

## AB304 FREQUENTLY ASKED QUESTIONS

### ***Can the Environmental Health Director sign a Remedial Action Agreement, or does it have to be the County/City Health Officer?***

Per Health & Safety Code (HSC), Section 101480(a)(2), a “Local Officer” is defined as: “a county health officer, city health officer, or county director of environmental health who has been granted authority by the city’s or county’s governing body to enter into a remedial action agreement and oversee a remedial investigation or remedial action, or both, at a waste release site.”

As such, a County Environmental Health Director may sign a Remedial Action Agreement if that individual has been granted authority by the county’s governing body to do so.

### ***Do the counties have to upload the individual Remedial Action Agreement Notification Forms, Local Agency Self-Certifications, and Staff/Professional Resumes to every site under its oversight in GeoTracker? Is there a way to streamline this process?***

Yes, the county should upload the Remedial Action Agreement Notification Forms, Local Agency Self-Certifications, and Staff/Professional Resumes to every site under its oversight. The State is currently working on developing a way to enter this information directly into GeoTracker. The counties will be notified when this feature is available.

### ***What are the requirements for a local agency to be considered technically competent for remediation oversight?***

The amended statutes do not specifically define what constitutes adequate staff resources. The State will determine if the City/County’s staff resources and technical expertise are adequate to provide oversight of an individual site once the Remedial Action Agreement Notification Form, Local Agency Self-Certification, and Staff/Professional Resumes have been submitted to the Regional Board and DTSC.

The statutes do, however, specify what kind of staff resources the County/City must uphold and include 1) a Local Officer, 2) Licensed Professionals, and 3) Technical Staff. These individuals are defined as follows:

1. **Local Officer:** A Local Officer is defined in HSC, section 101480 as “a county health officer, city health officer, or county director of environmental health who has been granted authority by the city’s or county’s governing body to enter into a remedial action agreement and oversee a remedial investigation or remedial action, or both, at a waste release site.”
2. **Licensed Professionals:** Licensed Professionals must have current registration in California as a Professional Civil Engineer, or Professional Geologist and should have experience overseeing or performing site investigation and

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remediation of unauthorized releases of hazardous substances. Only a civil engineer or geologist registered under the provisions set forth in Business and Professions Code, sections 6700 et seq. and 7800 et seq., respectively, may be considered a Licensed Professional for the purpose of the Remedial Action Agreement.

- 3. Technical Staff:** Technical Staff should possess the technical expertise and capabilities to adequately oversee the remedial investigation or remedial action, or both. Technical Staff may be licensed professionals or may be subordinates, as defined in Business and Professions Code, sections 6705 and 7805. A subordinate is any person who assists a Licensed Professional without assuming the responsible charge of work. Technical Staff may also include Licensed Professionals, as described above.

### ***We have been seeing references to Chapter 698. Does that mean that Chapter 698 of the Health and Safety Code was amended by AB304?***

No. Chapter 698 refers to the chapter number where Assembly Bill (AB) 304 is chaptered in the official Secretary of State record. This does not refer to the amended sections of the Health and Safety Code.

The amended Health and Safety Code sections include 25299.50.6, 101480, 101483, 101485, and 101487.

### ***Will the State be “certifying” local agencies for cleanup oversight?***

No, the State will not be certifying local agencies for cleanup oversight. The amended statutes include an “enhanced notification” process, but does **not** include State certification. The new notification process requires additional information and asks the local agency to “self-certify” that they meet the requirements outlined in the Health and Safety Code. The State (Regional Water Board and DTSC) will review the Remedial Action Agreement Notification Forms and Local Agency Self-Certification Forms only to ensure that the site and local agency meet the requirements for local cleanup oversight under the Health and Safety Code.

### ***We have records for several sites for which we are already providing oversight, but the records are not in GeoTracker. Is there a way to upload multiple documents at once to GeoTracker?***

The GeoTracker Help Desk can perform bulk document uploads for agencies with 25 sites or more. To request bulk document uploads, please contact the GeoTracker Help Desk at [geotracker@waterboards.ca.gov](mailto:geotracker@waterboards.ca.gov).