



<b>Classification Title</b> Environmental Scientist	<b>Department</b> Department of Toxic Substances Control
<b>Working Title</b> Environmental Scientist	<b>Office/Unit/Section/Geographic Location</b> Hazardous Waste Management Program / Enforcement and Emergency Response Division/Berkeley/Clovis Enforcement Branch / Berkeley
<b>Position Number</b> 810-912-0762-502	<b>Effective Date</b>

General Statement: The Enforcement and Emergency Response Division (EERD) is responsible for conducting inspections, investigations and enforcement activities related to hazardous waste management, Safer Consumer Products and Toxics in Products statutes and regulations, and providing technical and enforcement support to federal, state, local agencies, and the regulated community involved with these activities.

Under close supervision at Range A, general supervision at Range B, and direction at Range C from a Senior Environmental Scientist (Supervisory) in the EERD, the Range A incumbent performs the less difficult scientific and hazardous substances management work; the Range B incumbent performs scientific program work of average difficulty and may act as a team leader on projects of average complexity; and the Range C incumbent works independently in teams or as a team leader, and performs a variety of complex tasks related to Environmental Scientist (ES) responsibilities.

The ES performs tasks related to DTSC hazardous waste transporter and compliance evaluation inspections, complaint investigations, and enforcement actions related to transporters, the Safer Consumer Products and Toxics in Products/Packaging authorities. In addition, the ES assists in meeting grant commitments or other deadlines, and performs administrative, training, and other related tasks. The ES performs work in compliance with State and Federal environmental statutes and regulations and works expeditiously to conclude investigations and resolve violations. The ES coordinates and collaborates efforts with external stakeholders, such as Toxics in Packaging Clearinghouse and Center of Environmental Health. Specific duties include, but are not limited to, the following:

A. Specific Activities: Essential (E) / Marginal (M) Functions

**30% (E) Conducts Inspections and Investigations**

Plans, organizes and initiates hazardous waste transporter field inspection and investigation related activities. Inspects complex hazardous waste generators, transporters, electronic waste handlers, metal recyclers/shredders, treatment, storage and disposal facilities to determine compliance with the Hazardous Waste Control Law and regulations. Evaluates material process flow diagrams, piping and instrumentation diagrams in assessing the generation of hazardous waste and adequacy of storage treatment systems and disposal practices. Evaluates and interprets tank integrity assessments and certifications (including secondary containment structures), waste determination and analytical results, recycling methods, and land disposal restriction data. Evaluates compliance with air emission standards for process vents, equipment leaks and air emissions for tanks, surface impoundments and containers; and compliance with state and federal exemptions and exclusions regarding hazardous waste.

Gathers and maintains documentary, photographic, and sample evidence in determining inspection findings. Collects and transports samples as needed to DTSC's Environmental Chemistry Laboratories or contract laboratories. Investigates and evaluates voluntary self-disclosures and provides technical support to businesses that self-disclose violations.

**30% (E) Enforcement Related Activities**

Participates in settlement negotiations of enforcement cases (primarily related to transporters) and when necessary, represents DTSC in the pursuit of administrative, civil, and criminal enforcement actions. Prepares penalty matrices and rationale for evaluation and ultimately for enforcement referral to DTSC's Office of Legal Affairs, the Office of the Attorney General, or the local City and/or County District Attorney. Coordinates case development with prosecuting attorneys and related agency staff. Testifies in court as an expert witness. Prepares and processes consent and/or enforcement orders for settling administrative enforcement actions. Prepares final legal enforcement referrals and administrative orders for violations of state statutes, regulations, and permit requirements.

**20% (E) Inspection Reports and Envirostor**

Prepares written inspection reports, summary of violations, summary of observations, affidavits for obtaining inspection or search warrants and statements of facts with detailed descriptions of defendants' alleged violations, evidence, and witnesses. Maintains and reviews project files for inspection and enforcement projects to allow for appropriate public access while maintaining required confidentiality. Inputs inspection, investigation, and enforcement information (primarily related to transporters) into EnviroStor Inspection, Complaint and Enforcement database as it occurs in a timely fashion and completes other program data and reporting requirements necessary for program implementation and management. Prepares pre- and post-inspection Health and Safety documents.

**5% (E) Administrative Duties**

Performs administrative duties including, but not limited to: adheres to Department policies, rules, and procedures; ensures compliance with appropriate bargaining unit contract; submits administrative requests including leave, overtime, travel, and training in a timely and appropriate manner; accurately reports time in the Daily Log system and submits timesheets by the designated due date(s).

**5% (M) Regulatory Assistance, Review, and Development**

Provides regulatory assistance to facilities regulated under state and federal hazardous waste laws and regulations and prepares responses to the public, industry, and the legislature about current hazardous waste management regulatory issues and its implementation. Participates in DTSC workgroups in developing new regulatory packages that are technically sound, and prepared in a clear, concise style. Participates in public hearings on proposed regulations and reviews and responds to public comments generated from public hearings. Reviews and comments on draft regulatory packages.

**5% (M) Permit Review and Environmental Analysis**

Reviews and evaluates draft hazardous waste facility permits, operation plans and proposed permit modifications to ensure the documents are complete, technically sound, enforceable with hazardous waste laws and regulations, and are written in a clear, concise style.

**5% (M) Other Related Duties**

Other related duties including, but not limited to: reviews and comments on departmental guidance policies and procedures. Attends job-related departmental meetings and attends training as required.

**B. Supervision Received**

The ES reports directly to and receives the majority of the assignments from the Senior Environmental Scientist (Supervisory). Direction and assignments may also come from the Senior Environmental Scientist (Specialist), the Environmental Program Manager I (Supervisory), EERD Division Chief or the Deputy Director for the Hazardous Waste Management Program.

**C. Supervision Exercised**

NONE.

**D. Administrative Responsibility**

NONE.

**E. Personal Contacts**

The ES has regular contact with DTSC program staff up to the Division Chief, Environmental Program Manager I (Supervisory) level, the Office of Legal Affairs, the Environmental Chemistry Lab, Office of the Attorney General, other local, state, and federal agencies, external DTSC stakeholders, businesses, and other entities as required.

Interactions with program staff and the Environmental Chemistry Lab involve technical issues, attorney-client privileged discussions on enforcement cases with the Office of Legal Affairs and the Attorney General's Office, inspection coordination or information gathering with other local, state, and federal agencies, and information dissemination to external stakeholders and businesses.

**F. Actions and Consequences**

The actions of the ES are intended to result in identification of inspection violations and actual or potential threats to public health and safety and the environment. Failure to effectively perform the duties of this position will adversely impact the effectiveness of inspection and enforcement cases which, in turn, will negatively impact public health and safety and the environment. Inspections are conducted to ensure businesses are following the regulations and statute. If the ES is unable to perform effective inspections, then incidents at regulated businesses may occur that can be a detriment to the employees at the business, the surrounding communities, the environment and even the incumbent. Enforcement actions are taken against serious violators. If the ES is unable to effectively initiate enforcement actions and follow through on settlement negotiations, then the Division's relationship with the Office of Legal Affairs, the Office of the Attorney General, communities, environmental groups, local, state, and federal agencies and other external stakeholders can be compromised. The magnitude of these failures will range from significant to critical.

**G. Functional Requirements**

The ES works inside a building in close proximity with other employees and typical office equipment such as computers, telecommunications equipment, photocopiers, and fax machines. The ES is in frequent contact with internal and external stakeholders via telephone, videoconferencing, and electronic mail.

This is a field inspection position. Personal safety awareness is critical and adhering to DTSC health and safety policies and procedures is required.

The Environmental Scientist completes and maintains Hazardous Waste Operations and Emergency Response (HAZWOPER) certification to perform hazardous waste field work, which includes the initial 40-hour HAZWOPER required training and annual 8-hour HAZWOPER refresher classes. The Environmental Scientist wears personal protective equipment including a self-contained breathing apparatus and/or an air purifying respirator and is able to wear equipment weighing as much as 30 pounds. The Environmental Scientist maintains compliance with all the Health and Safety field work certification.

The Environmental Scientist travels on short notice, overnight and for multiple days and gets to their duty station (e.g., facility to be inspected) independently. The Environmental Scientist may be required to work in situations which have the potential for exposure to hazardous substances and/or hazardous waste. The Environmental Scientist may be required to conduct field work in rough and uneven terrain.

#### H. Other Information

The ES should be familiar with common computer software, have the ability to manage and utilize electronic data, and the ability to be flexible and objective. The ES must have knowledge of Hazardous Waste Control Laws and Regulations; knowledge of Safer Consumer Products and Toxics in Products and Packaging laws and regulations; knowledge of Enforcement and Emergency Response Division policies and procedures. The ES must have the ability to effectively research, interpret and apply laws, regulations, technical guidance, and proposed regulations; analyze complex data and reason logically to reach accurate and defensible conclusions and recommendations to stakeholders both within and outside DTSC; ability to analyze complex regulatory issues and provide sound recommendations and/or feedback to management within DTSC. The ability to establish and maintain cooperative relations with local, state, and federal agencies and the regulated community; ability to maintain confidentiality in handling enforcement actions and other confidential matters. The ability to prepare clear, complete, grammatically correct, and technically accurate reports and other documents; ability to effectively communicate information both orally and in writing. The ability to maintain an unbiased and professional demeanor when working with the regulated community; ability to plan, lead, and/or facilitate meetings; ability to lead a team with varying technical backgrounds and representing several regional offices. The ES must also be effective in taking actions and developing solutions and alternate plans of action. A valid California Driver's License and enrollment into the California DMV Pull Program is required for this position.

#### I. DTSC'S Equity Statement

The Department of Toxic Substances Control (DTSC) values diversity, equity, and inclusion throughout the organization. We foster an environment where employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. We believe the diversity of our employees is essential to inspiring innovative solutions. Together we further our mission to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

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**I have read and understand the duties listed above, and I can perform these duties with or without reasonable accommodation.** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor.)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

**Revision Date: 5/3/2023**