

Haz Mat/CUPA

February 2023

[AB 347](#)

(Ting D) Pollution Prevention and Hazardous Waste Source Reduction and Management Review Act: enforcement.

Current Text: Introduced: 1/31/2023 [html](#) [pdf](#)

Introduced: 1/31/2023

Status: 2/9/2023-Referred to Com. on E.S. & T.M.

Location: 2/9/2023-A. E.S. & T.M.

Summary: The Pollution Prevention and Hazardous Waste Source Reduction and Management Review Act requires a generator of hazardous waste every 4 years to complete and conduct a source evaluation review and plan that specifies source reduction measures that the generator will implement and to prepare a hazardous waste management performance report concerning the hazardous waste management approaches implemented by the generator. A generator is required to provide its review and plan or report to the Department of Toxic Substances Control or the unified program agency within 30 days of a request. The act requires the department or the unified program agency to provide the generator with a notice of noncompliance if it determines that the review and plan or report is incomplete. The act requires the generator to correct the deficiencies within 60 days from its receipt of that notice, except that, in response to a written request from the generator for an extension of that 60-day deadline for cause, the act authorizes the department or unified program agency to grant an extension of no more than an additional 60 days. This bill would instead limit that extension authorization to no more than an additional 30 days.

[AB 407](#)

(Chen R) Hazardous waste: used oil.

Current Text: Introduced: 2/2/2023 [html](#) [pdf](#)

Introduced: 2/2/2023

Status: 2/9/2023-Referred to Com. on E.S. & T.M.

Location: 2/9/2023-A. E.S. & T.M.

Summary: Current law authorizes the Department of Toxic Substances Control to regulate the disposal of hazardous waste, including used oil, and defines “used oil” for those purposes. Existing law excludes from regulation used oil that meets specified criteria, including that the used oil is not subject to regulation as either hazardous waste or used oil under federal law. This bill would delete the criterion that the used oil not be subject to regulation as used oil under federal law.

[AB 495](#)

(Hoover R) Battery recycling: records retention.

Current Text: Introduced: 2/7/2023 [html](#) [pdf](#)

Introduced: 2/7/2023

Status: 2/8/2023-From printer. May be heard in committee March 10.

Location: 2/7/2023-A. PRINT

Summary: The Rechargeable Battery Recycling Act of 2006 requires each July 1, the Department of Toxic Substances Control to survey battery handling or battery recycling facilities, or both, and to post on its internet website the estimated amount, by weight, of each type of rechargeable battery returned for recycling in California during the previous calendar year. Current law makes the act inoperative on September 30, 2026, and repeals the act on January 1, 2027. This bill would require the department to continue to post that information on its internet website on and after October 1, 2026.

[AB 777](#)

(Cervantes D) Hazardous waste: discarded appliances.

Current Text: Introduced: 2/13/2023 [html](#) [pdf](#)

Introduced: 2/13/2023

Status: 2/14/2023-From printer. May be heard in committee March 16.

Location: 2/13/2023-A. PRINT

Summary: Current law, as part of the hazardous waste control laws, requires a person wishing to operate as a certified appliance recycler to apply to obtain or renew certification from the Department of Toxic Substances Control. Existing law requires the department to review the application and, if the application is complete and meets specified requirements, to issue a numbered certificate to the applicant. Existing law requires the department, upon issuance of a certificate, to transmit the application and certification to the certified unified program agency in whose jurisdiction the person is located. Existing law requires the certified unified program agency to inspect, as soon as is practicable, the certified appliance recycling facility, as specified. This bill would delete the requirement that the inspection be conducted as soon as is practicable and would require a certified unified program agency, following an inspection of a certified appliance recycling facility, to transmit the results of the inspection to the department. By imposing a new duty on certified unified program agencies, the bill would impose a state-mandated local program. The bill would authorize the department to take any authorized enforcement action based on the results of the inspection and any other pertinent

information.

[AB 861](#) **(Santiago D) Hazardous waste: facilities: permits.**

Current Text: Introduced: 2/14/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Status: 2/15/2023-From printer. May be heard in committee March 17.

Location: 2/14/2023-A. PRINT

Summary: Current law requires an application for a hazardous waste facilities permit or other grant of authorization to use and operate a hazardous waste facility to include a disclosure statement, as specified. This bill would make a nonsubstantive change to the provision requiring the application to include a disclosure statement.

[AB 1115](#) **(Papan D) Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989: brownfields remediation and redevelopment.**

Current Text: Introduced: 2/15/2023 [html](#) [pdf](#)

Introduced: 2/15/2023

Status: 2/16/2023-From printer. May be heard in committee March 18.

Location: 2/15/2023-A. PRINT

Summary: (1)Existing law, the Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 (act), requires an owner of an underground storage tank, as defined, for which a permit is required by law to pay storage fees for each gallon of petroleum placed in the tank. The act establishes the Underground Storage Tank Cleanup Fund (fund), and requires the storage fees, among other moneys, to be deposited into the fund. The act authorizes the State Water Resources Control Board to expend the moneys in the fund, upon appropriation by the Legislature, to pay for corrective action in response to an unauthorized release from an underground storage tank and for the cleanup and oversight of unauthorized releases at abandoned tank sites, among other specified purposes. The act requires that certain information be submitted to the state board, and other specified agencies, under penalty of perjury. The act provides for the repeal of certain of its provisions on January 1, 2026, but also provides that certain associated rights, obligations, and authorities that apply before the January 1, 2026, repeal date do not terminate upon repeal of the other provisions of the act. This bill would postpone the repeal of those provisions to January 1, 2036. By extending the operation of those portions of the act, the bill would impose a state-mandated local program by continuing the operation of certain crimes regarding the furnishing of information under penalty of perjury. The bill would also include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

[AB 1238](#) **(Ward D) Hazardous waste: solar panels.**

Current Text: Introduced: 2/16/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Status: 2/17/2023-From printer. May be heard in committee March 19.

Location: 2/16/2023-A. PRINT

Summary: Would require the Department of Toxic Substances Control to develop alternate management standards for recycling photovoltaic modules that would, to the extent possible, reduce the regulatory burden on managing certain resources used for recycling the modules while not compromising worker safety or environmental protection. Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program.

[SB 279](#) **(Niello R) Administrative regulations: public participation.**

Current Text: Introduced: 2/1/2023 [html](#) [pdf](#)

Introduced: 2/1/2023

Status: 2/9/2023-Referred to Com. on RLS.

Location: 2/1/2023-S. RLS.

Summary: The Administrative Procedure Act sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. Current law requires a state agency proposing to adopt, amend, or repeal an administrative regulation to assess the potential for adverse economic impact on California business enterprises and individuals, avoiding the imposition of unnecessary or unreasonable regulations or reporting, recordkeeping, or compliance requirements, as specified. This bill would make a nonsubstantive change to those provisions.

[SB 642](#) **(Cortese D) Hazardous materials: enforcement: county counsel.**

Current Text: Introduced: 2/16/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Status: 2/17/2023-From printer. May be acted upon or after March 19.

Location: 2/16/2023-S. RLS.

Summary: Current law authorizes the city attorney, district attorney, and the Attorney General, at the request of the Department of Toxic Substances Control or a unified program agency, to bring an action seeking to enjoin a violation of laws and regulations governing the generation, transportation, and disposal of hazardous materials. Current law specifies

that every civil action brought at the request of the department or a unified program agency is to be brought by the city attorney, the county attorney, the district attorney, or the Attorney General in the name of the people of the State of California and that those actions relating to the same processing or disposal of hazardous waste may be joined or consolidated. This bill would authorize the county counsel to bring an action seeking to enjoin a violation of laws and regulations governing the generation, transportation, and disposal of hazardous materials. The bill would specify that county counsel, at the request of the department or a unified program agency, is authorized to bring a civil action in the name of the people of the State of California to enforce laws and regulations governing the generation, transportation, and disposal of hazardous materials.

Total Measures: 9