

July 13, 2006

TO: Each Member of the Los Angeles County Solid Waste
Management Committee/Integrated Waste Management Task Force

FROM: Coby Skye
Staff

JULY 2006 LEGISLATIVE UPDATE

Attached is the July 2006 Legislative Table which will be referenced at the July 20, 2006 Task Force meeting. As requested, a presentation on Assembly Bill 2144 (copy enclosed) and pending green building legislation (Assembly Bills 1337, 2160, 2878, 2880, and 2928) will be provided.

If you have any questions, please contact me at (626) 458-5163, Monday through Thursday, 7:00 AM to 5:30 PM.

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**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
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Bill	Author	Status	Summary	Task Force Position
AB 32	Nunez and Pavley	Amended 6-22-06 In Senate Environmental Quality Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the State Air Resources Board (ARB) to establish a program to monitor and report on existing emissions and changes in emissions of greenhouse gases from sources identified by ARB, such as solid waste landfills. It would also require the Board adopt regulations, on or before January 1, 2008, to reduce statewide greenhouse gas emissions to 1990 emission levels by 2020.</p>	
AB 177	Bogh	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: Revises the definition of biomass conversion, as well as defines the term "biomass waste". It revises the definition of transformation to mean the incineration of mixed solid waste.</p>	Letter of Support in Concept sent 3-16-06
AB 259	Hancock	Chaptered 10-6-05	<p>Existing Law: State law allows counties to place a lien on a property if the owner fails to pay their trash collection fees owed to the County, but does not allow private haulers to do the same.</p> <p>Proposed Law: This bill expands the authorization of counties to attach liens to real property with delinquent solid waste collection bills to include solid waste collection services provided via franchise contract, permit, license or otherwise.</p>	

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AB 338	Levine	Chaptered 10-7-05	<p>Existing Law: The CA Department of Transportation (Cal Trans) is required to award contracts for pavement using recycled materials (e.g., crumb rubber) only if the price for recycled materials is cost-effective.</p> <p>Proposed Law: This bill requires the amount of asphalt paving materials containing crumb rubber, on and after January 1, 2007, not to be less than 6.62 pounds of crumb rubber material (CRM) per metric ton and increase the amount to 11.58 pounds of CRM per metric ton on and after January 1, 2013, unless Cal Trans delays the implementation of these requirements, pursuant to a specified procedure.</p>	Letters of Support sent 8-25-04 and 3-16-05
AB 399	Montanez	Vetoed 10-07-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Waste Board, by March 1, 2007, to make available one or more model ordinances for multifamily recycling. The bill would also require a local agency, when issuing a building permit for a new construction or a substantial rehabilitation of a multifamily dwelling to provide information on recycling programs.</p> <p><i>Previously</i>, this bill would have required the owners of new multifamily dwellings to arrange for onsite recycling services for residents.</p>	Letters of Opposition sent 5-19-05, 8-31-05, and 10-4-05
AB 574	Wolk	Chaptered 10-7-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would authorize the use of recycled concrete materials, if the user has been fully informed that the concrete may contain recycled concrete materials, and prohibit recycled concrete from being offered, provided, or sold to the Department of Transportation or the Department of General Services.</p>	Support if Amended, Letter sent 7-12-05

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AB 575	Wolk	Chaptered 7-18-05	<p>Existing Law: In 2003, the State enacted the Electronic Waste Recycling Act, which imposes a \$6 to \$10 fee on each Covered Electronic Waste (e.g., televisions, computer monitors, and laptops) sold at point of purchase.</p> <p>Proposed Law: The bill allows a retailer to pay the covered electronic waste-recycling fee (Fee) on behalf of the consumer by paying the Fee directly to the retailer's vendor.</p>	
AB 727	Bermudez	Died in Committee 1-31-06	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: This bill would require the Waste Board, in conjunction with the State Air Resources Board, to identify 6 solid waste facilities throughout the state that have an interest in testing biomass conversion technologies, and assist those facilities in obtaining a new or revised solid waste facilities permit in order to test biomass conversion technologies.</p> <p><i>Previously</i>, this bill would have expanded the waste hierarchy into the following four tiers: source reduction, recycling and composting, recovery through conversion technology (or other beneficial use technologies), and environmentally safe transformation and landfilling.</p>	Letter of Support in Concept sent 3-16-06
AB 1001	Nava	Vetoed 9-30-05	<p>Existing Law: Caltrans is required to award contracts for pavement using recycled materials (e.g., recycled aggregate base) only if the price for recycled materials is cost-effective. In determining cost-effectiveness, the following factors must be included: the lifespan and durability of the recycled pavement, and the cost to maintain the recycled pavement.</p> <p>Proposed Law: This bill would increase the maximum automobile dealer preparation charge from \$45 to \$55.</p> <p><i>Previously</i>, this bill would have required Caltrans to increase the amount of recycled aggregate base used.</p>	Letter of Support sent 5-19-05 and Clarification Letter sent 11-01-05

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AB 1007	Pavley	Chaptered 9-29-05	<p>Existing Law: Existing Law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and non-vehicular sources, including solid waste collection vehicles, solid waste facilities and other solid waste infrastructure.</p> <p>Proposed Law: This bill would require, no later than January 1, 2007, that the State Air Resources Board, in consultation with specified state agencies, develop and adopt a state plan to increase the use of alternative fuels in order to further reduce those emissions.</p>	
AB 1049	Koretz	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would encourage the placement of a label on specified packages or items informing the consumer that the package-item can be recycled through a substantial majority of California curbside recycling programs.</p>	
AB 1090	Matthews	Died in Committee 1-31-06	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: The act defines the term "transformation" as meaning incineration, pyrolysis, distillation, or biological conversion other than composting. The bill would revise the definition of the term "solid waste facility" to delete a gasification facility and would instead include a conversion technology facility as a solid waste facility.</p>	Letters of Support sent 3-30-05 and 11-01-05, Letter of Clarification sent 2-02-05

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AB 1103	Karnette	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require bicycle retailers to inform their customers that the State encourages the donation of bicycles to charitable organizations rather than disposal.</p>	
AB 1125	Pavley	Chaptered 10-06-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The act would require, on and after July 1, 2006, a retailer would have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal, including take back at no cost to the consumer. The bill prohibits the sale of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with the act.</p>	
AB 1193	Hancock	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This Bill would prohibit the mass mailings of CDs and DVDs for commercial purposes unless prior consent is given or a postage paid return mailing envelope is provided.</p>	Letter of Support sent 5-19-05
AB 1302	Horton	Amended 6-27-06 In Senate Appropriations Committee	<p>Existing Law: Under existing law, a regulation, amendment, or order of repeal adopted as an emergency regulation remains in effect for no more than 120 days unless the adopting agency complies with certain requirements.</p> <p>Proposed Law: The bill would extend to 180 days the maximum period of time a regulation, amendment, or order of repeal initially adopted as an emergency regulation would remain in effect. The bill would authorize the office to approve one re-adoption of an emergency regulation for a period not to exceed 90 days.</p>	

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AB 1337 Related: AB 2160, AB 2878, AB 2880, AB 2928	Ruskin	Amended 6-20-06 Senate Appropriations Committee	Existing Law: Existing law sets forth various requirements for energy and design efficiency in construction and renovation in state buildings.	
			Proposed Law: The bill would define the term "green building," require the Waste Board to adopt regulations for green building standards by January 1, 2008, and require a state building constructed or renovated on or after January 1, 2009, to meet these green building regulations. The Waste Board would be the lead agency, and this bill would likely require revisions to the building code.	
AB 1351	Vargas	Vetoed 2-23-06	Existing Law: Existing Law prohibits a state agency from issuing or enforcing any guideline or standard unless it has been adopted as a regulation and filed with the Secretary of State.	Letters of Clarification sent 8-25-05 and 10-27-05
			Proposed Law: This bill would permit the San Diego County Regional Airport Authority to additionally issue notes, commercial paper notes, or any other type of obligation allowable by law. This bill would make legislative findings and declarations as to the necessity of a special statute. <i>Previously</i> , this bill would have required the Office of Administrative Law, within 30 days after receiving a petition, to decide whether or not to consider the petition on its merits and would make this decision not subject to judicial review.	
AB 1389	Oropeza	Died in Committee 1-31-06	Existing Law: It is a crime punishable by a fine to discard a cigarette, match, or any substance that may cause a fire.	
			Proposed Law: This bill would increase the fine amounts for this offense.	
AB 1666	Frommer	Chaptered 9-22-05	Existing Law: Existing Law provides protections for members of the National Guard and reservists called to active duty.	Letter of Support sent 5-19-05
			Proposed Law: This bill would provide protections for military personal called to active duty with respect to refuse bills, among other things.	

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AB 1688	Niello	Amended 5-26-06 In Senate Public Safety Committee	Existing Law: Existing Law provides that certain persons who are not peace officers may exercise the powers of arrest and can serve warrants as specified.	Letter of Support sent 7-06-06
			Proposed Law: This bill would authorize illegal dumping officers to enforce illegal dumping laws using the power to arrest and serve warrants.	
AB 1866	Karnette	Amended 5-01-06 In Assembly Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Watch
			Proposed Law: This bill would prohibit a state facility from selling, possessing, or distributing an expanded polystyrene food container on and after January 1, 2008, and require bidders to certify that various businesses involved in procurement will not sell, possess, or distribute an expanded polystyrene food container at a state facility.	
AB 1940	Koretz	Amended 6-14-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require the Coastal Commission to convene a multi-agency task force for the purpose of implementing statewide marine debris reduction efforts.	
AB 1966	Garcia	Amended 5-31-06	Existing Law: Existing law established a capital investment program that authorizes local government to pay an incentive to specified manufacturing businesses.	Oppose Unless Amended, Letter sent 7-06-06
			Proposed Law: This bill would include in those businesses a powerplant that produces electricity from one or more specified energy sources.	

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AB 1992	Canciamilla	Amended 6-26-06 In Senate Environmental Quality Committee	<p>Existing Law: Existing law provides that a person who dumps garbage in or upon public or private property is guilty of a misdemeanor.</p> <p>Proposed Law: This bill would replace the term garbage with the broader term "solid waste", thereby assisting in the prosecution of such crimes.</p>	Letter of Support sent 3-29-06
AB 2118	Matthews	Amended 5-03-06 In Senate Environmental Quality Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill includes "intent" language to develop a definition for "conversion technology" and revises the definition of "composting facility" to include anaerobic digestion facilities.</p> <p><i>Previously, this bill would have:</i></p> <ul style="list-style-type: none"> • Exclude conversion technology facilities from being considered as nondisposal facilities and classifies them as solid waste disposal facilities. • Define "transformation" solely as incineration, and not include under that definition composting, gasification, or biomass conversion. • Repeal the current definition of "gasification" and revise the definition of "solid waste facility" to delete a gasification facility • Modify the waste hierarchy to include conversion technology as a beneficial use • Define conversion technologies as a beneficial use technologies • Provide jurisdictions the option to utilize conversion technologies in meeting AB 939's 50% waste reduction mandate provided specified conditions are met 	Letter of Opposition sent 3-15-06
AB 2127	Plescica and Tran	Introduced 5-03-06 In Assembly Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require both the Waste Board and the Water Board by July 1, 2007 to study and submit a report to the Legislature regarding environmental impacts caused by the disposal of used alkaline batteries in a landfill facility.</p>	

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AB 2144	Montanez	Amended 6-08-06 In Senate Judiciary Committee	<p>Existing Law: The California Land Reuse and Revitalization Act of 2004 and Porter-Cologne Water Quality Control Act specify responsibilities of various State agencies regarding site cleanups.</p> <p>Proposed Law: Revises public participation procedures related to site cleanup proposals. Requirements include: providing notice of the proposed cleanup, timely access to written material, providing a minimum of 30 days to comment on the proposal, and conducting a public meeting in the vicinity of the site during the public comment period.</p>	
AB 2147	Harman	Introduced 6-27-06 In Senate Environmental Quality Committee	<p>Existing Law: Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce them.</p> <p>Proposed Law: This bill would prohibit a person from selling plastic food or beverage container that is labeled as biodegradable, compostable, or degradable unless at the time of sale the container meets current ASTM standards.</p>	
AB 2160 Related: AB 1337, AB 2878, AB 2880, AB 2928	Lieu	Amended 5-26-06 In Senate Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Sustainable Building Task Force in consultation with State entities to define a life cycle cost assessment methodology to be used when considering "green building" design criteria. The State Energy Resources Conservation and Development Commission would be the lead agency, and this bill would not directly impact the State building code.</p>	
AB 2202	Saldana	Amended 5-31-06 In Senate Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would prohibit the sale of an electronic device in CA if it is prohibited from being sold in the European Union, effective January 1, 2010.</p>	

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AB 2206	Montanez	Amended 3-27-06 In Senate Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill requires local governments to report on their efforts to develop multi-family recycling programs in their annual report to the Waste Board. It also requires the Waste Board to make available one or more model ordinances for multifamily dwelling recycling and it requires owners and managers of multifamily dwellings to provide information and assistance to residents regarding recycling in multifamily dwellings.</p>	
AB 2211	Karnette	Amended 3-29-06 In Senate Appropriations Committee	<p>Existing Law: Existing Law requires the Waste Board to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at co-disposal sites where no responsible party is available to pay for timely remediation.</p> <p>Proposed Law: The bill would authorize the Waste Board to fund for the cleanup of a publicly owned waste disposal site only if the Board determines that the public entity lacks resources or expertise to timely manage the cleanup itself.</p>	Watch
AB 2253	Hancock	Amended 5-25-06 In Senate Public Safety Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would authorize a court to impound a vehicle used to illegally dump waste for a time period of up to 6 months, until conviction of the assailant. Impounding the vehicle is dependent on the assailant being the registered owner of the vehicle or registered owner's agent, and has one or more prior convictions for illegally dumping waste matter or harmful waste matter.</p>	Letter of Support sent 3-29-06

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AB 2271	Koretz	Introduced 4-04-06 In Assembly Appropriations Committee	<p>Existing Law: The Rechargeable Battery Recycling Act of 2006 requires on and after July 1, 2006, a retailer to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling or proper disposal.</p> <p>Proposed Law: This bill would expand the current Rechargeable Battery Recycling Act to include all household batteries, and impose a fee of \$.10 on each non-rechargeable household battery distributed for sale in California to support development and operation of a household battery-recycling program.</p>	Letter of Support sent 5-02-06
AB 2296	Montanez	Amended 6-20-06 In Senate Appropriations Committee	<p>Existing Law: Existing Law requires a person owning or operating a solid waste landfill to submit evidence of financial ability in an amount that provides for closure and postclosure maintenance to be contained in the closure and postclosure maintenance plan to the Waste Board.</p> <p>Proposed Law: This bill strengthens State law to require owners/operators of solid waste landfills to provide for the facility maintenance in perpetuity or as long as the waste no longer poses a threat to public health and safety or the environment.</p>	Letter of Support sent 5-01-06
AB 2449	Levine	Amended 5-03-06 In Senate Environmental Quality Committee	<p>Existing Law: AB 939 requires every rigid plastic packaging container sold or offered for sale in this state, to include having a specified recycling rate.</p> <p>Proposed Law: This bill would require a store to establish an in-store recycling program that allows customers to return their plastic bags for free.</p>	Oppose
AB 2516	Tran	Introduced 2-23-06 Died in Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would exempt the processing of recycled material containing pentaBDE or octaBDE from state prohibition if the product is in compliance with applicable state and federal law, and is recycled on or before January 1, 2011.</p>	

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AB 2734	Hancock	Introduced 2-24-06 In Senate Environmental Quality Committee	<p>Existing Law: AB 939 specifies a recycling rate for every rigid plastic packaging container sold or offered for sale in this state.</p> <p>Proposed Law: This bill would revise the definition of "source reduced container" to eliminate the obsolete reference to a rigid plastic packaging container for which the manufacturer seeks compliance as of January 1, 1995.</p>	
AB 2845	Bogh	Introduced 2-24-06 Died in Committee	<p>Existing Law: The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment.</p> <p>Proposed Law: This bill would increase the amount the Department of Conservation is authorized to expend annually to \$15,000,000 for payment for beverage container recycling and litter cleanup activities, and would increase the minimum payments to cities and counties to \$10,000 and \$15,000.</p>	Support and Amend, Letter sent 5-09-06
AB 2878 Related: AB 1337, AB 2160, AB 2880, AB 2928	Ruskin	Amended 3-28-06 Died in Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would enact the "Green" Building Act of 2006 and would require Waste Board by January 1, 2008, to develop and adopt regulations for green building standards for the construction or renovation of state buildings. The Waste Board would be the lead agency, and this bill would likely require revisions to the building code.</p>	

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AB 2880 Related: AB 1337, AB 2160, AB 2878, AB 2928	Lieu	Amended 5-30-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills. Proposed Law: Requires the Waste Board by January 1, 2008 in consultation with the California Energy Commission and other relevant state agencies to gather, analyze, and make available to the public information related to green building via the Internet. The Waste Board would be the lead agency, and this bill would not directly impact the State building code.	
AB 2928 Related: AB 1337, AB 2160, AB 2878, AB 2880	Laird	Amended 5-25-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills. Proposed Law: This bill would require the Waste Board by January 1, 2008 to develop, adopt, and make available voluntary green building guidelines for residential home construction. The Waste Board would be the lead agency, and this bill would not directly impact the State building code.	
AB 3001	Pavley	Amended 4-17-06 In Assembly Appropriations Committee	Existing Law: In 2003, the State enacted the Electronic Waste Recycling Act, which imposes a \$6 to \$10 fee on each Covered Electronic Waste (e.g., televisions, computer monitors, and laptops) sold at point of purchase. Proposed Law: This bill would provide that on and after July 1, 2007, a personal computer would be considered a covered electronic device and subject it to a \$6 at the time of the retail sale.	Letter of Support sent 5-02-06
AB 3056	Committee on Natural Resources	Amended 6-19-06 In Senate Rules Committee	Existing Law: The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment. Proposed Law: This bill temporarily allows the Department of Conservation to increase the refund value paid to consumers for recycled beverage containers until July 1, 2007.	

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SB 107	Simitian	Amended 8-25-05 In Assembly	Existing Law: AB 939 requires the Waste Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.	
			Proposed Law: Requires that all retail sellers of electricity procure at least 20 percent of the total electricity sold from eligible renewable resources by 2010, including facilities utilizing biomass.	
SB 120	Florez	Died in Committee 1-31-06	Existing Law: AB 939 requires the Waste Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.	
			Proposed Law: This bill would require a publicly owned treatment works to submit certification to the regional board that any sewage sludge transferred for disposal or processing meets the standards for any pollutants listed in the waste discharge requirements.	
SB 151	Soto	Amended 6-19-06 In Assembly Public Safety Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would extend the school pedestrian-bicyclist safety program until January 1, 2008. Previously, this bill would have provided that any vehicle used to illegally dump or litter waste on public or private property may be impounded.	
SB 227	Lowenthal	Died in Committee 1-31-06	Existing Law: Existing Law authorizes a local government to specify the franchise or other system used to provide solid waste handling services.	
			Proposed Law: This intent bill would address the application of local franchise agreements and related fees for solid waste handling services that are provided to state agencies and schools.	

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SB 318	Romero	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would establish a Solid Waste Advisor office within the Waste Board. The office would be responsible to provide objective information to the public living near a proposed solid waste facility or a facility proposed for expansion.</p>	
SB 369	Simitian	Amended 6-20-06 In Assembly Appropriations Committee	<p>Existing Law: Existing Law authorizes the Waste Board to award grants to local governments utilizing rubberized asphalt concrete. This law is scheduled to sunset on January 30, 2006</p> <p>Proposed Law: This bill would extend the sunset date to June 30, 2010, and makes program enhancements to the rubberized asphalt concrete grant program.</p> <p><i>Previously</i>, this bill would have required Cal EPA to establish a "Green Bear Eco-Label" program.</p>	Letter of Support sent 3-16-06
SB 411	Alarcon	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require the Waste Board to develop a schedule for excluding solid waste used as an alternative daily cover, comprised of woody and green material from being included in meeting the State's 50% diversion requirements.</p>	Letter of Opposition sent 7-12-05

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SB 420	Simitian	Amended 6-20-06 In Assembly Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill applies existing recycled-content requirements for paving projects undertaken by the Department of Transportation (Caltrans) to local government agencies and makes technical and clarifying changes to existing law relating to recycled content product purchases.</p> <p><i>Previously</i>, delete an erroneous reference to a "state agency" in the local public entity provisions regarding the procurement of recycled products.</p>	Letter of Opposition sent 5-19-05, regarding 3-25-05 version
SB 563	Alarcon	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill would establish a State certified green business program.</p>	
SB 757	Kehoe	Amended 2-27-06 In Assembly Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill Requires state agencies to reduce the growth of petroleum demand, increase vehicle energy efficiency, and increase the use of alternative fuels.</p>	

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
July 13, 2006**

Bill	Author	Status	Summary	Task Force Position
SB 926	Florez	Amended 3-21-06 In Assembly Rules Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require that before a local initiative proposes to amend a city or county's general plan or zoning ordinance to allow the siting of a solid waste facility by ballot measure, an environmental impact report on the project must be prepared and certified pursuant to CEQA.</p> <p><i>Previously</i>, this bill would not prohibit the Kern County Board of Supervisors from adopting an ordinance to regulate or prohibit the land application of sewage sludge in the unincorporated areas of Kern County.</p>	Letter of Support sent 5-04-06 and Letter of Opposition sent 5-19-05
SB 928	Perata and Lowenthal	Amended 5-02-05 In Assembly Natural Resources Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: Requires an unspecified percentage of solid waste to be diverted on and after January 1, 2011</p>	Letter of Opposition sent 7-12-05
SB 942	Chesbro	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would impose a fee on each cigarette sold to fund cigarette litter cleanup efforts.</p>	
SB 1076	Perata	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill relates to solid waste management.</p>	

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
July 13, 2006**

Bill	Author	Status	Summary	Task Force Position
SB 1106	The Senate Environmental Quality Committee	Chaptered 10-06-05	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would consolidate, update, and clarify existing recycling laws, eliminate duplicative provisions, and establish or restate recycling goals and reporting requirements of state agencies in accordance with specified timeframes.	
SB 1305	Figueroa	Enrolled 6-28-06	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter of Support sent 7-06-06
			Proposed Law: The bill would prohibit a person on or after September 1, 2008, from knowingly placing home-generated sharps (hypodermic needles, syringes, or lancets) in various types of waste collection containers. This bill would also exclude home-generated sharps waste from the definition of medical waste.	
SB 1345	Chesbro	Amended 3-23-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require the CA Department of Transportation to increase the amounts of compost used in the state's highway landscape maintenance program, from 100,000 tons currently to 500,000 tons in 2007 and 750,000 in 2008.	
SB 1511	Ducheny	Amended 5-26-06 In Assembly Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require the State Air Resources Board, on or before September 1, 2006, to amend existing regulations to maximize the flexibility to use renewable fuels in the California transportation fuel market.	

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
July 13, 2006**

Bill	Author	Status	Summary	Task Force Position
SB 1515	Kehoe	Amended 5-01-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require the Waste Board to conduct a study in consultation with various agencies of the costs and benefits of expanding the operating hours of solid waste facilities as a means of reducing traffic congestion and enabling collection and transfer vehicle fleet operators to access the facilities during off-peak hours.	
SB 1573	Alarcon	Amended 5-02-06 In Senate Appropriations Committee	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require the Waste Board, by January 1, 2008, to issue a report that contains an update of the Preferred Packaging Procurement Guidelines, as published by the Board in 1994.	
SB 1675	Kehoe	Amended 6-29-06 In Assembly Appropriations Committee	Existing Law: The California Integrated Waste Management Act of 1989 requires the Integrated Waste Management Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.	
			Proposed Law: The bill requires that diesel fuel contain at least two percent renewable diesel fuel beginning 2008, increasing to five percent by 2010. It provides the State Air Resources Board to provide an exemption if the ARB finds that the requirement adversely affects the state's ability to meet its alternative fuel goals.	

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
July 13, 2006**

Bill	Author	Status	Summary	Task Force Position
SB 1778	Alarcon	Amended 5-01-06 In Senate Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require the Waste Board to develop a schedule for excluding solid waste used as an alternative daily cover, comprised of woody and green material from being included in meeting the State's 50% diversion requirements.</p>	Letter of Opposition sent 5-01-06
SB 1835	Florez	Amended 4-18-06 In Assembly Appropriations Committee	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill prohibits an enforcement agency from proposing or submitting a solid waste facilities permit for a solid waste facility approved by a local initiative measure to the Waste Board unless the facility complies with all applicable local land use permit requirements and CEQA requirements.</p>	Letter of Support sent 5-04-06
FEDERAL LEGISLATION				
S. 1607	Lautenberg	Introduced 7-29-05 In Senate Commerce, Science, and Transportation Related Bill H. 3577	<p>Existing Law: Interstate Commerce Commission Termination Act of 1995 gives the federal Surface Transportation Board the authority to exempt rail operators from complying with state and local solid waste laws and regulations.</p> <p>Proposed Law: This bill would exclude solid waste disposal from the jurisdiction of the Surface Transportation Board.</p>	Letter of Support sent 10-18-05
H. 3577	Menendez	Referred to the House Committee on Transportation and Infrastructure.	Same language as Senate Bill 1607.	Letter of Support sent 10-18-05

BILL NUMBER: AB 2144 AMENDED
BILL TEXT

AMENDED IN SENATE JUNE 8, 2006
AMENDED IN ASSEMBLY MAY 1, 2006
AMENDED IN ASSEMBLY MARCH 28, 2006

INTRODUCED BY Assembly Member Montanez

FEBRUARY 21, 2006

An act to amend Section 25395.96 of, and to add Section ~~25418~~ 57013 to, the Health and Safety Code, and to add Sections 13307.5 and 13307.6 to the Water Code, relating to hazardous materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 2144, as amended, Montanez Hazardous materials: land use.

(1) Existing law, the California Land Reuse and Revitalization Act of 2004, until January 1, 2010, provides that an innocent landowner, a bona fide purchaser, or a contiguous property owner, as defined, qualifies for specified immunity from liability for response costs or damage claims with regard to a site in an urban infill area, if the innocent landowner, bona fide purchaser, or contiguous property owner meets specified conditions. The act defines the term "agency" as meaning the Department of Toxic Substances Control, the State Water Resources Control Board, or a California regional water quality control board.

The act requires a bona fide purchaser, innocent landowner, or contiguous property owner who seeks to qualify for the immunity provided by the act to enter into an agreement with an agency, including the performance of a site assessment, and if the agency determines that a response plan is necessary, the preparation and implementation of a response plan. The act requires the response plan to include an opportunity for the public, other agencies, and the host jurisdiction to participate in decisions regarding the response action, and requires the regional board, if a regional board is the agency, to undertake specified actions for public participation and information. The act requires the department, if it is the agency, to undertake other specified actions for public participation and information.

This bill would revise the public participation procedures that are required to be included in the response plan, including requiring the agency, 30 days before taking action on the response plan, to notify all other appropriate governmental entities and local agencies, including, but not limited to, the department, the regional board, or a redevelopment agency, that is not party to the response plan regarding the proposed response action. The bill would also require the agency to place a notice in a newspaper of general circulation, as specified, and post notice of the proposed response plan on the site.

The bill would delete the different requirements for a regional board and the department, depending on which entity is the agency, and would require the same actions for public participation and information, regardless of which entity, including a regional board or the State Water Resources Control Board, is the agency.

The bill would require the agency to consider the issue of environmental justice, as defined, for communities most impacted, including low-income and racial minority populations and to provide certain information regarding the site decision process.

(2) Existing law, the Porter-Cologne Water Quality Control Act, requires a California regional water quality control board to give due notice of any hearing relating to investigating the quality of the waters of the state, prescribing waste discharge requirements, issuing cease and desist orders, requiring the cleanup or abatement of waste, or imposing administrative civil liabilities or penalties. The act requires a person who has discharged or discharges waste into the waters of the state, as specified, or who has caused or permitted, causes or permits, or threatens to cause or permit, waste to be discharged into the waters of the state, as specified, to, upon order of a regional board, clean up the waste or abate the effects of the waste, or take other necessary remedial action, as specified.

This bill would require a regional board to take specified actions when reviewing or approving a cleanup proposal from a primary or active responsible discharger with respect to a site issued a cleanup and abatement order, if the site meets the definition of a site under the California Land Reuse and Revitalization Act of 2004. The bill would require these actions to include providing notice of the proposed decision to approve a cleanup proposal for the site, providing timely access to written material, as specified, providing not less than 30 days to comment on the cleanup proposal regarding the site, and conducting a public meeting in the area of the site during the public comment period if certain conditions apply. The bill would authorize the regional board to develop and use specified means for public communications and input, to disseminate information and to assist the regional board in gathering public input regarding a site, if the regional board makes certain determinations.

(3) Existing law requires certain reports to be submitted to the Department of Toxic Substances Control.

The bill would authorize the Department of Toxic Substances Control to require a person submitting a report to the department *or a unified program agency* to submit the report in electronic format. The bill would require the department to adopt ~~a single, standard format~~ standards for the electronic submission of reports, including analytical and environmental compliance data ~~contained in a report~~, and would require the department, when adopting the format, to consider only formats that meet specified criteria.

The bill would authorize the department to adopt the standards as emergency regulations and would provide that these emergency regulations would be repealed one year after the effective date of the regulations, unless the Department of Toxic Substances Control readopts those regulations. The bill would also provide that until the effective date of those regulations, the department would be authorized to implement those standards using specified regulations adopted by the State Water Resources Control Board or the Secretary for Environmental Protection for the electronic submission of reports.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25395.96 of the Health and Safety Code is amended to read:

25395.96. (a) If, upon review of the site assessment prepared pursuant to this article, the agency determines that a response action is necessary to prevent or eliminate an unreasonable risk, the bona fide purchaser, innocent landowner, or contiguous property owner shall submit a response plan to the agency to conduct a response action at the site, in conformance with the agreement entered into pursuant to Section 25395.92. The response plan shall include all of the following:

(1) The response plan shall provide for an opportunity for the public, other agencies, and the host jurisdiction to participate in decisions regarding the response action, taking into consideration the nature of the community interest, and shall include all of the following:

(A) Thirty days before taking action pursuant to the response plan, the agency shall take all of the following actions:

(i) Notify all other appropriate governmental entities and local agencies, including, but not limited to, the department, the regional board, or a redevelopment agency, that is not a party to the response plan regarding the proposed response plan.

(ii) Place a notice in a newspaper of general circulation, in the area of the site, including, but not limited to, a community-based newspaper, as appropriate.

(iii) Post notice of the proposed response plan on the site.

(B) All of the following methods for public participation shall be included in the response plan:

(i) Thirty days' prior public notice in a factsheet format of the proposed response plan, in English and in any other language commonly spoken in the area of the site.

(ii) Access, at both the agency and at local repositories, to the proposed response plan, site assessment, addenda, and any other supporting documentation, including materials listed as references in the response plan and site assessment.

(iii) Procedures for providing a reasonable opportunity to comment on the plan and related documents specified in clause (ii).

(iv) If a public meeting is requested, the holding of a public meeting by the agency in the area to receive comments.

(v) The agency's consideration of any comments received before taking any action regarding the response plan.

(C) The response plan may also provide for, but is not limited to, proposing the use of other methods for public participation, including the use of public notices, direct notification of interested parties, electronic copies of the response plan, site assessment addenda, and other supporting documentation, including materials listed as references in the response plan and site assessment, electronic comment forms, forming advisory groups, as appropriate, to disseminate information and assist the agency in gathering public input, additional public meetings or public hearings, and an opportunity to comment on the proposed response plan prior to approval.

(D) The agency, as part of its communications with affected communities, shall provide information regarding the process by which decisions about the site are made and the recourse that is available for those who may disagree with an agency decision.

(E) The agency shall consider the issue of environmental justice, as defined in subdivision (e) of Section 65040.12 of the Government Code, for communities most impacted, including low-income and racial minority populations before taking action on the response plan.

(F) To the extent possible, the agency shall coordinate its public participation activities with those undertaken by the host jurisdiction and other agencies associated with the development of the property, to avoid duplication to the extent feasible.

(G) It is the intent of the Legislature that the public participation process established pursuant to this paragraph ensures full and robust participation of a community affected by this chapter.

(2) Identification of the release or threatened release that is the subject of the response plan and documentation that the plan is based on an adequate characterization of the site.

(3) An identification of the response plan objectives and the proposed remedy, and an identification of the reasonably anticipated future land uses of the site and of the current and projected land use and zoning designations. This identification shall include confirmation by the host jurisdiction that the anticipated future land uses and current and projected land uses and zoning designations are accurate.

(4) A description of activities that will be implemented to control any endangerment that may occur during the response action at the site.

(5) A description of any land use control that is part of the response action.

(6) A description of wastes other than hazardous materials at the site and how they will be managed in conjunction with the response action.

(7) Provisions for the removal of containment or storage vessels and other sources of contamination, including soils and free product, that cause an unreasonable risk.

(8) Provisions for the agency to require further response actions based on the discovery of hazardous materials that pose an unreasonable risk to human health and safety or the environment that are discovered during the course of the response action or subsequent development of the site.

(9) Any other information that the agency determines is necessary.

(b) The agency shall evaluate the adequacy of the plan submitted pursuant to subdivision (a) and shall approve the plan if the agency makes all of the following findings:

(1) The plan contains the information required by subdivision (a).

(2) When implemented, the plan will place the site in a condition that allows it to be used for its reasonably anticipated future land use without unreasonable risk to human health and safety and the environment.

(3) The plan addresses any public comments.

(4) If applicable, the plan provides for long-term operation and maintenance, including land use and engineering controls, that are part of the remedy contained in the response plan.

(c) (1) On or before 60 days after the date an agency receives a response plan, the agency shall make a written determination that proper completion of the response plan constitutes "appropriate care" for purposes of subdivision (a) of Section 25395.67.

(2) Upon approval of the response plan by the agency, the agency shall notify all appropriate persons, including the host jurisdiction.

(d) If the use of the property changes, after a response plan is approved, to a use that requires a higher level of protection, the agency may require the preparation and implementation of a new response plan pursuant to this article.

(e) The owner of a site shall not make any change in use of a site inconsistent with any land use control recorded for the site, unless the change is approved by the agency in accordance with subdivision (f) of Section 25395.99.

~~SEC. 2. Section 25418 is added to the Health and Safety Code, to read:~~

~~25418. (a) The Department of Toxic Substances Control may require a person submitting a report to the department to submit the report in electronic format. The Department of Toxic Substances Control may require that a report submitted in electronic format include the latitude and longitude, accurate to within one meter, of the location where a sample analyzed in the report was collected.~~

~~(b) The Department of Toxic Substances Control shall adopt a single, standard format for the electronic submission of analytical and environmental compliance data contained in a report. When adopting the standard format, the Department of Toxic Substances Control shall consider only formats that meet all of the following criteria:~~

~~(1) Are available at no cost.~~

~~(2) Are available in the public domain.~~

~~(3) Have available public domain means to import, manipulate, and store data.~~

~~(4) Allow importation of data into tables that indicate relational distances.~~

~~(5) Allow verification of data submission consistency.~~

~~(6) Allow inclusion of all of the following information:~~

~~(A) The physical site address from which the sample was taken, and information required for permitting and reporting an unauthorized release.~~

~~(B) Environmental assessment data taken during the initial site investigation phase, as well as the continuing monitoring and evaluation phases.~~

~~(C) The latitude and longitude, accurate to within one meter, of the location where a sample was collected.~~

~~(D) A description of all tests performed on the sample, the results of the testing, quality assurance and quality control information, available narrative information regarding the collection of the sample, and available information concerning the laboratory's analysis of the sample.~~

~~(7) Fulfill any additional criteria that the Department of Toxic Substances Control determines are appropriate for an effective electronic report submission program.~~

SEC. 2. Section 57013 is added to the Health and Safety Code , to read:

57013. (a) The Department of Toxic Substances Control may require a person submitting a report or data to submit the report or data in an electronic format, if the report is submitted to either of the following:

(1) The Department of Toxic Substances Control.

(2) A unified program agency implementing the unified program specified in Chapter 6.11 (commencing with Section 25404) of Division 20.

(b) The Department of Toxic Substances Control may require that a report or data submitted in electronic format include the latitude and longitude, which shall be accurate to within at least one meter, of the location where a sample analyzed in the report or data was collected.

(c) The Department of Toxic Substances Control shall adopt standards, that include electronic formats, for the submission of reports, which shall include formats for the submission of analytical

and environmental compliance data. When adopting these standards, the Department of Toxic Substances Control shall only consider electronic formats that meet all of the following criteria:

- (1) Are available at no cost.
- (2) Are available in the public domain.
- (3) Have available public domain means to import, manipulate, and store data.
- (4) Allow importation of data into tables that indicate relational distances.
- (5) Allow verification of data submission consistency.
- (6) Allow inclusion of all of the following information:
 - (A) The physical site address from which the sample was taken, and information required for permitting and reporting an unauthorized release.
 - (B) Environmental assessment data taken during the initial site investigation phase, as well as the continuing monitoring and evaluation phases.
 - (C) The latitude and longitude, which shall be accurate to within at least one meter, of the location where a sample was collected.
 - (D) A description of all tests performed on the sample, the results of the testing, quality assurance and quality control information, available narrative information regarding the collection of the sample, and available information concerning the laboratory's analysis of the sample.
- (7) Fulfill any additional criteria that the Department of Toxic Substances Control determines are appropriate for an effective electronic report submission program.

(d) (1) The regulations adopted by the Department of Toxic Substances Control pursuant to this section may be adopted as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the purposes of that chapter, including Section 11349.6 of the Government Code, the adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare.

(2) Notwithstanding the 120-day limitation in subdivision (e) of Section 11346.1 of the Government Code, an emergency regulation adopted or amended pursuant to this section shall not be repealed until one year after the effective date of the regulation, unless the Department of Toxic Substances Control readopts the regulation, in whole or in part, in compliance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(3) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, until the effective date of the regulations adopted pursuant to this section, the Department of Toxic Substances Control may implement this section using the following regulations adopted by the State Water Resources Control Board or the Secretary for Environmental Protection for the electronic submission of reports:

- (A) Chapter 30 (commencing with Section 3900) of Division 3 of Title 23 of the California Code of Regulations.
- (B) Subdivision 4 (commencing with Section 15100) of Division 1 of Title 27 of the California Code of Regulations.
- (C) Subdivision 2 of Division 3 of Title 27 of the California Code of Regulations.

SEC. 3. Section 13307.5 is added to the Water Code, to read:

13307.5. (a) The regional board shall take all of the following actions when reviewing or approving a cleanup proposal from a primary.

or active responsible discharger with respect to a site issued a cleanup and abatement order pursuant to Section 13304:

(1) Provide to all of the following, notification, in a factsheet format or another appropriate format, in English and any other languages commonly spoken in the area, as appropriate, of the proposed decision to approve the cleanup proposal for the site, including a contact list of appropriate regional board staff:

(A) An affected or potentially affected property owner, resident, or occupant in the area of the site.

(B) An appropriate governmental entity, including a local governmental entity with jurisdiction over the site.

(2) Provide timely access to written material, including reports and plans, addenda, and other supporting documentation, including materials listed as references, at the regional board's office and at a local repository in the area of the site, and, to the maximum extent possible, by posting on the Internet and acting in accordance with subdivision (a) of Section 13196.

(3) Provide no less than 30 days for an interested person to review and comment on the cleanup proposal regarding the site. The regional board shall consider any comments received before taking final action on a cleanup proposal regarding the site.

(4) Conduct a public meeting in the area of the site during the public comment period pursuant to paragraph (3), if any of the following conditions applies:

(A) A public meeting is requested by an affected or potentially affected property owner, resident, or occupant, in the area of the site.

(B) The level of expressed public interest warrants the conduct of a public meeting.

(C) A public meeting is specifically mandated by statute.

(D) The regional board determines that the existing site contamination poses a significant public health threat.

(b) In undertaking the requirements of this section, a regional board shall, to the extent possible, coordinate and integrate the public participation activities described in this section with those undertaken by the host jurisdiction and other public entities associated with development, investigation, or the response action at the site, in order to avoid unnecessary duplication and to integrate the public participation efforts of local government.

(c) For purposes of this section, "site" has the same meaning as defined in Section 25395.79.2 of the Health and Safety Code.

SEC. 4. Section 13307.6 is added to the Water Code, to read:

13307.6. (a) In addition to the requirements of Section 13307.5, the regional board may develop and use any of the following procedures to disseminate information and assist the regional board in gathering community input regarding a site, if the regional board determines there is expressed community interest in the site, or the existing site contamination poses a significant public health threat:

(1) An annual factsheet.

(2) Internet posting or electronic distribution of an electronic copy of a document or report.

(3) An electronic comment or electronic feedback form.

(4) Formation and facilitation of an advisory group.

(5) An additional public meeting or workshop.

(6) Extension of a public comment period.

(7) Preparation of a public participation plan.

(8) Creation of a mailing list for notifying an interested party of a major regional board decision and the regional board's proposed or planned activity regarding the site.

(b) For purposes of this section, "site" has the same meaning as defined in Section 25395.79.2 of the Health and Safety Code.