

| Bill number      | summary   | status   |   | notes  |
|------------------|---|----------|---|--|
| AB 1115<br>Papan | <p>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.</p> <p>This bill would extend the deadline until 2035.</p> | 09/12/23 | In Assembly. Concurrence in Senate amendments pending.                | <p>Need for the bill: According to the author, "AB 1115 will extend the Underground Storage Tank Fund and continue to help owners and operators of petroleum USTs satisfy federal and state financial responsibility requirements. As self-insuring is massive burden on small operators, California is among many other states that provide a UST fund as an option for operators to meet their FR responsibility. Furthermore, as California transitions to green infrastructure and is burdened with an increasing amount of orphan tanks, we must ensure the resources are available to address this issue. AB 1115 is a commonsense measure that both assists small business owners and supports the state's goals for a cleaner California."</p> |
|                  |   | 09/12/23 | Read third time. Passed. Ordered to the Assembly. (Ayes 32. Noes 0.). |  |
|                  |   | 09/11/23 | Read second time. Ordered to third reading.                           |  |
|                  |   | 09/07/23 | Read third time and amended. Ordered to second reading.               |  |
|                  |   | 09/05/23 | Read second time. Ordered to third reading.                           |  |
|                  |   | 09/01/23 | From committee: Do pass. (Ayes 5. Noes 0.) (September 1).             |  |
|                  |   | 08/14/23 | In committee: Referred to APPR suspense file.                         | <p>UST Act: The UST Act created the USTCTF to help owners and operators of petroleum USTs satisfy federal and state financial responsibility requirements. A UST is defined by law (HSC § 25299.32) as "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground" (certain exceptions apply). The USTCTF is available to assist petroleum UST owners and operators with the costs of cleaning up contaminated soil and groundwater caused by leakage from petroleum USTs.</p>   |

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|-------------------------|--|---|----------|--------------------------|----------|---|----------|--|--|
| <p>AB 1238<br/>Ward</p> | <p>Hazardous waste: solar panels</p> <p>Existing law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime.</p> <p>This bill would require the department to develop <del>alternate</del> <i>alternative</i> management standards for <del>recycling managing 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.</del> <i>modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require the department to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law.</i> 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.</p> <p>The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory</p> | <table border="1"> <tr> <td data-bbox="1020 191 1150 272">06/07/23</td> <td data-bbox="1150 191 1402 272">Referred to Com. on E.Q.</td> </tr> <tr> <td data-bbox="1020 272 1150 386">05/26/23</td> <td data-bbox="1150 272 1402 386">In Senate. Read first time. To Com. on RLS. for assignment.</td> </tr> <tr> <td data-bbox="1020 386 1150 516">05/25/23</td> <td data-bbox="1150 386 1402 516">Read third time. Passed. Ordered to the Senate. (Ayes 75. Noes 0.)</td> </tr> </table> | 06/07/23 | Referred to Com. on E.Q. | 05/26/23 | In Senate. Read first time. To Com. on RLS. for assignment. | 05/25/23 | Read third time. Passed. Ordered to the Senate. (Ayes 75. Noes 0.) | <p>The state’s current regulations <del>inhibit wide-spread</del> <i>could be improved to better balance the need for widespread</i> recycling of photovoltaic <del>modules.</del> <i>modules and for protecting human health and the environment.</i> Specifically, the use of heat, chemicals, and water during the recycling process are currently exempted from the universal waste regulations, <del>and</del> <i>and</i>, therefore, are required to be compliant with more stringent hazardous waste regulations.</p> <p>The alternative management standards developed would <i>Allow a person, when following the standards, to collect, reuse, or recycle photovoltaic modules without a hazardous waste permit.</i></p> <p><i>Meant to work in tandem with AB 2 that requires</i> manufacturers of solar PV modules to develop and implement an end-of-life management plan for solar PV modules.</p> <p>DTSC estimates costs of approximately \$1.1 million in the first year (which includes \$200,000 for equipment and testing) and ongoing annual costs of approximately \$892,000 for four new positions to develop the AMS for the management of PV modules (Hazardous Waste Control Account (HWCA)). DTSC notes it will be unable to develop the standards in two years, even with additional resources, and contends it would require a minimum of 66 months to develop the AMS.</p> |
| 06/07/23                | Referred to Com. on E.Q.   |   |          |                          |          |   |          |  |  |
| 05/26/23                | In Senate. Read first time. To Com. on RLS. for assignment.  |   |          |                          |          |   |          |  |  |
| 05/25/23                | Read third time. Passed. Ordered to the Senate. (Ayes 75. Noes 0.)   |   |          |                          |          |   |          |  |  |

|                           | <p>provisions establish procedures for making that reimbursement.</p> <p>This bill would provide that no reimbursement is required by this act for a specified reason.</p>  |  | <p>The costs associated with the implementation of this bill, which will be paid for through the HWCA, will result in an estimated increase in the generation and handling fee – paid by operators of hazardous waste disposal, storage, or treatment sites – in the range of \$0.83 to \$1.27 per ton. The generation &amp; handling fee is currently \$49.25 per ton or fraction of a ton.</p> <p>Support A Voice for Choice Advocacy<br/>Opposition None on file.</p> |        |          |  |          |   |          |   |          |   |          |  |  |
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| <p>SB 740<br/>Cortese</p> | <p>Hazardous materials management: stationary sources: skilled and trained workforce –</p> <p>This bill would extend that workforce requirement (of RMP) to contracts awarded, extended, or renewed on or after January 1, 2024, by an owner or operator of a stationary source that is engaged in manufacturing hydrogen, biofuels, <del>lithium batteries</del>, or certain specified chemicals ( ammonia, chlorine, hydrogen fluoride, sulfur dioxide, or hydrogen chloride). <del>in mining or beneficiating lithium</del>, or in capturing, sequestering, or using carbon dioxide in specified conditions.</p> <p><i>Existing law provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards within the Department of Industrial Relations in any trade in the state or in a city or trade area whenever the apprentice training</i></p> | <table border="1"> <thead> <tr> <th data-bbox="1018 695 1150 743">Date</th> <th data-bbox="1150 695 1409 743">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="1018 743 1150 852">09/07/23</td> <td data-bbox="1150 743 1409 852">Enrolled and presented to the Governor at 4 p.m.</td> </tr> <tr> <td data-bbox="1018 852 1150 961">08/31/23</td> <td data-bbox="1150 852 1409 961">In Senate. Ordered to engrossing and enrolling.</td> </tr> <tr> <td data-bbox="1018 961 1150 1070">08/31/23</td> <td data-bbox="1150 961 1409 1070">Read third time. Passed. Ordered to the Senate.</td> </tr> <tr> <td data-bbox="1018 1070 1150 1179">08/24/23</td> <td data-bbox="1150 1070 1409 1179">Read second time. Ordered to third reading.</td> </tr> <tr> <td data-bbox="1018 1179 1150 1287">08/23/23</td> <td data-bbox="1150 1179 1409 1287">From committee: Do pass. (Ayes 15. Noes 0.) (August 23).</td> </tr> </tbody> </table> | Date   | Action | 09/07/23 | Enrolled and presented to the Governor at 4 p.m. | 08/31/23 | In Senate. Ordered to engrossing and enrolling. | 08/31/23 | Read third time. Passed. Ordered to the Senate. | 08/24/23 | Read second time. Ordered to third reading. | 08/23/23 | From committee: Do pass. (Ayes 15. Noes 0.) (August 23). | <p>Purpose of bill. According to the author, “As California and our federal government invests billions to move towards cleaner energy sources, it is important that we extend the protections provided for in SB 54 to the workforce in these new industries. SB 740 simply extends the worker and safety provisions in SB 54 provided to refineries to several other dangerous industries overseen by CARB, including lithium battery manufacturing, extraction and recycling, carbon capture, utilization and storage, chemical plants, biofuels and alternative fuels like hydrogen. SB 740 ensures that new professions in green industries are safe and have access to a high-quality skilled workforce.”</p> <p>USW requested amendments. the members of the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and</p> |
| Date                      | Action  |  |  |        |          |  |          |   |          |   |          |   |          |  |  |
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| 08/31/23                  | In Senate. Ordered to engrossing and enrolling.   |  |  |        |          |  |          |   |          |   |          |   |          |  |  |
| 08/31/23                  | Read third time. Passed. Ordered to the Senate.   |  |  |        |          |  |          |   |          |   |          |   |          |  |  |
| 08/24/23                  | Read second time. Ordered to third reading.   |  |  |        |          |  |          |   |          |   |          |   |          |  |  |
| 08/23/23                  | From committee: Do pass. (Ayes 15. Noes 0.) (August 23).  |  |  |        |          |  |          |   |          |   |          |   |          |  |  |

|  | <p><i>needs justify the establishment. Existing law requires apprentice training needs in the building and construction trades to be deemed to justify a new apprentice program only if one or more specified conditions are met, including, but not limited to, there being sufficient capacity for apprentices in a geographic area.</i></p> <p><i>This bill would require an above-described stationary source to be considered when determining whether an existing apprenticeship program has sufficient capacity for apprentices in a geographic area.</i></p>   |   | <p>Service Workers International Union (USW) in District 12 have an oppose unless amended position. They are seeking amendments that they believe would make the bill more “inclusive of all union members who currently work in or are trained in these existing and further evolving areas, by incorporating clauses that encompass other highly skilled labor workforces that currently pay industry standard wages, and/or wage standards significantly above the California minimum wage for work within the green sectors referenced within SB 740.”</p> |        |          |  |          |                                 |          |   |          |   |   |
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|  |  |   |  |        |          |  |          |                                 |          |   |          |   |   |
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| <p><b>SB 615</b><br/><b>Allen and</b><br/><b>Min</b></p> | <p><b>Traction batteries -</b> The bill would require <del>all electric</del> vehicle traction batteries, as defined, <del>sold with motor vehicles</del> in the state to be recovered and reused, repurposed, <del>remanufactured, or or</del> <i>remanufactured and eventually</i> recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of <del>an electric a</del> vehicle traction battery once it is removed from a vehicle or other application to which the <del>electric</del> vehicle traction battery has been used. <i>The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would</i></p> | <table border="1"> <thead> <tr> <th data-bbox="1018 808 1150 847">Date</th> <th data-bbox="1150 808 1409 847">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="1018 847 1150 964">06/15/23</td> <td data-bbox="1150 847 1409 964">June 20 set for first hearing canceled at the request of author.</td> </tr> <tr> <td data-bbox="1018 964 1150 1045">06/08/23</td> <td data-bbox="1150 964 1409 1045">Referred to Com. on E.S. &amp; T.M.</td> </tr> <tr> <td data-bbox="1018 1045 1150 1127">05/25/23</td> <td data-bbox="1150 1045 1409 1127">In Assembly. Read first time. Held at Desk.</td> </tr> <tr> <td data-bbox="1018 1127 1150 1289">05/25/23</td> <td data-bbox="1150 1127 1409 1289">Read third time. Passed. (Ayes 40. Noes 0. Page 1303.) Ordered to the Assembly.</td> </tr> </tbody> </table> <p>Phone with Tina Andolina,<br/>6/26/23 - 530-979-4810</p> | Date   | Action | 06/15/23 | June 20 set for first hearing canceled at the request of author. | 06/08/23 | Referred to Com. on E.S. & T.M. | 05/25/23 | In Assembly. Read first time. Held at Desk. | 05/25/23 | Read third time. Passed. (Ayes 40. Noes 0. Page 1303.) Ordered to the Assembly. | <p>California’s EV battery plan. In 2018, Assembly Bill 2832 (Dahle Chapter 822, Statutes of 2018) established a Lithium-Ion Battery Recycling Advisory Group to make policy recommendations to the Legislature to achieve a 100% rate of reuse or recycling for lithium-ion car batteries in the State. The recommendations from this advisory group, released in a 2022 report, are intended to provide policy ideas for recapturing, reusing, and recycling batteries that are outside of warranty. The Advisory Group identified two key policy paths for recovering EV batteries outside of warranty at the end of their life: one policy path, the “producer take back” recommendation puts responsibility for overseeing the safe end-of-life of batteries</p> |
| Date   | Action   |   |  |        |          |  |          |                                 |          |   |          |   |   |
| 06/15/23   | June 20 set for first hearing canceled at the request of author.   |   |  |        |          |  |          |                                 |          |   |          |   |   |
| 06/08/23   | Referred to Com. on E.S. & T.M.  |   |  |        |          |  |          |                                 |          |   |          |   |   |
| 05/25/23   | In Assembly. Read first time. Held at Desk.  |   |  |        |          |  |          |                                 |          |   |          |   |   |
| 05/25/23   | Read third time. Passed. (Ayes 40. Noes 0. Page 1303.) Ordered to the Assembly.  |   |  |        |          |  |          |                                 |          |   |          |   |   |

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|                        | <p><i>require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified. The bill would also require a battery supplier to annually submit a report to the Department of Toxic Substances Control, as provided. The bill would require a qualified facility, as defined, buying removed batteries to submit a report containing specified information to the department and would require specified entities that remove a battery from a vehicle that is still in service to participate in the core exchange program. The bill would make a secondary user that purchases a battery that was removed from a vehicle responsible for ensuring the battery is sent to a qualified facility at the end of the battery's useful life and reporting specified information to the department.</i> The bill would include a related statement of legislative findings and declarations and a statement of policy regarding end-of-life management of <del>electric</del> vehicle traction batteries.</p> | <p>Pulled from hearing, made two - year bill. Wanted to implement WG recs, but the way the report was done was a bunch of ideas and some were competing. So tricky to implement.</p> <p>Pick up again next year. Goal is to put In place a EPR bill. Still convening interested parties.</p> <p>Doesn't address recycling options.</p> <p>Will still be SB 615, but they will make amendments to put it to be close to final.</p> | <p>solely on producers. Another policy path, "core exchange with a vehicle backstop" gives responsibility for the end of life of the SB 615 (Allen) Page 4 of 6 battery to the entity that takes the battery out of an EV (either because the EV is at its end of life or because the battery is. Under this structure, manufacturers take responsibility only if an EV battery was not acquired by a licensed dismantler. These two policy proposals are supported by a suite of more granular proposals, including requiring methods to label and track EV batteries, such as through a digital identifier. Both "Core Exchange with Vehicle Stop-Back" and "Producer Take-back" are strategies that could fit under the umbrella of EPR programs. EPR is a strategy that places shared responsibility for end-of-life product management on the producers and all entities involved in the product chain, instead of on the general public and local governments. EPR programs are emerging as an important policy tool for hard-to-deal-with waste in California, where there are currently EPR programs for carpets, paints, pharmaceuticals and sharps, consumer batteries, and single-use plastic and packaging.</p> |   |  |
|                        |   |   |   |   |  |
| <p>SB 38<br/>Laird</p> | <p>This bill would require each battery energy storage facility located in the state and subject to the requirement described above to have an emergency response <del>plan</del> and <del>an</del> evacuation plan that covers the <del>premise</del> <i>premises</i> of the battery energy storage <del>facility</del>. <i>facility, as specified. The</i></p>  | <table border="1" data-bbox="1020 1192 1409 1383"> <tr> <td data-bbox="1020 1192 1150 1383">09/07/23</td> <td data-bbox="1150 1192 1409 1383">Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.</td> </tr> </table>   | 09/07/23  | Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling. | <p>SUMMARY: : This bill requires each battery energy storage facility located in the state to have an emergency response plan and an evacuation plan that covers the premise of the battery energy storage facility. Specifically, this bill: 1) Requires the owner or operator of the facility, in developing the plan, to coordinate</p> |
| 09/07/23               | Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.   |   |   |   |  |

*bill would require the owner or operator of the facility, in developing the plan, to coordinate with local emergency management agencies, unified program agencies, and local first response agencies. To the extent the bill would impose new duties on local government agencies, the bill would create a state-mandated local program. The bill would require the commission to require the owner or operator of the facility to submit the plan to the commission.*

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because the above provisions would be part of the act and a violation of a commission action implementing this bill's requirements would be a crime, the bill would impose a state-mandated local program.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

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| 09/06/23 | In Senate. Concurrence in Assembly amendments pending. |
| 09/06/23 | Read third time. Passed. Ordered to the Senate.        |
| 08/31/23 | Ordered to third reading.                              |

with local emergency management agencies, unified program agencies, and local first response agencies. And mandates the California Public Utilities Commission (CPUC) to require the owner or operator of the facility to submit the plan to the CPUC.

FISCAL EFFECT: According to the Senate Committee on Appropriations, this bill will result in approximately \$13.6 million from ratepayer funds. Of that amount, CPUC anticipates costs of \$3.4 million each year for three years in order to develop, in collaboration with other state, local, and regional agencies, the requirements of emergency response and evacuation plans, possibly as part of a rulemaking process. One-time costs include \$3.5 million to update the CPUC's Energy Safety Reliability Branch database to receive and manage annual filings of emergency response and evacuation plans.

Existing Law and Related Regulations. Current statutory requirements and related regulations<sup>14</sup> require employers to provide a safe environment for workers. This includes emergency action plans and evacuation procedures regarding fires and other emergency events. As such, employers who operate battery energy storage facilities are subject to the current statutory requirements, though there are no specific requirements for these facilities as there may be with high risk facilities, such as refineries.

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|  | <p><i>With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.</i></p> |  | <p>Support</p> <p>County of Monterey<br/>Health Officers Association of California</p> |
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