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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 50@ Corrective Action

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Article 1.5@ Unified Program Agency Qualification

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Section 68400.14@ Unified Program Agency Qualification Criteria

68400.14 Unified Program Agency Qualification Criteria

(a)

A qualified UPA with Tier 1 level of qualification shall meet the following Tier 1 criteria: (1) Personnel Expertise Requirements. (A) UPA personnel designated to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 shall have educational background and technical expertise sufficient to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 in accordance with all applicable state laws and regulations, including the requirements of either subparagraph 1 or subparagraph 2, and subparagraph 3 and subparagraph 4 below: 1. Educational background shall consist of a degree from a college or university with a minimum of 60 semester units in the following areas of study: a. environmental, biological, chemical, physical, or soil science; b. environmental or public health; c. environmental, civil or chemical engineering; or d. directly related scientific field; 2. As an alternative to the requirements of subparagraph 1 above, the UPA personnel may satisfy the educational background requirements by possessing qualifications, knowledge and abilities that are equivalent to those for the Hazardous Substances Scientist, Hazardous Substances Engineer, or Engineering Geologist Classes defined by the California State Personnel Board in the following documents, incorporated herein by reference: a. Hazardous Substances Scientist, Series Specification, established July 1, 1994; b. Hazardous Substances Engineer,

Series Specification, established June 21, 1994 and revised January 19, 2000; c. Engineering Geologist, Series Specification, established September 24, 2002. 3. Technical expertise shall include two consecutive years of experience in hazardous materials management, regulation, analysis, or research, environmental research, monitoring, surveillance or enforcement, or resource recovery. 4. Technical expertise shall also consist of documented training or proficiency in the fields of hydrogeology, fate and transport, environmental chemistry, toxicology, preliminary endangerment assessment, quality assurance and quality control for analytical results, and statistics. Additional training in other technical disciplines related to site characterization and cleanup activities will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university extension, community college, or qualified UPA. (B) Documentation of UPA Personnel Expertise. An UPA shall submit with its application documentation demonstrating that UPA personnel meet the educational and technical expertise requirements as described in subsection (a)(1)(A). (2) UPA Past Experience. (A) An UPA qualified in Tier 1 shall have the ability to issue administrative enforcement orders, and at least two years of experience conducting hazardous waste generator inspections. The required experience shall have been acquired in the two years prior to the date the application is submitted to the Department. A Tier 1 UPA shall also have one of the following: 1. Participation in a Site Designation program pursuant to Health and Safety Code section 25262; 2. At least three years of experience participating in a Local Oversight Program; or 3. At least three years of experience conducting response actions. (B) Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has experience,

as described in paragraph (2)(A) as follows: 1. Most recent UPA triennial final Evaluation Report as required by California Code of Regulations, title 27, section 15530. 2. A certification that indicates an UPA has the ability to issue an administrative enforcement order, if not included in the most recent UPA triennial final Evaluation Report; and 3. Narrative descriptions of three relevant projects completed in the last three years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks and methods for overcoming technical obstacles. (3) A qualified UPA shall have the ability to implement environmental assessment and corrective action for the tier delegated, pursuant to Health and Safety Code section 25404.1 in accordance with this chapter. (A) An UPA shall submit with its application a narrative description of how it shall implement and enforce the environmental assessment and corrective action program and delegated responsibilities in accordance with all applicable state laws and regulations. This description shall specify the following: 1. The policies, procedures, approach and process the UPA will use to conduct environmental assessment and corrective action and the guidance documents the UPA relied upon to develop and implement the policies, procedures, approach and process. 2. If the description of relevant projects provided pursuant to subparagraph (2)(B)3. includes cleanup activities, include in the description details of the process used to conduct the cleanup. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance. (4) Adequacy of Staff Resources. (A) If additional staff resources are needed to implement corrective action, beyond the resources described in the original CUPA application, an UPA shall submit with its application documentation

demonstrating that it has the personnel resources needed to conduct the following activities: 1. File reviews; 2. Ongoing training of personnel; 3. Non-technical support for personnel; and 4. Management of any other applicable daily operations needed to support environmental assessment activities or corrective action. (5) Recordkeeping and accounting systems. If additional recordkeeping and accounting systems are needed to implement corrective action, beyond the systems described in the original CUPA application, the UPA shall submit the following: (A) An UPA shall submit with its application a description of its budget and accounting processes. Such processes shall include an accounting of expenditures made and revenues received for environmental assessment activities and corrective action at all unified program facilities. (B) An UPA shall submit with its application a description of tracking systems to be used for monitoring the progress of environmental assessment activities and corrective action at all unified program facilities. (C) An UPA shall submit with its application a description of how files will be maintained for environmental assessment and corrective action activities associated with unified program facilities within its jurisdiction. These files shall include, but not be limited to, all documents that comprise the administrative record file as defined in section 68400.12. (6) An UPA shall submit with its application a copy of a local ordinance that shall be enacted that authorizes the UPA to recover the costs of implementing and enforcing the environmental assessment and corrective action program within its jurisdiction. An UPA may be determined to be qualified if it demonstrates to the Department that such an ordinance will be adopted within 60 days of the determination.

(1)

Personnel Expertise Requirements. (A) UPA personnel designated to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 shall

have educational background and technical expertise sufficient to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 in accordance with all applicable state laws and regulations, including the requirements of either subparagraph 1 or subparagraph 2, and subparagraph 3 and subparagraph 4 below:

1. Educational background shall consist of a degree from a college or university with a minimum of 60 semester units in the following areas of study: a. environmental, biological, chemical, physical, or soil science; b. environmental or public health; c. environmental, civil or chemical engineering; or d. directly related scientific field;
2. As an alternative to the requirements of subparagraph 1 above, the UPA personnel may satisfy the educational background requirements by possessing qualifications, knowledge and abilities that are equivalent to those for the Hazardous Substances Scientist, Hazardous Substances Engineer, or Engineering Geologist Classes defined by the California State Personnel Board in the following documents, incorporated herein by reference: a. Hazardous Substances Scientist, Series Specification, established July 1, 1994; b. Hazardous Substances Engineer, Series Specification, established June 21, 1994 and revised January 19, 2000; c. Engineering Geologist, Series Specification, established September 24, 2002.
3. Technical expertise shall include two consecutive years of experience in hazardous materials management, regulation, analysis, or research, environmental research, monitoring, surveillance or enforcement, or resource recovery.
4. Technical expertise shall also consist of documented training or proficiency in the fields of hydrogeology, fate and transport, environmental chemistry, toxicology, preliminary endangerment assessment, quality assurance and quality control for analytical results, and statistics. Additional training in other technical disciplines related to site characterization and cleanup activities will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university

extension, community college, or qualified UPA. (B) Documentation of UPA Personnel Expertise. An UPA shall submit with its application documentation demonstrating that UPA personnel meet the educational and technical expertise requirements as described in subsection (a)(1)(A).

(A)

UPA personnel designated to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 shall have educational background and technical expertise sufficient to perform the activities of Tier 1 as described in subsection 68400.13(a) and section 68400.16 in accordance with all applicable state laws and regulations, including the requirements of either subparagraph 1 or subparagraph 2, and subparagraph 3 and subparagraph 4 below:

1. Educational background shall consist of a degree from a college or university with a minimum of 60 semester units in the following areas of study: a. environmental, biological, chemical, physical, or soil science; b. environmental or public health; c. environmental, civil or chemical engineering; or d. directly related scientific field;
2. As an alternative to the requirements of subparagraph 1 above, the UPA personnel may satisfy the educational background requirements by possessing qualifications, knowledge and abilities that are equivalent to those for the Hazardous Substances Scientist, Hazardous Substances Engineer, or Engineering Geologist Classes defined by the California State Personnel Board in the following documents, incorporated herein by reference: a. Hazardous Substances Scientist, Series Specification, established July 1, 1994; b. Hazardous Substances Engineer, Series Specification, established June 21, 1994 and revised January 19, 2000; c. Engineering Geologist, Series Specification, established September 24, 2002.
3. Technical expertise shall include two consecutive years of experience in hazardous materials management, regulation, analysis, or research, environmental research, monitoring, surveillance or enforcement, or resource recovery.
4. Technical expertise shall also consist of documented training or proficiency in the fields of hydrogeology, fate and transport,

environmental chemistry, toxicology, preliminary endangerment assessment, quality assurance and quality control for analytical results, and statistics. Additional training in other technical disciplines related to site characterization and cleanup activities will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university extension, community college, or qualified UPA.

1.

Educational background shall consist of a degree from a college or university with a minimum of 60 semester units in the following areas of study: a. environmental, biological, chemical, physical, or soil science; b. environmental or public health; c. environmental, civil or chemical engineering; or d. directly related scientific field;

a.

environmental, biological, chemical, physical, or soil science;

b.

environmental or public health;

c.

environmental, civil or chemical engineering; or

d.

directly related scientific field;

2.

As an alternative to the requirements of subparagraph 1 above, the UPA personnel may satisfy the educational background requirements by possessing qualifications, knowledge and abilities that are equivalent to those for the Hazardous Substances Scientist, Hazardous Substances Engineer, or Engineering Geologist Classes defined by the California State Personnel Board in the following documents, incorporated herein by reference: a. Hazardous Substances Scientist, Series Specification, established July 1, 1994; b. Hazardous Substances Engineer, Series Specification,

established June 21, 1994 and revised January 19, 2000; c. Engineering Geologist, Series Specification, established September 24, 2002.

a.

Hazardous Substances Scientist, Series Specification, established July 1, 1994;

b.

Hazardous Substances Engineer, Series Specification, established June 21, 1994 and revised January 19, 2000;

c.

Engineering Geologist, Series Specification, established September 24, 2002.

3.

Technical expertise shall include two consecutive years of experience in hazardous materials management, regulation, analysis, or research, environmental research, monitoring, surveillance or enforcement, or resource recovery.

4.

Technical expertise shall also consist of documented training or proficiency in the fields of hydrogeology, fate and transport, environmental chemistry, toxicology, preliminary endangerment assessment, quality assurance and quality control for analytical results, and statistics. Additional training in other technical disciplines related to site characterization and cleanup activities will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university extension, community college, or qualified UPA.

(B)

Documentation of UPA Personnel Expertise. An UPA shall submit with its application documentation demonstrating that UPA personnel meet the educational and technical expertise requirements as described in subsection (a)(1)(A).

(2)

UPA Past Experience. (A) An UPA qualified in Tier 1 shall have the ability to issue administrative enforcement orders, and at least two years of experience conducting hazardous waste generator inspections. The required experience shall have been acquired in the two years prior to the date the application is submitted to the Department. A Tier 1 UPA shall also have one of the following: 1. Participation in a Site Designation program pursuant to Health and Safety Code section 25262; 2. At least three years of experience participating in a Local Oversight Program; or 3. At least three years of experience conducting response actions. (B) Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has experience, as described in paragraph (2)(A) as follows: 1. Most recent UPA triennial final Evaluation Report as required by California Code of Regulations, title 27, section 15530. 2. A certification that indicates an UPA has the ability to issue an administrative enforcement order, if not included in the most recent UPA triennial final Evaluation Report; and 3. Narrative descriptions of three relevant projects completed in the last three years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks and methods for overcoming technical obstacles.

(A)

An UPA qualified in Tier 1 shall have the ability to issue administrative enforcement orders, and at least two years of experience conducting hazardous waste generator inspections. The required experience shall have been acquired in the two years prior to the date the application is submitted to the Department. A Tier 1 UPA shall also have one of the following:

1. Participation in a Site Designation program pursuant to Health and Safety Code section 25262; 2. At least three years of experience participating in a Local Oversight Program; or 3. At least three years of experience conducting response actions.

1.

Participation in a Site Designation program pursuant to Health and Safety Code section 25262;

2.

At least three years of experience participating in a Local Oversight Program; or

3.

At least three years of experience conducting response actions.

(B)

Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has experience, as described in paragraph (2)(A) as follows: 1. Most recent UPA triennial final Evaluation Report as required by California Code of Regulations, title 27, section 15530. 2. A certification that indicates an UPA has the ability to issue an administrative enforcement order, if not included in the most recent UPA triennial final Evaluation Report; and 3. Narrative descriptions of three relevant projects completed in the last three years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks and methods for overcoming technical obstacles.

1.

Most recent UPA triennial final Evaluation Report as required by California Code of Regulations, title 27, section 15530.

2.

A certification that indicates an UPA has the ability to issue an administrative enforcement order, if not included in the most recent UPA triennial final Evaluation Report; and

3.

Narrative descriptions of three relevant projects completed in the last three years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks and methods for overcoming technical obstacles.

(3)

A qualified UPA shall have the ability to implement environmental assessment and corrective action for the tier delegated, pursuant to Health and Safety Code section 25404.1 in accordance with this chapter.(A) An UPA shall submit with its application a narrative description of how it shall implement and enforce the environmental assessment and corrective action program and delegated responsibilities in accordance with all applicable state laws and regulations. This description shall specify the following: 1. The policies, procedures, approach and process the UPA will use to conduct environmental assessment and corrective action and the guidance documents the UPA relied upon to develop and implement the policies, procedures, approach and process. 2. If the description of relevant projects provided pursuant to subparagraph (2)(B)3. includes cleanup activities, include in the description details of the process used to conduct the cleanup. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance.

(A)

An UPA shall submit with its application a narrative description of how it shall implement and enforce the environmental assessment and corrective action program and delegated responsibilities in accordance with all applicable state laws and regulations. This description shall specify the following: 1. The policies, procedures, approach and process the UPA will use to conduct environmental assessment and corrective action and the guidance documents the UPA relied upon to develop and implement the policies, procedures, approach and process. 2. If the description of relevant projects provided pursuant to subparagraph (2)(B)3. includes cleanup activities, include in the description details of the process used to conduct the cleanup. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy

implementation, and any long-term activities, such as operation and maintenance.

1.

The policies, procedures, approach and process the UPA will use to conduct environmental assessment and corrective action and the guidance documents the UPA relied upon to develop and implement the policies, procedures, approach and process.

2.

If the description of relevant projects provided pursuant to subparagraph (2)(B)3. includes cleanup activities, include in the description details of the process used to conduct the cleanup. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance.

(4)

Adequacy of Staff Resources. (A) If additional staff resources are needed to implement corrective action, beyond the resources described in the original CUPA application, an UPA shall submit with its application documentation demonstrating that it has the personnel resources needed to conduct the following activities: 1. File reviews; 2. Ongoing training of personnel; 3. Non-technical support for personnel; and 4. Management of any other applicable daily operations needed to support environmental assessment activities or corrective action.

(A)

If additional staff resources are needed to implement corrective action, beyond the resources described in the original CUPA application, an UPA shall submit with its application documentation demonstrating that it has the personnel resources needed to conduct the following activities: 1. File reviews; 2. Ongoing training of personnel; 3. Non-technical support for personnel; and 4. Management of any other applicable daily operations needed to support environmental assessment activities or corrective action.

1.

File reviews;

2.

Ongoing training of personnel;

3.

Non-technical support for personnel; and

4.

Management of any other applicable daily operations needed to support environmental assessment activities or corrective action.

(5)

Recordkeeping and accounting systems. If additional recordkeeping and accounting systems are needed to implement corrective action, beyond the systems described in the original CUPA application, the UPA shall submit the following: (A) An UPA shall submit with its application a description of its budget and accounting processes. Such processes shall include an accounting of expenditures made and revenues received for environmental assessment activities and corrective action at all unified program facilities. (B) An UPA shall submit with its application a description of tracking systems to be used for monitoring the progress of environmental assessment activities and corrective action at all unified program facilities. (C) An UPA shall submit with its application a description of how files will be maintained for environmental assessment and corrective action activities associated with unified program facilities within its jurisdiction. These files shall include, but not be limited to, all documents that comprise the administrative record file as defined in section 68400.12.

(A)

An UPA shall submit with its application a description of its budget and accounting processes. Such processes shall include an accounting of expenditures made and revenues received for

environmental assessment activities and corrective action at all unified program facilities.

(B)

An UPA shall submit with its application a description of tracking systems to be used for monitoring the progress of environmental assessment activities and corrective action at all unified program facilities.

(C)

An UPA shall submit with its application a description of how files will be maintained for environmental assessment and corrective action activities associated with unified program facilities within its jurisdiction. These files shall include, but not be limited to, all documents that comprise the administrative record file as defined in section 68400.12.

(6)

An UPA shall submit with its application a copy of a local ordinance that shall be enacted that authorizes the UPA to recover the costs of implementing and enforcing the environmental assessment and corrective action program within its jurisdiction. An UPA may be determined to be qualified if it demonstrates to the Department that such an ordinance will be adopted within 60 days of the determination.

(b)

A qualified UPA with Tier 2 level of qualifications shall meet all of the following Tier 2 criteria: (1) An applicant UPA shall submit in its application all the required information as specified in subsection (a) of this section, which shall demonstrate that the applicant meets the Tier 1 qualifications. (2) Personnel Expertise Requirements. UPA personnel designated to perform the activities of Tier 2 as described in subsection 68400.13(b) and section 68400.16 shall have educational and technical expertise sufficient to perform the activities of Tier 2 as described in subsection 68400.13(b) and section 68400.16 in accordance with all applicable state laws and regulations. In addition to the requirements for

personnel expertise in Tier 1, an UPA qualified in Tier 2 shall also demonstrate documented training or proficiency in the fields of risk assessment, introduction to groundwater and remedy selection. Additional training in other technical disciplines related to site characterization, cleanup activities and health risk assessment will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university extension, community college or qualified UPA.

(3) Specialized Personnel Expertise. An UPA qualified in Tier 2 shall demonstrate that it has the following specialized expertise: (A) technical expertise necessary for the review and approval of engineering and geological interpretations, conclusions and recommendations that are conducted by registered professionals in conformance with applicable state law, including, but not limited to, Business and Professions Code sections 6735 and 7835 as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel, a contractor, or otherwise pursuant to an agreement with a state or local agency; and (B) technical expertise necessary to review, comprehend and implement all toxicological interpretations, conclusions and recommendations conducted by a professional with the qualifications as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel, a contractor, or otherwise pursuant to an agreement with a state or local agency. (4)

Documentation of UPA Personnel Expertise. In addition to the documentation provided for Tier 1, an UPA shall submit with its application documentation specifying detailed information regarding the specialized technical expertise outlined in subparagraphs (b)(2) and (b)(3) of this section, including the following:

1. If an UPA staff member or other personnel working under an agreement with a state or local agency is providing specialized expertise, specify the names of

persons with specialized technical expertise; a summary of education, technical training and related experience; and time availability or commitment to Tier 2 activities. 2. If a contractor is providing the specialized expertise, specify the qualifications of the contractor, related experience, time availability or commitment to Tier 2 activities, and the terms and duration of the contract. (5) UPA Past Experience. (A) A Tier 2 UPA shall have the past experience of a Tier 1 UPA and one of the following: 1. At least five years of total experience participating in a Local Oversight Program and documentation of experience overseeing 10 tank removals with full-time participation of two staff members, including one supervisor; or 2. At least five years of experience conducting response actions. (B) Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has the experience required for Tier 1 and the experience described in subparagraph (b)(5)(A) of this section as follows: 1. Demonstration of UPA past experience required for Tier 1, as described in subparagraph (a)(2)(B) of this section; 2. Narrative descriptions of five relevant projects completed in the last five years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks, methods for overcoming technical obstacles, and the process used to conduct cleanups or tank removals. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance.

(1)

An applicant UPA shall submit in its application all the required information as specified in subsection (a) of this section, which shall demonstrate that the applicant meets the

Tier 1 qualifications.

(2)

Personnel Expertise Requirements. UPA personnel designated to perform the activities of Tier 2 as described in subsection 68400.13(b) and section 68400.16 shall have educational and technical expertise sufficient to perform the activities of Tier 2 as described in subsection 68400.13(b) and section 68400.16 in accordance with all applicable state laws and regulations. In addition to the requirements for personnel expertise in Tier 1, an UPA qualified in Tier 2 shall also demonstrate documented training or proficiency in the fields of risk assessment, introduction to groundwater and remedy selection. Additional training in other technical disciplines related to site characterization, cleanup activities and health risk assessment will be considered for its applicability to this requirement. This training shall be sponsored by a credible program, including, but not limited to a state or federal agency, university extension, community college or qualified UPA.

(3)

Specialized Personnel Expertise. An UPA qualified in Tier 2 shall demonstrate that it has the following specialized expertise: (A) technical expertise necessary for the review and approval of engineering and geological interpretations, conclusions and recommendations that are conducted by registered professionals in conformance with applicable state law, including, but not limited to, Business and Professions Code sections 6735 and 7835 as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel, a contractor, or otherwise pursuant to an agreement with a state or local agency; and (B) technical expertise necessary to review, comprehend and implement all toxicological interpretations, conclusions and recommendations conducted by a professional with the qualifications as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel,

a contractor, or otherwise pursuant to an agreement with a state or local agency.

(A)

technical expertise necessary for the review and approval of engineering and geological interpretations, conclusions and recommendations that are conducted by registered professionals in conformance with applicable state law, including, but not limited to, Business and Professions Code sections 6735 and 7835 as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel, a contractor, or otherwise pursuant to an agreement with a state or local agency; and

(B)

technical expertise necessary to review, comprehend and implement all toxicological interpretations, conclusions and recommendations conducted by a professional with the qualifications as required by subsection 68400.11(j). This specialized expertise may be provided by UPA personnel, a contractor, or otherwise pursuant to an agreement with a state or local agency.

(4)

Documentation of UPA Personnel Expertise. In addition to the documentation provided for Tier 1, an UPA shall submit with its application documentation specifying detailed information regarding the specialized technical expertise outlined in subparagraphs (b)(2) and (b)(3) of this section, including the following: 1. If an UPA staff member or other personnel working under an agreement with a state or local agency is providing specialized expertise, specify the names of persons with specialized technical expertise; a summary of education, technical training and related experience; and time availability or commitment to Tier 2 activities. 2. If a contractor is providing the specialized expertise, specify the qualifications of the contractor, related experience, time availability or commitment to Tier 2 activities, and the terms and duration of the contract.

1.

If an UPA staff member or other personnel working under an agreement with a state or local agency is providing specialized expertise, specify the names of persons with specialized technical expertise; a summary of education, technical training and related experience; and time availability or commitment to Tier 2 activities.

2.

If a contractor is providing the specialized expertise, specify the qualifications of the contractor, related experience, time availability or commitment to Tier 2 activities, and the terms and duration of the contract.

(5)

UPA Past Experience. (A) A Tier 2 UPA shall have the past experience of a Tier 1 UPA and one of the following: 1. At least five years of total experience participating in a Local Oversight Program and documentation of experience overseeing 10 tank removals with full-time participation of two staff members, including one supervisor; or 2. At least five years of experience conducting response actions. (B) Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has the experience required for Tier 1 and the experience described in subparagraph (b)(5)(A) of this section as follows: 1. Demonstration of UPA past experience required for Tier 1, as described in subparagraph (a)(2)(B) of this section; 2. Narrative descriptions of five relevant projects completed in the last five years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks, methods for overcoming technical obstacles, and the process used to conduct cleanups or tank removals. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and

maintenance.

(A)

A Tier 2 UPA shall have the past experience of a Tier 1 UPA and one of the following: 1. At least five years of total experience participating in a Local Oversight Program and documentation of experience overseeing 10 tank removals with full-time participation of two staff members, including one supervisor; or 2. At least five years of experience conducting response actions.

1.

At least five years of total experience participating in a Local Oversight Program and documentation of experience overseeing 10 tank removals with full-time participation of two staff members, including one supervisor; or

2.

At least five years of experience conducting response actions.

(B)

Documentation of Past Experience. An UPA shall submit with its application documentation demonstrating that it has the experience required for Tier 1 and the experience described in subparagraph (b)(5)(A) of this section as follows: 1. Demonstration of UPA past experience required for Tier 1, as described in subparagraph (a)(2)(B) of this section; 2. Narrative descriptions of five relevant projects completed in the last five years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks, methods for overcoming technical obstacles, and the process used to conduct cleanups or tank removals. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance.

1.

Demonstration of UPA past experience required for Tier 1, as described in subparagraph (a)(2)(B) of this section;

2.

Narrative descriptions of five relevant projects completed in the last five years or in progress that most clearly demonstrate the UPA's experience, specifying responsible staff and their expertise, a description of relevant project tasks, methods for overcoming technical obstacles, and the process used to conduct cleanups or tank removals. Include details regarding public participation, CEQA compliance, site characterization, remedy evaluation and selection, selection of cleanup objectives, remedy implementation, and any long-term activities, such as operation and maintenance.