



Clean Harbors Westmorland, LLC.
5295 South Garvey Road
P.O. Box 158
Westmorland, CA 92281
Tel: 760.344.9400
Fax: 760.351.4025
www.cleanharbors.com

August 12, 2019

**RE: Request for Proposal (RFP) - EXTENSION
Environmental Impact Evaluation
Clean Harbors Westmorland, LLC
EPA ID No. CAD 000 633 164**

Dear Project Proposals Coordinator:

Clean Harbors Westmorland, LLC (Clean Harbors) has extended the initial June 5, 2019 Request for Proposal (RFP) to conduct an Environmental Impact Evaluation supplementing the existing Environmental Impact Report (EIR).

Clean Harbors is seeking a time and materials bid with a maximum not to exceed cost. Clean Harbors will only pay the amount bid. It is therefore incumbent upon you and your firm to become familiar with the Clean Harbors Westmorland Facility's information contained in the various permit applications and studies prepared as part of previous permit applications at your cost, if necessary.

Clean Harbors and DTSC will conduct a joint consultant mandatory Pre-Bid Meeting to allow you to discuss questions regarding the Scope of Work and familiarize yourself with the project facility location.

The mandatory Pre-Bid Meeting will be held at the Clean Harbors Westmorland Facility at 5295 South Garvey Road on September 4, 2019 at 10:00AM.

Please provide a proposal by the close of business on or before September 13, 2019.

Supporting EIR, permitting, existing studies, reports, site information and relevant documents are available for review at a shared folder location. To request access to the folder and available facility files, please submit an email request to sauvageau.matthew@cleanharbors.com.

Initial June 5, 2019 – RFP Communication – For Reference Only

On December 8, 2003, Clean Harbors Westmorland, LLC (Clean Harbors) submitted an application for renewal of a hazardous waste facilities permit (Project) for activities proposed to be conducted at its existing facility located at 5295 South Garvey Road, Westmorland, California 92281 to the Department of Toxic Substances Control (DTSC). DTSC is required under the California Environmental Quality Act (CEQA) and the CEQA Guidelines to consider the potential environmental impacts associated with the proposed project prior to making a determination on this request. DTSC has determined that the existing Environmental Impact Report (EIR) (State Clearinghouse Number 1990010086) entitled Upgrade of an Existing Waste Management Facility for this Project must be amended as identified in the Public

“People and Technology Creating a Safer, Better Environment”

Resources Code section 21166 and CEQA Guidelines sections 15162, 15163, and 15164. Attached for your review are the documents entitled:

1. *Memorandum of Understanding Between Clean Harbors Westmorland, LLC and Department of Toxic Substances Control;*
2. *Statement of Work, Clean Harbors Westmorland, LLC, Westmorland, California, Environmental Impact Evaluation.*

Clean Harbors is seeking a consulting firm to prepare an environmental document and perform the work as described in the attached Statement of Work. If interested, please prepare a time and materials with a maximum not to exceed cost for this project. Your proposal must include the following:

- A cost estimate for each one of the tasks listed in the Statement of Work including Task 11 technical studies for air quality (including greenhouse gas emissions), biological resources, cultural resources, energy, geology and soils, paleontology, hydrology and water quality, noise, transportation, and wildfire;
- A scope of work that identifies all the necessary tasks to complete the application;
- A breakdown of the labor hours and the hourly rate needed to perform each task;
- A statement of qualification and experience in preparing environmental documents pursuant to the CEQA guidelines; and
- A list of the staff members and sub-consultant staff who will be working on the project, their proposed role(s), and their qualifications (curricula vitae).

Clean Harbors and DTSC will conduct a joint consultant Pre-Bid Meeting to allow you to discuss questions regarding the Scope of Work and familiarize yourself with the project facility location. This will allow Clean Harbors and DTSC to interview you and key individuals who may be working on this project prior to final bid submission. ~~The Pre-Bid Meeting will be held at the Clean Harbors Westmorland Facility at 5295 South Carvey Road on June 20, 2019 at 10:00AM.~~ Clean Harbors will not reimburse your firm for this expense.

Again, Clean Harbors is seeking a time and materials bid with a maximum not to exceed cost. Clean Harbors will only pay the amount bid. It is therefore incumbent upon you and your firm to become familiar with the Clean Harbors Westmorland Facility's information contained in the various permit applications and studies prepared as part of previous permit applications at your cost, if necessary. Please provide a proposal by the close of business on July 5, 2019.

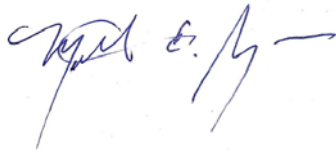
If you have any questions or if you would like additional information prior to the Facility meeting or would like to review available documents that might assist in providing information in your preparation of this proposal, please contact Marianna Buoni, Facility General Manager at (661) 762-6236, Shawn Browning, DTSC Permitting Project Manager at (916) 255-3742 or call myself at (630) 842-1336.

All correspondence and proposals are to be address to the attention of Clean Harbors and DTSC at the following addresses:

Matthew Sauvageau
VP Environmental Compliance
Clean Harbors, Inc.
2500 West Lokern Road
PO Box 787
Buttonwillow, CA 93206

Shawn Browning, PE
Hazardous Substances Engineer, Permitting Division
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Sauvageau".

Matthew Sauvageau
Vice President Environmental Compliance
Clean Harbors, Inc.

Attachments

Cc: Marianna Buoni – Facility General Manager – Clean Harbors Westmorland
Buoni.Marianna@cleanharbors.com

Shawn Browning, PE – Hazardous Substances Engineer, Permitting Division – DTSC
Shawn.Browning@dtsc.ca.gov

Brian Olson, SVP Facility Operations – Clean Harbors
Olson.Brian@cleanharbors.com

Attachment 1

Department of Toxic Substances Control

**Memorandum of Understanding Between
Clean Harbors Westmorland, LLC and
Department of Toxic Substances Control**



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Edmund G. Brown Jr.
Governor

MEMORANDUM OF UNDERSTANDING BETWEEN CLEAN HARBORS WESTORLAND LLC AND DEPARTMENT OF TOXIC SUBSTANCES CONTROL

WHEREAS, on December 8, 2003, Clean Harbors Westmorland LLC (Applicant) submitted an application for a hazardous waste facilities permit (Project) for activities proposed to be conducted at its existing facility located at 5295 South Garvey Road, Westmorland, California 92281;

WHEREAS, the Department of Toxic Substances Control (DTSC) is required under the California Environmental Quality Act (CEQA)¹ and the CEQA Guidelines² to consider the potential environmental impacts associated with the proposed Project prior to making a determination on this request;

WHEREAS, DTSC is executing this Memorandum of Understanding (MOU) with the Applicant to govern preparation of a Supplemental Environmental Impact Report or Subsequent Environmental Report by an independent environmental consultant (the Consultant);³

WHEREAS, State law provides that the Applicant shall be liable for the costs associated with gathering and preparation of information necessary for DTSC to comply with the requirements of CEQA;

WHEREAS, in the interest of expediting the CEQA process, the Applicant has decided to enter into a contract with the Consultant for the preparation of a Supplemental or Subsequent EIR subject to certain conditions set out below; and

WHEREAS, DTSC and the Applicant wish to define their relationship and areas of responsibility in contracting with and overseeing the preparation and management of the Supplemental or Subsequent EIR.

¹ Pub. Resources Code, div. 13, § 21000 et seq.

² Cal. Code Regs., tit. 14, § 15000 et seq.

³ See, e.g., Pub. Resources Code, div. 13, § 21082.1; Cal. Code Regs., tit. 14, § 15084.

NOW THEREFORE, it is hereby agreed by DTSC and the Applicant as follows:

1. Project Description, Statement of Work;

DTSC shall be responsible for providing the Applicant with a description of the proposed Project and a draft Statement of Work that is to be conducted by the Consultant under contract with the Applicant for preparation of the Supplemental or Subsequent EIR.

The Applicant shall provide DTSC with any modifications it may have on the content of the Statement of Work within ten (10) working days. DTSC shall retain final authority to approve the Statement of Work.

2. Consultant Selection:

DTSC shall make the Consultant selection based on recommendations and evaluations of proposals provided by the Applicant. DTSC's selection of the Consultant shall be based on an evaluation of the firm's technical approach, ability to conform to the conditions of this MOU, CEQA qualifications, cost estimates, potential for conflict of interest, and the Consultant's prior experience working with DTSC. Such evaluation shall be regarded by DTSC and the Applicant as confidential.

3. Contract:

Upon selection of the Consultant, the Applicant and the Consultant shall prepare a draft contract for completion of a Supplemental or Subsequent EIR incorporating the DTSC approved Statement of Work.

The Applicant shall consult with DTSC on the draft content of the contract and DTSC shall have the opportunity to suggest modifications to the contract.

4. The Applicant's Responsibilities:

The Applicant shall have the opportunity to review the draft Supplemental or Subsequent EIR as accepted by DTSC.

The Applicant shall be responsible for amending the contract with the Consultant as necessary upon written request from DTSC.

5. Consultant Responsibilities:

The Consultant shall prepare a Supplemental or Subsequent EIR in compliance with CEQA, the CEQA Guidelines, and DTSC's guidance documents on CEQA compliance to the satisfaction of DTSC.

The Consultant shall deliver all draft and final reports, documents, drawings and other technical or substantive communications required under the terms of the Contract, except administrative communications such as invoices and remittances of funds, directly to DTSC.

The Consultant may supply technical or substantive reports directly to the Applicant only upon prior written approval by DTSC's assigned Branch Chief of the Permitting Division or his/her designee.

The Consultant shall not disclose any information concerning the proposed Project to any person other than representatives of DTSC except upon prior written approval of DTSC's assigned Branch Chief of the Division of Permitting or his/her designee.

6. DTSC Responsibilities:

DTSC must provide its independent judgment to its review of the Supplemental or Subsequent EIR provided by the Consultant.

The final content of the Supplemental or Subsequent EIR is the sole responsibility of DTSC as the Lead Agency for the proposed Project under CEQA.

DTSC retains final approval authority over the scope, content, and wording of all documents prepared under the Contract.

DTSC, and not the Consultant, shall be responsible for forwarding any reports, drawings and technical or substantive communications required under the terms of the Contract to the Applicant, as it deems necessary. DTSC reserves the right to withhold any of these communications from the Applicant.

7. Communications:

Direct communications between the Consultant and the Applicant shall be limited to information gathering and other activities required to expedite preparation of the Supplemental or Subsequent EIR. DTSC shall be invited to participate in all meetings that occur between the Applicant and the Consultant. The Consultant shall provide DTSC with a written summary of all direct communication that occurs without the participation of DTSC staff on a monthly basis for the duration of this MOU.

8. Status of Products:

The draft and final Supplemental or Subsequent EIR, supporting data, and all other documents prepared and developed under the Contract are the sole property of DTSC.

DTSC shall handle any materials that are designated as Confidential or Proprietary in accordance with DTSC current policy applicable to trade secret and confidential business information to the extent authorized by law.

Nothing in this MOU shall compromise, affect in any way or require reassertion of claims of confidentiality already made by the Applicant.

9. Exclusive Services:

For the duration of the MOU and for a period of one (1) year after the completion of the MOU, the Applicant will notify DTSC at least thirty (30) days prior to employing the Consultant on any matter relating to the proposed Project other than activities under this MOU.

By executing this MOU, the Applicant hereby expressly acknowledges that employment of the Consultant by the Applicant on any matter directly or indirectly pertaining to the proposed Project other than the activities under this MOU, may

constitute a conflict of interest. The Applicant hereby agrees to release DTSC from any and all claims, liabilities, obligations and actions now existing or arising in the future whether known or unknown in any way related to the Consultant's performance of activities under this MOU.

10. Contract Changes:

Any changes to the terms of the Contract shall be subject to prior written approval by DTSC's assigned Branch Chief of the Division of Permitting or his/her designee.

If DTSC, with or without the recommendation of the Consultant, determines that work is required in addition to that specified in the Contract in order to comply with the requirements of CEQA, the Applicant shall amend the Contract accordingly.

11. Amendments to MOU:

This MOU may be amended with the consent of both DTSC and the Applicant.

12. Termination of MOU:

Failure of the Consultant to perform consistent with the provisions of this MOU, or to provide complete work products to the satisfaction of DTSC on a timely basis, may result in the unilateral termination of this MOU by DTSC. Upon termination of this MOU, DTSC may provide the Applicant the opportunity to hire a new environmental consultant and enter into a new MOU. If the Applicant declines to enter into a new MOU, DTSC may proceed toward denial of the proposed Project.

13. Contact Person:

The contact person at DTSC related to execution of this MOU and preparation of a Supplemental or Subsequent EIR by the Consultant shall be DTSC's assigned Branch Chief Wayne Lorentzen.

The authorized representatives of DTSC and the Applicant have agreed to the above terms and signed this MOU:

DTSC:

By: Wayne Lorentzen

Wayne Lorentzen
DTSC Permitting Branch Chief

Date: 12-6-18

The Applicant:

By: *[Signature]*

[Signature]
SVP Commercial Regulatory
AFFAIRS
Clean Harbors Environmental Services
Inc

Date: 12-5-18

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the matter of Permit Application
for:

Project Code
DTSC540001

Clean Harbors Westmorland LLC
5295 South Garvey Road
Westmorland, CA 92281-0158
EPA I.D. # CAD000633164

COST REIMBURSEMENT
AGREEMENT FOR CEQA

California Public Resources Code
Section 21089

The California Department of Toxic Substances Control (DTSC) and Clean Harbors Westmorland LLC (Applicant) enter into this Cost Reimbursement Agreement (Agreement) and agree as follows:

1. Jurisdiction and Purpose. This Agreement governs the application for a hazardous waste facility permit submitted to DTSC on December 8, 2003 by Applicant. Pursuant to California Public Resources Code section 21089(a) and California Code of Regulations, title 14, section 15045(a), the Department of Toxic Substances Control (DTSC) may recover its costs incurred in preparing environmental documents and for procedures necessary to comply with the California Environmental Quality Act (CEQA) on the project. The application is for the existing hazardous waste facility located at 5295 South Garvey Road, Westmorland, Imperial County in the State of California (Facility). The Facility is owned and operated by Clean Harbors Westmorland LLC.

2. Billing and Payment.

2.1 Applicant agrees to pay DTSC for its staff time costs incurred in review of the subsequent or supplemental environmental impact report (collectively, SEIR) prepared by independent consultant and for procedures necessary to comply with CEQA on the project. DTSC will provide Applicant with a billing statement at least quarterly. Applicant agrees to make payment within 30 days of receipt of DTSC's billing. Such billings will reflect any amounts that have been advanced to DTSC by Applicant. Costs incurred include interest on unpaid amounts that are billed and outstanding more than 60 days from the date of the invoice.

2.2. DTSC's cost estimate is attached as Exhibit A and incorporated herein as part of the Agreement. Applicant understands that the amount in Exhibit A is only a cost estimate for the activities shown on Exhibit A and it may differ from the actual costs incurred by DTSC. DTSC may provide revised cost estimates to Applicant as the work progresses under this Agreement. Any revision to the application after it is initially submitted to DTSC may require a new or revised cost estimate.

2.3. When a payment is made by check or money order, the check or money order shall be payable to the "Department of Toxic Substances Control"; reference DTSC's Project Code as shown on the first page of this Agreement and the name of the Facility; and be sent to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st Floor
P.O. Box 806
Sacramento, California 95812-0806

Payments can also be made with a credit card or Electronic Funds Transfer.

2.4. DTSC shall retain all cost records associated with the work performed under this Agreement as may be required by state law. DTSC will make all documents that support DTSC's cost determination available for inspection upon request in accordance with the Public Records Act, Government Code section 6250 et seq.

3. Project Managers. The Project Managers for DTSC and Applicant during the term of this Agreement are:

Department of Toxic Substances Control:

Shawn Browning, Project Manager
Permitting Division
8800 Cal Center Drive
Sacramento, CA 95826
Phone: (916) 255-3742
Email: Shawn.Browning@dtsc.ca.gov

Clean Harbors Westmorland LLC

To be determined
Clean Harbors Westmorland LLC
5295 South Garvey Road
Westmorland, CA 92281-0158
Email:

The above Project Managers may be changed upon sufficient advance written notification to each party.

4. Reservation of Rights. DTSC reserves all of its authorities, rights, defenses and remedies under applicable law and regulations, including the authority and right to recover its costs incurred therefor; to discontinue processing the application if Applicant fails to make any payment due under this Agreement. Applicant reserves all of its rights, defenses and remedies available to Applicant under applicable law and regulations.

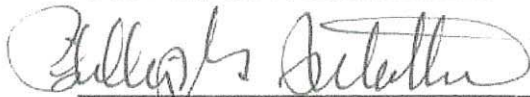
5. Effective Date. The effective date of this Agreement is the date of signature by DTSC's authorized representative after this Agreement is first signed by Applicant's authorized representative. Except as otherwise specified, "days" means calendar days.

6. Representative Authority. Each undersigned representative of the party to this Agreement certifies that she or he is fully authorized to enter into the terms and conditions of this Agreement and to execute and legally bind the party to this Agreement.

7. Counterparts. This Agreement may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

Agreed to by:

Clean Harbors Westmorland LLC



Date: 12-05-2018

Signature

Name: Philip G. Retzlach

Title: Senior Vice President, Compliance and Regulatory Affairs

Department of Toxic Substances Control



Date: 12-6-18

Signature

Name: Wayne Lorentzen

Title: DTSC Permitting Branch Chief

SITE: 5400001
 FACILITY: Clean Harbors Westmorland
 PERMIT: TSD/ CEQA Final Document
 PROJECT MANAGER: Shawn Browning
 DATE: November 2018

EXHIBIT A
Department of Toxic Substances Control
PERMITTING APPLICATION PROCESSING COST ESTIMATE¹

	Project Manager	Cost Estimating Engineer	Supervisor	Branch Chief	Engineering Special Projects Unit	Enforcement	Corrective Action Specialist	Geologic Services Unit	Human and Ecological Risk Office	Industrial Hygienist	Public Participation	Office of Legal Counsel	CEQA Unit	Financial Assurance Unit	Clerical	Travel	Contracts/Other Expenses	Total Hours	Cost
	\$7339	\$7282	\$7296	\$3111	\$7339	\$7002	\$7238	\$2241	\$7238	\$7002	\$1556	\$7296	\$207	\$1356	\$95				
TASK 1: INITIAL COMPLETENESS REVIEW (ADMINISTRATIVE COMPLETENESS)																			
Estimation Rates																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
TASK 2: TECHNICAL REVIEW OF PERMIT APPLICATION																			
2A: TECHNICAL REVIEW THRU ISSUANCE OF 1ST NOD																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
2B: REVIEW OF 1ST NOD RESPONSE AND ISSUANCE OF 2ND NOD OR TECHNICAL COMPLETE DETERMINATION																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
2C: REVIEW OF RESPONSE TO 2ND NOD AND TECHNICAL COMPLETE DETERMINATION																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
TASK 3: DRAFT PERMIT DECISION																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
TASK 4: CEQA COMPLIANCE																			
HOURS	110		28	20					2			32	141		11			344	80,273
SUBTOTAL ESTIMATED COST	\$26,290	\$8,288	\$6,220					\$475				\$9,472	\$78,482		\$1,045				
TASK 5: PUBLIC PARTICIPATION																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
TASK 6: FINAL PERMIT																			
HOURS																			
SUBTOTAL ESTIMATED COST																			\$
TASK 7: PROJECT MANAGEMENT																			
HOURS	34																		
ESTIMATED COST	\$8,027																		\$ 8,027
TOTAL ESTIMATED PERMIT PROCESSING COST																			\$ 88,300

¹ See attached Task Description and Cost Assumptions for a description of the type of work included for each task and assumptions used to generate the costs.
² Additional costs may be incurred depending upon the quality of the application received and the facility responsiveness to NODs.

CLEAN HARBOR WESTMORLAND ANTICIPATED SEIR SCOPE LIST

Activity	Applicable or Not Applicable
PREPARATION OF ADDITIONAL CEQA DOCUMENT (SUPPLEMENTAL/SUBSEQUENT EIR)	
Project Initiation Meeting	APPLICABLE
Draft SEIR Development Schedule	APPLICABLE
Final SEIR Development Schedule	APPLICABLE
Draft SEIR Outline	APPLICABLE
Final SEIR Outline	APPLICABLE
Draft SEIR Project Description	APPLICABLE
Final SEIR Project Description	APPLICABLE
Draft Notice of Preparation	APPLICABLE
Final Notice of Preparation	APPLICABLE
Notice of Preparation Distribution	APPLICABLE
Scoping Meeting Preparation	APPLICABLE
Admin Draft Environmental Impact Report	APPLICABLE
Admin Final SEIR	APPLICABLE
Public/Agency Draft SEIR	APPLICABLE
Public/Agency Review of Draft SEIR	APPLICABLE
Draft Community Update	APPLICABLE
Final Community Update	APPLICABLE
Draft Public Notice/Newspaper Advertisement	APPLICABLE
Final Public Notice/Newspaper Advertisement	APPLICABLE
Public Meetings	APPLICABLE
Draft Response to Comments Package and Draft Summary Response Document	APPLICABLE
Final Response to Comments Package and Draft Summary Response Document	APPLICABLE
Final SEIR	APPLICABLE
10-day Agency Review of Final SEIR	APPLICABLE
Filing of Final SEIR with State Clearinghouse	APPLICABLE
TRANSLATION	
Language Access and Translation Requirements	APPLICABLE
PROJECT MANAGEMENT	
Project Management/Coordination	APPLICABLE
ENVIRONMENTAL STUDIES	
Air Quality (including greenhouse gas emissions)	APPLICABLE
Biological Assessment	APPLICABLE
Cultural Resources	NOT APPLICABLE
Energy	APPLICABLE
Geotech or geomorphic (site work)	NOT APPLICABLE
Geology (no site work in lieu of Geotech)	NOT APPLICABLE
Palentology (might be included in geology)	NOT APPLICABLE
Hydrology and Water Quality	NOT APPLICABLE
Noise Study	NOT APPLICABLE
Transportation (Traffic) Study	NOT APPLICABLE
Wildfire Risk Assessment	APPLICABLE
REGULATORY AGENCY REVIEW COSTS	
CEQA Reimbursement Agreement - DTSC Staff Costs	APPLICABLE

Attachment 2

Department of Toxic Substances Control

Statement of Work Clean Harbors Westmorland, LLC Westmorland, California Environmental Impact Evaluation



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

STATEMENT OF WORK CLEAN HARBORS WESTMORLAND LLC. WESTMORLAND, CALIFORNIA ENVIRONMENTAL IMPACT EVALUATION

On December 8, 2003, Clean Harbors Westmorland LLC. (Applicant) submitted an application for renewal of a hazardous waste facilities permit (Project) for activities proposed to be conducted at its existing facility located at 5295 South Garvey Road, Westmorland, California 92281. The Department of Toxic Substances Control (DTSC) is required under the California Environmental Quality Act (CEQA)¹ and the CEQA Guidelines² to consider the potential environmental impacts associated with the proposed project prior to making a determination on this request. DTSC has determined that the existing Environmental Impact Report (EIR) (State Clearinghouse Number 1990010086) entitled *Upgrade of an Existing Waste Management Facility* for this Project must be amended as identified in the Public Resources Code section 21166 and CEQA Guidelines sections 15162, 15163, and 15164.

DTSC has executed a Memorandum of Understanding (MOU) with the Applicant to govern preparation of a supplemental or subsequent environmental impact report (collectively, SEIR) by an independent environmental consultant (the Consultant).³ This Statement of Work (SOW) describes the tasks and component subtasks that the Consultant shall be required to complete for preparation of a SEIR. These tasks and subtasks are discussed below.

TASK 1 – Project Initiation Meeting

The Consultant shall attend a meeting with DTSC and the Applicant to discuss all aspects associated with preparation of the SEIR. Such discussion shall include but not be limited to:

- Definition of the proposed project,
- Scope and content of the environmental document,
- Data and information needs,
- SEIR development schedule, and
Communication protocols.

TASK 2 – Draft Development Schedule

¹ Pub. Resources Code, div. 13, § 21000 et seq.

² Cal. Code Regs., tit. 14, § 15000 et seq.

³ See, e.g., Pub. Resources Code, div. 13, § 21082.1; Cal. Code Regs., tit. 14, § 15084.

The Consultant shall prepare a draft Development Schedule and Gantt chart that provides a delineation of tasks, and deadlines for submittal of data and information necessary for completing, reviewing and approving the SEIR. This schedule shall be in the format of Microsoft Project, or a Microsoft Project compatible file type.

TASK 3 - Final Development Schedule

The Consultant shall revise the draft Development Schedule to reflect comments received from DTSC and prepare a final Development Schedule for the SEIR and submit to DTSC for review and approval.

TASK 4 – Draft Project Description

The Consultant shall develop a draft project description for incorporation into the SEIR based on the Application provided by DTSC's Permitting Division. The Consultant shall submit the proposed Project Description to DTSC for review and comment.

TASK 5 – Final Project Description

The Consultant shall revise the draft Project Description to address comments received from DTSC and prepare a final Project Description for the SEIR and submit to DTSC for review and approval.

TASK 6 –Preliminary Determination of Appropriate SEIR

Based on the Final Project Description, the Consultant shall review existing relevant information including, but not limited to the existing EIR, other relevant environmental documents, and relevant technical studies. The Consultant shall recommend to DTSC whether a Subsequent or Supplemental EIR should be prepared for the Project. The recommendation shall be based on the review of the existing environmental documents, previously conducted technical studies, and CEQA Guidelines.

DTSC will make a preliminary determination about whether a Subsequent or Supplemental EIR will be prepared, and will utilize that determination in the Notice of Preparation and the Scoping Meeting. DTSC shall inform the Applicant and Consultant of its determination, discuss strategies for preparation of the resulting SEIR, and possible contract and/or statement of work augmentations

TASK 7 – Draft Notice of Preparation

The Consultant shall prepare a draft Notice of Preparation (NOP) that includes the following:

- Introduction
- Description of the Project
- Description/timeline of the SEIR
- Description of the Project's Location (map)
- Summary of probable environmental impacts

- Proposed scope of environmental analysis for the SEIR
- Environmental issue areas
- Date, time, and place of the public scoping meeting or hearing (if required)
- Address where Project-related documents or files relating to the proposed project are available for review
- Deadline for submitting comments

The Consultant shall submit the draft NOP to DTSC for review and comment.

TASK 8 – Final NOP

The Consultant shall revise the draft NOP to reflect comments received from DTSC and prepare a final NOP and submit to DTSC for review and approval.

TASK 9 – NOP Distribution and Public Scoping Meeting Notification

The Consultant shall coordinate with DTSC in the submittal of the NOP to the State Clearinghouse and those identified on any distribution list developed by DTSC. In addition to filing the NOP, the Consultant shall conduct the following activities to solicit public/agency review and comments on the project, including the fulfillment of the Language Access and Translation Requirements listed in Additional Project Requirements:

Subtask 9.1 – Distribution to DTSC Mailing List

The Consultant shall mail the NOP to the list of interested parties provided by DTSC.

Subtask 9.2 – Public Notice/Newspaper Advertisement

The Consultant shall prepare a Public Notice/Newspaper Advertisement for publication in newspaper(s) of general circulation in the vicinity of the proposed project. The Advertisement shall be developed in a format compatible with the NOP. The Consultant shall submit the Draft Advertisement to DTSC for review and comment.

Subtask 9.3 – Submittal of the NOP to the State Clearinghouse

The Consultant shall make copies and submit the NOP to the State Clearinghouse for distribution to affected Responsible Agencies, Trustee Agencies, involved federal agencies, and any organization or individual who has filed a written request for the notice. Such filing starts the 30-day NOP comment period.

TASK 10 – Scoping Meeting

(a) The Consultant shall conduct activities related to meetings with government agencies. The purpose of the scoping meetings is to obtain input from government agencies regarding the scope and content of the SEIR. Comments received at the scoping meetings and written comments mailed to the DTSC shall be considered during preparation of the draft SEIR. The following activities shall be conducted for this task:

- Develop informational handouts for the scoping meeting(s)
- Develop scoping meeting agenda and presentation, sign-in sheet
- Identify meeting goals and format
- Provide all necessary equipment to complete the meeting(s) (slides, supplies, projector, etc.)
- Attend the meeting(s) when requested by DTSC

(b) The Consultant shall conduct activities related to meetings with the public. The purpose of the public scoping meeting is to obtain input from the public agencies regarding the scope and content of the SEIR. Comments received at the public scoping meeting and written comments mailed to the DTSC shall be considered during preparation of the draft SEIR. The following activities shall be conducted for this task:

- Secure facility for public meeting (public and agencies)
- Develop informational handouts for the scoping meeting
- Develop and provide comment form
- Prepare numerically-keyed list of discrete comments
- Develop scoping meeting agenda and presentation, sign-in sheet
- Identify meeting goals and format
- Fulfill the Language Access and Translation Requirements as listed in Additional Project Requirements
- Provide headsets for simultaneous interpretation along with the necessary staff to provide this service
- Provide all necessary equipment to complete the meeting (slides, supplies, projector, etc.)
- Attend DTSC meeting rehearsal
- Attend the meeting

For purposes of planning, the Consultant shall assume that the public meeting will be held in Westmorland, California, will last three hours, and may include 150 attendees, some of which will utilize the simultaneous interpretation service.

The agency and public scoping meetings may be combined to the extent possible as described in CEQA guidelines section 15083(c).

TASK 11 – Technical Studies Implementation

The Consultant shall recommend to DTSC whether additional technical studies are necessary based on the results of the scoping process, the existing environmental documents, previously conducted technical studies, and current CEQA Guidelines.

After considering the recommendation prepared by the Consultant, DTSC shall make the determination if appropriate additional or revised technical studies and documentation are required for the Project. DTSC shall inform the Applicant and Consultant of its decision, discuss strategies for possible contract and/or statement of work augmentations.

The Consultant will perform the new technical studies as directed by DTSC to support the Draft SEIR.

TASK 12 – Final Determination of Appropriate SEIR

The Consultant shall recommend to DTSC whether a Subsequent or Supplemental EIR should be utilized. The recommendation shall be based on the results of the scoping process, review of the existing environmental documents, results of new and previously conducted technical studies, and the CEQA Guidelines. The Consultant's recommendation will be presented to DTSC in the Cal Center Regional Office. After considering the recommendation presented by the Consultant, DTSC shall make a final determination of the appropriate CEQA document required for the Project.

DTSC shall inform the Applicant and Consultant of its decision, discuss strategies for preparation of the resulting SEIR, and possible contract and/or statement of work augmentations.

TASK 13 – Draft Outline

The Consultant shall prepare a draft SEIR Outline. The draft SEIR Outline shall present the chapter headings, major topic areas, and appendices for the SEIR. The draft SEIR Outline shall be submitted to DTSC for review and comment.

TASK 14 – Final Outline

The Consultant shall revise the draft SEIR Outline to reflect comments received from DTSC and prepare a final Outline for the SEIR and submit to DTSC for review and approval.

TASK 15 – Administrative Draft SEIR

The Consultant shall prepare an Administrative Draft SEIR based upon the detailed outline developed after receipt of all comments received during the NOP process and during agency scoping meetings.

The scope of the SEIR shall be on those aspects that were not fully addressed in the previous EIR prepared related to operations at the facility, the Project application, and the factors identified in Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163, as determined appropriate by DTSC at the conclusion of Task 14. The Administrative Draft SEIR shall contain the following information required by the State CEQA Guidelines⁴:

1. Table of Contents

2. Executive Summary

The summary shall contain a brief summary, normally not exceed 15 pages, of the proposed actions and its consequences. The language of the summary should be a clear and simple as reasonably practicable. The summary shall identify:

- a) Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect;
- b) Areas of controversy known to the Lead Agency including issues raised by agencies and the public; and
- c) Issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.

3. Project Description

The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the project's environmental impacts:

- a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.
- b) A statement of objectives sought by the proposed project. The statement of objectives should include the underlying purpose of the project.
- c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals, if any, and supporting public service facilities.
- d) A statement briefly describing the intended uses of the SEIR. This statement shall include:
 1. A list of the agencies that are expected to use the SEIR in their decision-making, and
 2. A list of permits and other approvals required to implement the project.
 3. A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.

4. Environmental Setting

⁴ Cal. Code Regs. tit. 14, § 15120 to 15132

The environmental setting must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, from both a local and regional perspective. This environmental setting constitutes the baseline physical conditions by which DTSC determines whether an impact is significant.

5. Consideration and Discussion of Environmental Impacts

All phases of the project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation. The subjects listed below shall be discussed:

- Significant Environmental Effects of the Proposed Project.
- Significant Environmental Effects Which Cannot Be Avoided if the Proposed Project is implemented.
- Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Project Should it be Implemented.
- Growth-Inducing Impact of the Proposed Project.
- The Mitigation Measures Proposed to Minimize the Significant Effects.
- Alternatives to the Proposed Project.

6. Effects Not Found to be Significant

The reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed shall be provided.

7. Organizations and Persons Consulted

All federal, state, or local agencies, other organizations, and private individuals consulted in preparing the report, and the persons, firm, or agency preparing the document by contract or other authorization shall be provided.

8. Discussion of Cumulative Impacts

The cumulative impacts of the project shall be provided, if the project's incremental effect is cumulatively considerable, as defined in the State CEQA Guidelines⁵.

The Consultant shall submit four (4) hard copies and four (4) electronic copies of the Administrative Draft SEIR to DTSC for review and comment.

TASK 16 – Administrative Final Draft SEIR

The Consultant shall revise the Administrative Draft SEIR to address comments received from DTSC and prepare an Administrative Final Draft SEIR and submit to DTSC for review and approval.

⁵ Cal. Code Regs., tit. 14, § 15065(c)

TASK 17 – Public/ Agency Review of Draft SEIR

Upon DTSC's approval to circulate the Draft SEIR, the Consultant shall coordinate with DTSC in the preparation of the Draft SEIR for submittal to the State Clearinghouse and the distribution list that will be provided by DTSC, which will include the County Clerk's Office where the Project is proposed. In addition, the Consultant shall conduct the following activities related to public/agency review and comments on the Public/Agency Draft SEIR, including all applicable Additional Project Requirements:

Subtask 17.1 – Draft Community Update

The Consultant shall develop a Community Update in coordination with DTSC's Office of Public Participation. The Community Update must be in lay terms which:

- Describes the Public/Agency Draft SEIR
- Announces the comment period on the Draft SEIR
- Announces any public meetings on the Draft SEIR
- Announces establishment of public repository
- Provide DTSC's contact information

The Consultant shall submit the Draft Community Update to DTSC for review and comment.

Subtask 17.2 – Final Community Update

The Consultant shall revise the Draft Community Update to reflect comments received from DTSC and prepare a Final Community Update and submit to DTSC for review and approval.

Subtask 17.3 – Draft Public Notice/Newspaper Advertisement

The Consultant shall prepare a Public Notice/Newspaper Advertisement for publication in newspaper(s) of general circulation in the vicinity of the proposed project. The Advertisement shall be developed in a format compatible with CEQA requirements and contain the following information:

- Project description
- Location map
- Summary of significant environmental impacts
- Date, time, and place of public meeting
- Location of documents specified in the Draft SEIR
- Address where written comments can be sent
- Deadline for submission of comments
- Statement as to whether the project is on a listed toxic site

The Consultant shall submit the Draft Advertisement to DTSC for review and comment.

Subtask 17.4 – Final Public Notice/Newspaper Advertisement

The Consultant shall revise the Draft Advertisement to reflect comments received from DTSC and prepare a Final Advertisement and submit to DTSC for review and approval.

Subtask 17.5 – Public Meetings

The Consultant shall prepare the following tasks as they relate to the public meetings affecting the Agency/Public Draft SEIR:

- Secure facility for public meeting (public and agencies)
- Provide all necessary equipment to complete the meeting (slides, supplies, projector, etc.)
- Attend DTSC meeting rehearsal
- Attend and make any necessary presentations at the meeting
- Arrange for court reporter and transcript
- Provide headsets for simultaneous interpretation along with the necessary staff to provide this service

For purposes of planning, the Consultant shall assume that the public meeting will be held in Westmorland, California, will last three hours, and may include 150 attendees, some of which will utilize the simultaneous interpretation service.

TASK 18 – Draft Response to Comments Package and Draft Summary Response Document

The Consultant shall prepare a detailed listing of the comments and sources of the comments received on the Draft SEIR and prepare draft responses to the comments received, keyed to their numerical identifiers and organized by subject area using the Smart Comments software. In addition, the Consultant shall prepare a Summary Response Document, not to exceed 15 pages, summarizing all comments received and including general responses. The purpose of the Summary Response Document is to ensure that there is a response document that can be translated in accordance with the Language Access and Translation Requirements listed in the Additional Project Requirements.

The Consultant shall submit the Draft Comments and Responses to Comments Package and Draft Summary Response Document to DTSC for review and comment.

TASK 19 – Final Response to Comments Package, Final Summary Response Document and Administrative Review of Final SEIR

The Consultant shall revise the Draft Response to Comments Package, and Draft Summary Response Document, to reflect comments received from DTSC and prepare and submit a Final Response to Comments and Final Summary Response Document to DTSC for review and approval. In addition, the Consultant shall prepare an Administrative Draft Final SEIR in accordance with CEQA Guidelines to incorporate revisions consistent with the responses to comments received on the Draft SEIR. The Final SEIR shall contain the following:

- Statement of Findings or Findings of Fact
- Statement of Overriding Considerations, if applicable
- Mitigation Measure Monitoring and Reporting Plan, if applicable
- Comments Received on the Draft SEIR and Response to Comments
- Notice of Determination (NOD)

The Consultant shall submit the Administrative Draft Final SEIR to DTSC for review and comment.

TASK 20 – Final SEIR

The Consultant prepare a Final SEIR for DTSC review that revises the Administrative Draft Final SEIR to address comments received from DTSC. The Consultant shall provide a minimum of four (4) hard copies of the Final SEIR, and four (4) electronic copies to DTSC for review and approval.

TASK 21 – 10-day Agency Review of Final SEIR

Upon DTSC approval of the Final SEIR, the Consultant shall transmit copies of the Final SEIR to all agencies that provided comments on the draft SEIR. After the 10-day period for agency review, the Consultant shall incorporate any comments received into an Appendix to the Final SEIR.

TASK 22 – Filing of Final SEIR with the State Clearinghouse

The Consultant shall prepare and file a Final SEIR package with the Governor's Office of Planning & Research/ State Clearinghouse. The package shall include:

- Final SEIR and all appendices, figures, tables
- Notice of Determination (NOD)
- NOD Filing Fee, if applicable
- California Department of Fish & Wildlife No Effect Determination, if applicable

ADDITIONAL PROJECT REQUIREMENTS

The following additional project requirements apply to all tasks identified in this SOW.

1. Coordination with DTSC

This SOW is for the CEQA analysis of DTSC's hazardous waste facility permit decision. The Consultant's obligations under this SOW are limited to CEQA compliance. DTSC retains overall control and responsibility for making the final permit decision. The draft SEIR and draft permit decision will both be discussed at the public meeting described in subtask 17.5 of this SOW. DTSC will facilitate the public meeting and the Consultant will assist with responses to CEQA questions. The Consultant will prepare the Response to Comments Package for those comments that pertain to CEQA. DTSC will prepare the responses to all other comments relating to the permit decision.

2. Language Access and Translation Requirements

The Consultant shall translate deliverables prepared in accordance with this SOW as outlined in the following table.

DOCUMENT / ACTIVITY	ENGLISH	SPANISH
Documents that are mailed to the community	X	X
Documents that are published in the newspaper (two newspapers)	X	X
Final version of the Notice of Preparation	X	X
Public/agency draft, and final, supplemental or subsequent EIR	X	
Executive summary of public/agency draft, and final,	X	X
Agency scoping meeting (if separate from public scoping)	X	
Public meeting presentation slides (two screens side by side)	X	X
Public meeting materials (handouts, posters etc.)	X	X
Draft and final response to comments document	X	
Summary response document (up to 15 pages)	X	X
Written and verbal comments provided in Spanish	X - Translated into English	
Responses to written comments provided in Spanish	X	X
Public meeting proceedings	X – Comments in Spanish translated into English	X - English to Spanish (simultaneous interpretation)
Public meeting transcript	X – Spanish to English	X – English to Spanish

X – This symbol as used in the preceding table signifies that the document / activity shall be prepared / conducted in the indicated languages.