4.7	< 2.7	< 2.0

808 SKYCREST RESIDENCE

810 SKYCREST RESIDENCE

	DATE	PCE	TCE	cis-1,2-DCE
SV-10	10/25/2024	6.0	< 2.7	< 2.0
	4/14/2025	68	< 2.7	< 2.0
	11/25/2025	17	< 2.7	< 2.0
	6/23/2026	< 3.4	< 2.7	< 2.0

	DATE	PCE	TCE	cis-1,2-DCE
SV-2	10/25/2024	11	< 2.8	< 2.1
	4/14/2025	< 3.4	< 2.7	< 2.0
	6/23/2026	8.2	< 2.7	< 2.0



	DATE	PCE	TCE	cis-1,2-DCE
SV-3	10/25/2024	75	< 2.7	< 2.0
	4/14/2025	31	< 2.7	16
	6/23/2026	22	< 2.7	< 2.0

RAMS PER CUBIC METER.
S CONCENTRATIONS THAT EXCEED THE SAN
ICO BAY RWQCB ESLs FOR SUBSLAB/SOIL GAS
ITAL ESLs.

Know your regulator before your schedule depends on them

KNOW

Regulator +
closure authority



**DECIDE
EARLY**

ENGAGE

Before permits +
funding

ALIGN

Investigation +
endpoint

BE HONEST

Avoid delay

Thank you to our presenters

Continue the conversation

Maryam Tasnif-Abbasi

Brownfield Development Manager

DTSC

Maryam.Tasnif-Abbasi@dtsc.ca.gov
714-222-3485

Steve McMasters, PG

Supervising Engineering Geologist
UST & Cleanup Programs Section Lead

Division of Water Quality
State Water Resources Control Board

Steven.McMasters@waterboards.ca.gov
(916) 341-5518

Ross Steenson, PG, CHG

Assistant Executive Officer

San Francisco Bay
Regional Water Board

Ross.Steenson@waterboards.ca.gov
(510) 622-2445

Jacob Madden

Groundwater Protection Program
Specialist

San Mateo County

JMadden@smcgov.org
(650) 399-5959



CALIFORNIA LAND RECYCLING CONFERENCE

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September 29 – October 1, 2026 | Foster City

THANK YOU!

**IMAGINE, INNOVATE, IMPLEMENT
THE FUTURE OF LAND RECYCLING**



We appreciate your feedback, follow this QR code
to submit an evaluation form on Whova.

Join the conversation, use **#CALRC2026** to share
your photos, insights and highlights!



OFFICE OF BROWNFIELDS
Department of Toxic Substances Control | Cleanup in Vulnerable Communities Initiative



**CENTER FOR CREATIVE
LAND RECYCLING**
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