

**2011-2012 REGULAR LEGISLATIVE SESSION
ASSEMBLY COMMITTEE ON
ENVIRONMENTAL SAFETY AND TOXIC MATERIALS**

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Introduction

During the 2011- 2012 Regular Legislative Session, 72 measures were referred to the Assembly Committee on Environmental Safety and Toxic Materials. This report contains summaries of the bills referred to, and considered by, the Committee during the 2011- 2012 Regular Legislative Session. Bills that were passed by the Legislature and became law are followed by the chapter number and year enacted. For bills that did not become law, the last location of the bill in the legislative process is shown.

Bills are listed categorically based on the jurisdiction of the Committee. Some bills could have been placed in several subject categories; an effort was made to place each bill in the most appropriate category.

During 2011 and 2012, in addition to legislative hearings, the Committee held 9 oversight hearings focusing on governmental programs within the Committee's jurisdiction. Summaries of the topics investigated are included in this report.

The jurisdiction of the Environmental Safety and Toxic Materials Committee includes the following:

- Department of Pesticide Regulation
- Drinking water regulation, toxic contamination of water
- Emergency response relating to hazardous materials
- Hazardous waste regulation and remediation
- Pesticides: processed food and public health
- Proposition 65
- Regulation of consumer products containing toxic substances under the Sherman Food, Drug and Cosmetics Law
- Toxic air contaminants and indoor air quality
- Toxic substances and hazardous materials, except for workplace safety
- Underground storage tank regulation and cleanup

Additional information on these measures may be obtained online at www.leginfo.ca.gov, or by calling the Assembly Environmental Safety and Toxic Materials Committee at (916) 319-3965.

2011 - 2012 Committee Oversight Hearings

Green Chemistry

Green Chemistry is a fundamentally new approach to environmental protection, transitioning away from managing toxic chemicals at the end of the lifecycle, to reducing or eliminating their use altogether. The Legislature recognized the principle of Green Chemistry by passing AB 1879 (Feuer, Chapter 559, Statutes of 2008) and SB 509 (Simitian, Chapter 560, Statutes of 2008). These bills lay the statutory foundation of a comprehensive chemicals policy and are often referred to as Green Chemistry laws or statutes or the Green Chemistry program.

AB 1879, which included a majority of the statutory requirements, requires the Department of Toxic Substances Control (DTSC) to adopt regulations that establish a process, by January 2011, to identify and prioritize chemicals of concern (COCs) in consumer products. It also requires DTSC, within that same timeframe, to adopt regulations that establish a process for evaluating COCs, and their potential alternatives, in order to limit exposure or reduce the level of hazard posed by the COC. Statute requires the regulations to specify the range of regulatory responses that DTSC may take to reduce public and environmental exposure to COCs.

The structure for regulatory action required by AB 1879 is broad and general, and anticipates State agencies playing a significant role in developing policies and regulations to meet the general objectives of the statute. Faced with substantial agency discretion, the Legislature has a noteworthy oversight obligation to assure that both the letter of the law, as well as the spirit of the law, is complied with.

To fulfill this obligation, the Environmental Safety and Toxic Materials (ESTM) Committee held the following oversight hearings on the Green Chemistry program:

- February 15, 2011, Sacramento, California. Along with the Assembly Committee on Health, the ESTM Committee held a joint oversight hearing on the State's implementation of the Safer Consumer Products (Green Chemistry) statutes. The hearing examined the DTSC regulation, "Revision of the Proposed Regulations for Safer Consumer Products" (R-2010-05), which was released in November, 2010, under the Schwarzenegger administration. R-2010-05 was never finalized, and was noticed for withdrawal in August, 2011.
- December 8, 2011, Sacramento, California. The ESTM Committee held an oversight hearing focusing on the "Informal Draft Regulations for Safer Consumer Products" (R-2011-02), which were released on October 31st, 2011, by the Brown administration. R-2011-02 is significantly different from previous iterations of regulations proposed by the Schwarzenegger administration, including R-2010-05.

At the time of print of this document, DTSC estimates that a revised version of R-2011-02 will be released in December 2012, with final adoption planned for early or mid-2013.

Fumigant Regulation

Methyl iodide (also called iodomethane) is a pre-emergent fumigant used in agriculture. Methyl iodide is injected into the soil before crops are planted, and it spreads through the soil to eradicate weed seeds, plant diseases, and nematodes.

Pesticides must be registered (licensed for sale and use) with the United States Environmental Protection Agency (U.S. EPA) before they can be registered in California. Before a pesticide can be sold or used, both the U.S. EPA and the California Department of Pesticide Regulation (DPR) require data on a product's toxicology and chemistry. Based on its acute inhalation toxicity, U.S. EPA designated methyl iodide as a federally restricted-use pesticide pursuant to Section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act.

While DPR was processing methyl iodides registration, DPR's Scientific Review Committee raised concerns about the pesticide, including that it is a mutagen, a carcinogen and possesses neurotoxic qualities; that it contaminates groundwater and is acutely toxic when inhaled; that respiratory protection for farm workers and growers is often inappropriate, inadequate, or inaccessible; and, that the lack of sufficient data on methyl iodide exposure makes a complete risk assessment impossible.

Despite this concern, DPR gave notice of its proposed emergency action to designate methyl iodide as a restricted material on December 1, 2010, and the emergency regulations to register it became effective December 20, 2010. On December 30, 2010, a coalition of environmental and labor organizations filed suit for declaratory and injunctive relief as against DPR and Arysta, the manufacturer of methyl iodide. In response to DPR's action, the ESTM Committee held the following hearing:

- February 22, 2011, Sacramento, CA. The ESTM Committee, along with the Assembly Committee on Health, held a joint hearing on February 22, 2011, to review the actions and policies of California agencies to register and regulate the use of methyl iodide fumigants and other pesticide products in California. The hearing considered the need for science-based regulatory actions and the need to address multi-media environmental risks from pesticide use.

In March 2012, Arysta withdrew the product's registration in California. In November 2012, the United States Environmental Protection Agency announced that Arysta had requested voluntary cancelation of all of the company's product registrations, which means that the fumigant will no longer be used in the United States.

Regulation and Management of Electronic Waste (E-waste)

The term e-waste is loosely applied to consumer and business electronic equipment that is near or at the end of its useful life. Depending on their condition and density, certain components of some electronic products contain materials that render them hazardous.

In 2003, California adopted the Electronic Waste Recycling Act of 2003 (Act), which established the nation's first e-waste recovery and recycling program for computer monitors, laptop computers, televisions, and similar video display devices. The Act established a funding mechanism to improve and provide for the proper end-of-life management of certain hazardous electronic products. The program is funded through a fee paid by consumers of covered electronic devices at the time of retail purchase. Collected fees are remitted by retailers to the State and deposited in an account. Subsequently, payments are made to approved collectors and recyclers of covered electronic waste to offset the net cost of appropriate waste recovery, processing, and recycling activities.

To assess the efficacy of implementation of the Act, the ESTM Committee held the following hearing:

- February 28, 2011, Sacramento, CA. The ESTM Committee, along with the Assembly Committee on Natural Resources, held a joint oversight hearing on the State regulation and management of e-waste and investigated the current e-waste program operated by the State of California.

As a result of the hearing, four bills were introduced. Two of the bills, AB 549 (Carter-Wieckowski) and AB 794 (Wieckowski), address issues with reporting and accountability for the importation of e-waste material. The major provisions of AB 549 and AB 794 were subsequently consolidated into AB 549, which was signed by the Governor. AB 960 (Lowenthal), which was held in the Senate Appropriations Committee, would have required exporters of e-waste or CEDs to demonstrate to DTSC that e-waste will be handled in compliance with laws applicable at the importation locale. AB 583 (Knight), which was held in the Assembly ESTM Committee at the author's request, would have transferred responsibility for investigation and enforcement of the Act, and related personnel, from DTSC to the Department of Resource Recycling and Recovery (DRRR).

Extended Producer Responsibility and Product Stewardship

Extended producer responsibility (EPR), also known as product stewardship, is a strategy to place a shared responsibility for end-of-life product management on the producers and other entities involved in the product chain, instead of on the general public. EPR encourages product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This encourages the costs of treatment and disposal to be incorporated into the total cost of a product and creates a setting for markets to emerge that truly reflect the externalities of a product.

Since California enacted its groundbreaking recycling legislation, the Integrated Waste Management Act, (Sher, Chapter 1095, Statutes of 1989), the State has created 22 new programs to regulate end of life management of products. Rather than implementing separate laws to address environmental concerns for individual products, a comprehensive EPR framework would address a wide range of products that end up in California landfills and make a significant impact on our environment.

In September 2007, the California Integrated Waste Management Board (CIWMB) adopted an EPR framework as an overall policy priority and committed to seek statutory authority for the program. However, the CIWMB was abolished as of January 1, 2010, and the CIWMB's duties and responsibilities were transferred to the California Department of Resources Recycling and Recovery.

To assess the efficacy of the state's EPR programs, the ESTM Committee held the following hearing:

- March 8, 2011, Sacramento, CA. The ESTM Committee and the Assembly Natural Resources Committee held a joint oversight hearing on the use of EPR, and other product stewardship programs, to reduce the adverse environmental and economic effects of materials in the California waste stream. The hearing focused on whether the policy goals set by the CIWMB were being achieved, and how they can be improved upon.

Legislation to create an EPR framework system was introduced in 2009 and 2010. Those bills, AB 283 (Chesbro, 2009) and AB 2139 (Chesbro, 2010), died in the Assembly. EPR legislation for specific products, such as mattresses, batteries and light bulbs, have recently been considered, by the Legislature but not approved; however, EPR programs for paint and carpet were passed by the Legislature and signed by the Governor.

Oversight of the Operation of Hazardous Waste Facilities

The Western Environmental, Inc. (WEI) facility in Mecca, CA is located on tribal lands owned by the Cabazon Band of Mission Indians. WEI advertises itself as a treatment and landfill facility that accepts wastes described as California-only hazardous waste. WEI accepts and processes waste materials from all over Southern California, including soil contaminated with petroleum hydrocarbons, water contaminated with oil, and soy-whey waste.

DTSC reviewed the WEI permit issued by the Cabazon and decided that the tribal permit does not meet California law because the Cabazon did not enter into a cooperative agreement with the California Environmental Protection Agency allowing them to issue a permit for California-only hazardous waste. In March of 2011, DTSC notified generators, transporters, owners of properties where cleanups are occurring, public agencies, the Cabazon tribal leadership and owners of the WEI facility that WEI cannot accept California-only hazardous waste. This step was designed to stop the delivery of waste to WEI. In coordination with the California Highway Patrol, DTSC set up a truck stop on May 9, 2011, outside the WEI facility, during which it stopped twenty-four trucks.

In addition to these State enforcement actions, the South Coast Air Quality Management District (AQMD) has cited WEI numerous times for violating air quality laws by causing foul odors that sickened residents, including school children, and impacted businesses in Mecca. AQMD has responded to more than 215 odor complaints and conducted more than 70 field investigations, site inspections and odor surveillances. AQMD inspectors have verified Western Environmental and its adjacent facility Waste Reduction Technologies as the source of the odors on 25 separate days.

In response to concerns about the WEI facility, the ESTM Committee held the following hearing:

- June 17, 2011, Thermal, CA. The ESTM Committee held a hearing on June 17, 2011, in Thermal, CA to review the federal, State, local and tribal authority and responsibility for the regulation and safe operation of hazardous waste facilities, including the WEI facility. The Committee received testimony from agencies to understand how, given their respective roles and responsibilities, unpermitted waste disposal occurred; the status of multiple environmental agency efforts to abate the sickening odors; and how this lapse of regulatory oversight can be prevented from reoccurring in the future.

Following the hearing, DTSC conducted a site inspection and record search at WEI on August 29 and 30, 2011, and oversaw sampling of soil stockpiles conducted by WEI on December 14 through 16, 2011. DTSC also required testing for common contaminants at the site and conducted limited offsite sampling of WEI soils. According to DTSC's website, they are undertaking negotiations with the Cabazon to effectively regulate California hazardous waste at the site.

State Regulation and Management of Underground Storage Tanks (USTs)

Leaks from USTs represent a threat to California groundwater and land resources. Even a small amount of petroleum released from a leaking UST contaminates groundwater. Approximately 40% to 50% of Californians rely to some extent on groundwater supplies for their drinking water.

California's State Water Resources Control Board (SWRCB) has made significant progress toward leaking UST cleanup. According to the U.S. EPA, as of February 2009, SWRCB had completed 27,992 UST cleanups, which is 73% of all known releases in the State. At the time of the US EPA data collection, there were 10,274 cleanups remaining to be completed.

The Barry Keene Underground Storage Tank Cleanup Act (Act) of 1989 establishes the Underground Storage Tank Cleanup Fund (Fund) for the deposit of fees collected pursuant to the Act (Health & Safety Code §25299.50). California state law authorizes the SWRCB to expend the monies in the Fund for various purposes, including the payment of claims to aid owners and operators of petroleum USTs who take corrective action to clean up unauthorized releases from those tanks, corrective actions undertaken by federal, State and local agencies, the cleanup and oversight of unauthorized releases at abandoned tank sites, and grants to small businesses to retrofit certain hazardous substance USTs.

The authorization for the Fund will expire on January 1, 2016, at which time the funds will no longer be available to clean up UST sites. Therefore, UST owners and operators will be required to meet their federal environmental insurance obligation through an alternative mechanism.

To investigate the current UST regulation and cleanup program operated by the State of California and local agencies, the ESTM Committee held the following hearing:

- November 30, 2011, San Jose, CA. The Assembly Committee on ESTM held an oversight hearing on the State regulation and management of USTs containing hazardous materials, including petroleum. During the hearing, the Committee reviewed the policies and actions that California State and local agencies take and need to take in order to address the current and future demand for hazardous waste cleanup associated with leaking underground storage tanks.

As a result of the hearing, two bills were introduced and subsequently signed into law. AB 1701 (Wieckowski) requires State certification of cities and counties to oversee the cleanup of underground storage tanks. AB 1715 (Smyth) establishes requirements on the SWRCB for review, reporting and enforcing the closure of underground storage tank cleanups and limits the authority of Regional Water Quality Control Boards or other local agencies from issuing corrective action for a tank case until the SWRCB issues a decision regarding the closure of the tank case.

State Furniture Flammability Standards **& the Safety of Flame Retardant Chemicals**

California law obligates the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (Bureau) to establish and enforce flammability standards for a range of home furnishing products, including mattresses and mattress sets; bedding products; flexible polyurethane foam; and seating furniture, including upholstered furniture. The California Business and Professions Code requires specific actions on flammability requirements for furniture, which are implemented by the Bureau through a combination of administrative regulations and more detailed Technical Bulletins (TBs) that augment the regulations.

California's Technical Bulletin 117 (TB 117), implemented in 1975, requires flexible polyurethane foam and other filling materials in furniture to withstand exposure to a small open flame for 12 seconds. This standard is most economically and conveniently met by adding flame retardant chemicals to furniture filling materials. Despite considerable research showing adverse environmental and public health impacts from the chemicals commonly used to meet TB 117, including reproductive, developmental and neurological effects, most national furniture manufacturers increasingly use flame retardant chemicals in furniture sold across North America in order to comply with California's standard.

On June 18, 2012, Governor Brown announced his administration's effort to protect public safety by reducing the use of toxic flame retardant chemicals in upholstered furniture sold in the state. The Governor asked the Bureau to review and revise the state's furniture flammability standards and to recommend changes to reduce toxic flame retardant chemicals while continuing to ensure fire safety.

To investigate the safety and use of flame retardant chemicals used to comply with California's unique standards, the ESTM Committee held the following hearing:

- June 26, 2012, Sacramento, CA. The Assembly ESTM Committee held an oversight hearing on June 26, 2012, to review the status of State furniture flammability standards and the safety of flame retardant chemicals. The Committee reviewed the actions that State agencies, including the Bureau, have taken to consider the environmental and public health risks of flame retardant chemicals used to comply with California standards, and investigated the Governor's announcement on revising TB 117.

In July 2012, the Bureau released TB 117 2012, the goal of which is to produce upholstered furniture that is safer from the hazards associated with smoldering ignition, and held a series of public workshops on the proposed regulation. At the time of print of this document, the Bureau is revising TB 117 2012, and estimates submission of the regulatory package to the Office of Administrative Law by the end of December 2012.

Contaminated Drinking Water in California's Disadvantaged Communities

California law, established in 1989, states that, "Every citizen of California has the right to pure and safe drinking water." In 2012, the Legislature and Governor Brown further recognized the principle that all people have a right to safe and accessible drinking water by enacting AB 685 (Eng). This state policy declares that every human being has the right to clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. Despite these policies, recent reports show that more than 2 million Californians do not have consistent access to safe and affordable drinking water.

In 2008, Governor Schwarzenegger signed SBX2-1 (Perata) into law, requiring the SWRCB, in consultation with other agencies, to prepare a report to the Legislature to better understand the sources of nitrate contamination and identify solutions for groundwater nitrate contamination. This year, the University of California (UC) Davis, under contract with SWRCB, released "Addressing Nitrate in California's Drinking Water."

Also in 2008, Governor Schwarzenegger signed AB 2222 (Caballero) into law, requiring the SWRCB to submit a report to the Legislature identifying the following: communities that rely on contaminated groundwater as a primary source of drinking water, the principal contaminants in groundwater, and potential solutions and funding sources to clean up groundwater.

The resultant SWRCB draft report, "Communities that Rely on Contaminated Groundwater," identified 682 community public water systems (PWS) in California that rely on contaminated groundwater as a primary source of drinking water. The SWRCB report also revealed that 265 community PWSs that serve a little over two million people had received at least one drinking water quality violation within the last California Department of Public Health compliance cycle. The findings from this report and the UC Davis study suggest that drinking water contamination in California disproportionately affects small, rural and low-income communities that depend mostly on groundwater as their drinking water source.

In light of the UC Davis and SWRCB reports, the ESTM Committee held the following hearing:

- November 14, 2012, Sacramento, CA. The Assembly ESTM Committee held an oversight hearing to review the status of California's Drinking Water Program. At the hearing, the Committee examined the actions that State agencies have taken to address contaminated drinking water, especially that serving disadvantaged communities.

As a result of the hearing, on December 3, 2012, Assemblymember Alejo introduced AB 1, which appropriates \$2 million for the development of an integrated water quality and wastewater treatment program plan for disadvantaged communities in the Salinas Valley, and AB 21, which provides immediate aid in the form of grants to disadvantaged communities that lack access to a safe source of drinking water. Additionally, Assemblymember Perea introduced AB 30, which extends a clean water grant program for disadvantaged communities.

2011 - 2012 Legislative Summary

Air Quality: Toxic air contaminants and indoor air quality

AB 1176 (Williams) Pesticides as toxic air contaminants. Requires the Department of Pesticide Regulation to adhere to a 180 day deadline for steps in the toxic air contaminant process. Requires the Department of Pesticide Regulation to each year adopt control measures to protect human health for at least two pesticides meeting the definition of a toxic air contaminant.

Final Status: Held in the Assembly Agriculture Committee.

Chemicals Policy: Chemicals in products

AB 913 (Feuer) California Green Business Program. Requires the California Department of Toxic Substances Control, as part of implementing the California Green Business Program, to develop a program that provides for the voluntary certification of businesses that adopt environmentally preferable business practices, including, but not limited to, increased energy efficiency, reduced greenhouse gas emissions, promotion of water conservation, and reduced waste generation.

Final Status: Signed into law, Chapter 578, Statutes of 2011.

AB 1319 (Butler) Bisphenol A (BPA) in baby bottles and cups. Prohibits the sale, manufacture or distribution of a bottle or cup that contains BPA if the item is intended for children three years of age or younger.

Final Status: Signed into law, Chapter 46, Statutes of 2011.

AB 1704 (Huffman) Coal tar paving material. Prohibits the sale or application of coal tar pavement sealant on a driveway, parking area, airport runway or playground. Authorizes the Department of Toxic Substances Control to issue a notice of corrective action to a person in violation of the coal tar sale and use prohibition and a city or county to adopt an ordinance

providing for enforcement of the requirements of the coal tar pavement sale and use prohibition.

Final Status: Held in the Assembly Appropriations Committee.

AB 2166 (Feuer) Green Chemistry: chemicals of concern. Deletes obsolete provisions in the California Green Chemistry law, which establishes a process to identify, prioritize and regulate chemicals in products that may be considered a “chemical of concern.”

Final Status: Held in the Assembly Environmental Safety and Toxics Materials Committee.

AB 2197 (Mitchell) Flammability standards for upholstered furniture. Requires the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation to establish flammability standards for all seating furniture sold or offered for sale in California, which would include a smolder flammability test rather than the current open flame-test.

Final Status: Held in the Assembly Environmental Safety and Toxics Materials Committee.

SB 178 (Simitian) Green Chemistry. Authorizes the Green Ribbon Science Panel, which was created as part of the state’s Green Chemistry Initiative, to establish subgroups to study specific issues relating to the science of green chemistry.

Final Status: Held in the Assembly Environmental Safety and Toxic Materials Committee.

SB 646 (Kehoe) Lead and cadmium in jewelry. Makes the signatories to the amended consent judgment, People vs. Burlington Coat Factory Warehouse Corporation, et al., and to similar judgments, subject to the enforcement provisions of the Metal-Containing Jewelry Law. Requires a manufacturer or supplier of jewelry to prepare the certification of compliance with the Metal-Containing Jewelry Law.

Final Status: Signed into law, Chapter 473, Statutes of 2011.

SJR 3 (Pavley) Reform of the federal Toxic Substances Control Act. Urges the President and the 112th Congress of the United States to enact legislation to modernize the federal Toxic Substances Control Act of 1976 by strengthening chemical management through preventative measures, public discourse and scientifically sound regulatory criteria.

Final Status: Resolution Chapter 62, Statutes of 2011.

SJR 8 (Leno) Flame retardant chemicals. Urges the 112th Congress to enact the Safe Chemicals Act to restrict flame retardants and other compounds that pose health risks. Urges the Consumer Product Safety Commission to adopt its draft smolder rule, which will provide for fire safety without toxicity in furniture.

Final Status: Held in the Assembly Environmental Safety and Toxic Materials Committee.

Drinking Water

AB 54 (Solario) Drinking water systems. Provides requirements on mutual water companies; authorizes a local agency formation commission to include mutual water companies in its municipal service reviews; and, provides the California Department of Public Health with more guidance regarding issuing Safe Drinking Water Revolving Fund money to mutual water companies.

Final Status: Signed into law, Chapter 512, Statutes of 2011.

AB 403 (Alejo) Water quality: integrated plan for Salinas Valley. As approved by the Assembly, this bill specified that the primary drinking water standard for hexavalent chromium (chromium 6) is included in the expedited Department of Finance regulatory review process. Required the Department of Public Health to post a report on its progress on developing a drinking water standard for chromium 6 on its website.

This bill was subsequently amended in the Senate to remove the provisions related to chromium 6 drinking water standards and to alternately appropriate \$2 million from the Waste Discharge Permit Fund to the Greater Monterey County Regional Water Management Group for assessment and feasibility studies needed to develop a plan for addressing drinking water and wastewater issues in disadvantaged communities located in the Salinas Valley.

Final Status: Held in the Senate Appropriations Committee.

AB 938 (V. Manuel Pérez) Public drinking water systems. Requires the written public notice of noncompliance with drinking water standards given by a public water system to include information in English, Spanish and other languages spoken by the impacted community.

Final Status: Signed into law, Chapter 514, Statutes of 2011.

AB 963 (Valadao) Safe drinking water replacements. Requires the Department of Public Health to establish guidelines for Proposition 84 grants for small community drinking water system infrastructure improvements. Requires the guidelines to include the replacement of drinking water systems in areas with contaminated groundwater that may not be economically remediated for drinking water purposes.

Final Status: Held in the Assembly Appropriations Committee.

AB 983 (Perea) Safe Drinking Water State Revolving Fund. Authorizes the Department of Public Health to make changes, when implementing the Safe Drinking Water State Revolving Fund, to improve access to financial assistance for projects serving small community water systems and disadvantaged communities, including allowing certain disadvantaged communities to be eligible for grants of up to 100 percent of project costs.

Final Status: Signed into law, Chapter 515, Statutes of 2011.

AB 1109 (Chesbro) Point-of-use drinking water treatment. Increases the allowable use of point-of-entry and point-of-use treatment by public water systems in lieu of a centralized treatment from systems with less than 200 service connections to those with less than 500 service connections.

Final Status: Held in the Assembly Environmental Safety and Toxics Materials Committee.

AB 1187 (Fong) Safe Drinking Water Plan. Requires the Department of Water Resources to include the Safe Drinking Water Plan in updates of the California Water Plan, which is to include assumptions and estimates about current and projected unmet safe drinking water needs. Requires Department of Water Resources to contract with the Department of Public Health to incorporate the Drinking Water Plan in updates of the Water Plan.

Final Status: Held in the Assembly Appropriations Committee.

AB 1194 (Block) California Safe Drinking Water Act. Provides the following changes to the California Safe Drinking Water Act in order to conform to federal drinking water requirements:

- 1) Revises the definition of human consumption to include cooking, which includes preparing food and washing dishes;
- 2) Exempts, from regulation, public water systems that sell water to users through a sub metered distribution system, if the water supply is obtained from a public water system under certain limited circumstances;
- 3) Repeals existing law that requires the Department of Public Health to exempt specified noncommunity water systems from water quality requirements; and,
- 4) Revises penalty provisions, including a penalty of up to a \$1,000 per day per violation against public water systems that are in violation of drinking water standards, regulations, permits, citations or orders.

Final Status: Signed into law, Chapter 516, Statutes of 2011.

AB 1292 (Hernández) Revenue bonds: Safe Drinking Water State Revolving Fund. Authorizes the Department of Public Health to contract with California Infrastructure and Economic Development Bank to sell revenue bonds to assist drinking water systems in meeting their federal Safe Drinking Water State Revolving Fund matching fund requirements.

Final Status: Signed into law, Chapter 518, Statutes of 2011.

AB 2056 (Chesbro) Point-of-use drinking water treatment devices. Exempts public water systems serving 20 or fewer residential connections from the three-year limit on the use of point-of-use treatment. Allows a water system serving 20 or fewer residential connections to use available census tract data to demonstrate median household income, if such demonstration is required for permitting purposes.

Final Status: Held in the Senate Environmental Quality Committee.

AB 2208 (Perea) Consolidation of drinking water systems. As approved by the Assembly, this bill authorized the Department of Public Health, when implementing the Safe Drinking Water State Revolving Fund, to consolidate multiple community projects to meet safe drinking water standards.

This bill was subsequently amended in the Senate to remove the provisions for drinking water system consolidation and to alternatively extend the sunset date, from 2014 to 2019, of the State Water Resources Control Board's authorization to collect a charge on specified loans that provide revenue to the State Water Pollution Control Revolving Fund Small Community Grant Fund.

Final Status: Held in the Senate Rules Committee.

AB 2238 (Perea) Drinking water systems. As approved by the Assembly, this bill set new requirements for and restrictions on, the Department of Public Health when it administers programs to fund improvements of small community water systems, and required local area formation commissions to assess drinking water and wastewater services.

This bill was subsequently amended in the Senate to remove the provisions related to the consolidation of small water systems and to alternatively expand the actions available for emergency funding from the Emergency Water Grant Fund to include:

- 1) A public water system that serves a severely disadvantaged community that lacks the technical or financial capacity to deliver potable water or that has applied for specified funding; and,
- 2) The disruption or contamination of drinking water due to natural disasters.

Final Status: Held in the Senate Appropriations Committee.

AB 2334 (Fong) California Water Plan. Requires the Department of Water Resources, as part of the California Water Plan, to analyze how drinking water and wastewater services could be made more affordable for low-income residents.

Final Status: Held in the Assembly Appropriations Committee.

AB 2529 (Wieckowski) Drinking water regulations. As approved by the Assembly, authorized the Department of Public Health, when implementing the Safe Drinking Water State Revolving Fund, to adopt interim regulations and take other actions to expedite the process of providing funds for drinking water projects, especially to severely disadvantaged communities.

This bill was subsequently amended in the Senate to remove the provisions related to drinking water and to alternatively require the Public Utilities Commission to credit directly to all retail delivery customers of an electrical corporation all revenues the electrical corporation receives as a result of the direct allocation of greenhouse gas allowances pursuant to the California Global Warming Solutions Act of 2006 in proportion to the increase in electricity costs those customers incur as a result of the State Air Resources Board adopting a market-based compliance mechanism.

Final Status: Held in the Senate Rules Committee.

SB 962 (Anderson) Point of use drinking water treatment devices. Expands the authorization, from 200 connections to 500 connections, for small public water systems to use point-of-use and point-of-entry treatment in lieu of centralized water treatment.

Final Status: Held in the Assembly Appropriations Committee.

SB 1063 (Gaines) Body contact at the Bear Lake Reservoir. Allows recreational activities that include body contact at the Bear Lake Reservoir in Alpine County provided that the drinking water system operator meets treatment conditions.

Final Status: Vetoed by Governor.

Electronic and Universal Waste

AB 255 (Wieckowski) Hazardous waste: latex paint: collection facility. Allows household hazardous waste collection facilities authorized to receive hazardous waste from a conditionally exempt small quantity generator to accept recyclable latex paint from any source and in any amount, if certain conditions exist.

Final Status: Signed into law, Chapter 213, Statutes of 2011.

AB 549 (Carter) Recycling of electronic waste (e-waste). Makes changes to the Electronic Waste Recycling Act to strengthen fraud prevention and audit functions within the Department of Resources Recycling and Recovery. Specifically the bill:

- 1) Provides that the Department of Resources Recycling and Recovery shall not pay an electronic waste recycling payment or recovery payment for covered electronic waste generated outside of the state and subsequently brought into the state;
- 2) Requires the Department of Resources Recycling and Recovery to pay an e-waste collector or recycler upon completion of its review of a payment claim for 90 days or less;
- 3) Authorizes the Department of Resources Recycling and Recovery to examine a payment claim to validate its completeness, accuracy, truthfulness, and compliance with applicable laws and regulations; and,
- 4) Permits the Department of Resources Recycling and Recovery to conduct a selective audit of authorized collectors, recyclers, or manufacturers to determine whether recovery or recycling payments are being paid by the Department of Resources, Recycling and Recovery according to the requirements of the E-Waste Act.

Final Status: Signed into law, Chapter 523, Statutes of 2012.

AB 583 (Knight) Recycling of electronic waste (e-waste). Provides for the transfer of responsibility and personnel from the Department of Toxic Substances Control to the Department of Resources Recycling and Recovery for investigation and enforcement of the California Electronic Waste Recycling Act.

Final Status: Held in the Assembly Environmental Safety and Toxic Materials Committee.

AB 960 (Lowenthal) Electronic waste (e-waste). Requires an exporter of electronic waste to demonstrate that the waste it exports will be recycled or disposed of in a manner that is consistent with applicable state, national, and international laws and guidelines.

Final Status: Held in the Senate Appropriations Committee.

SB 419 (Simitian) Home generated sharps. Requires pharmaceutical manufacturers to provide their existing safe management plans to the Department of Resources Recycling and Recovery electronically and requires the manufacturer to make them readily accessible on their websites.

Final Status: Vetoed by Governor.

SB 456 (Huff) Collection of household hazardous waste. Allows household hazardous waste gathered by a door-to-door collection program to be transported using a consolidated manifest and to be taken to a household hazardous waste collection facility or a hazardous waste facility.

Final Status: Signed into law, Chapter 602, Statutes of 2011.

SB 589 (Lowenthal) Recycling of mercury-containing lamps. Requires a manufacturer of household mercury-containing lamps to prepare and submit to the Department of Resources Recycling and Recovery for approval a household mercury-containing lamp stewardship plan to establish a recovery program for the management of end-of-life household mercury-containing lamps. Requires the plan to include the payment of a stewardship fee at the point of sale and would specify a procedure for the Department of Resources Recycling and Recovery's approval of the amount of the stewardship fee.

Final Status: Held in the Assembly Environmental Safety and Toxic Material Committee.

Hazardous Waste: Regulation and remediation

AB 255 (Wieckowski) Hazardous waste: latex paint: collection facility. Allows a household hazardous waste collection facility authorized to receive hazardous waste from a conditionally exempt small quantity generator to accept recyclable latex paint from any source and in any amount, if certain conditions exist.

Final Status: Signed into law, Chapter 213, Statutes of 2011.

AB 762 (Smyth) Medical waste. Authorizes the reuse of medical sharps and pharmaceutical waste common containers and requires the consolidated waste to be treated by either incineration at a permitted medical waste treatment facility or with an alternative technology.

Final Status: Signed into law, Chapter 222, Statutes of 2011.

AB 1442 (Wieckowski) Pharmaceutical waste. Exempts a pharmaceutical waste generator or parent organization from medical waste hauling requirements if the generator or parent organization meets documentation and other requirements. Authorizes pharmaceutical waste to be transported by a common carrier.

Final Status: Signed in to law, Chapter 689, Statutes of 2012.

AB 1620 (Wieckowski) Hazardous waste treatment permits. Exempts hazardous waste activities from Department of Toxic Substances Control treatment permits for exhaust gas, flue gas, or other vapor streams, if the activity is conducted onsite or at a facility that has obtained a hazardous waste storage permit.

Final Status: Signed into law, Chapter 190, Statutes of 2012.

AB 2205 (V. Manuel Pérez) Geothermal waste. Allows for the operation of ore and mineral extraction from geothermal energy facility waste without a specified hazardous waste treatment permit from the Department of Toxic Substance Control.

Final Status: Signed into law, Chapter 253, Statutes of 2012.

AB 2457 (Valadao) Appliance and vehicle recycling. Requires the Department of Resources Recycling and Recovery to convene an interagency working group to determine whether the disposal of end-of-life vehicles and appliances that are being compacted and exported for recycling is being legally managed.

Final Status: Held in the Assembly Appropriations Committee.

SB 456 (Huff) Collection of household hazardous waste. Allows household hazardous waste gathered by a door-to-door collection program to be transported using a consolidated manifest and to be taken to a household hazardous waste collection facility or to a hazardous waste facility.

Final Status: Signed into law, Chapter 602, Statutes of 2011.

SB 682 (Rubio) Underground injection of hazardous gas. Affirms the Division of Oil, Gas and Geothermal Resources' authority to approve Class II injection wells for the disposal of waste fluids, such as waste gas from an oil and gas field.

Final Status: Held in the Assembly Natural Resources Committee.

SB 909 (La Malfa) Disposal of treated wood waste. Extends, from June 1, 2012, to June 1, 2017, the sunset date on statute providing alternative disposal mechanisms for treated wood waste, and makes other technical changes.

Final Status: Signed into law, Chapter 601, Statutes of 2011.

Hazardous Materials: Emergency response

AB 408 (Wieckowski) Hazardous materials management. Makes changes to hazardous material reporting, emergency response, and hazardous waste manifest requirements and to the requirements for the management of used paint, including the following:

- 1) Enables local government cost recovery for emergency response to hazardous substances spills under a wider range of circumstances;
- 2) Allows for the consolidation of hazardous waste manifesting procedures for haulers of hazardous waste to be used for the receipt, by a transporter, of one shipment of used oil from a generator whose identification number has been suspended;
- 3) Allows an exemption from reporting for hazardous material quantities less than the federal Emergency Planning and Community Right-to-Know Act threshold levels for low hazard materials; and,
- 4) Streamlines the management of waste latex and oil-based paint, provides an exemption to hazardous waste management business plans for certain types of equipment, and allows for greater quantities of propane to be used and stored at remote sites.

Final Status: Signed into law, Chapter 603, Statutes of 2011.

AB 681 (Wieckowski) Aboveground petroleum storage tanks. Extends the authority of the California Environmental Protection Agency to make payments from the Environmental Protection Trust Fund to local agencies for training and assistance for the regulation of aboveground petroleum storage tanks.

Final Status: Signed into law, Chapter 574, Statutes of 2011.

AB 868 (Davis) Hazardous waste transportation. As considered by the Assembly Environmental Safety and Toxic Materials Committee, this bill revised the existing exemptions from manifest and transporter requirements pertaining to hazardous wastes to an increased maximum weight of 10,000 pounds and increased the maximum 1,600 gallon hazardous wastewater exception for utility generators to a maximum of 5,000 gallons.

This bill was subsequently amended in the Assembly to remove the provisions related to hazardous waste transportation and to instead allow local school districts to include leadership classes within the fields designated as community service classes.

Final Status: Held in the Assembly Education Committee.

AB 1566 (Wieckowski) Aboveground storage tanks. Authorizes the Office of the State Fire Marshal to regulate the Aboveground Petroleum Storage Act and makes conforming changes to the Aboveground Petroleum Storage Act. Defines "tank in an underground area" to mean a tank to which all of the following apply:

- 1) The tank is located in a structure that is at least 10% below the ground surface, including, but not limited to, a basement, cellar, shaft, pit, or vault;
- 2) The structure in which the tank is located, at a minimum, provides for secondary containment of the contents of the tank, piping, and ancillary equipment, until cleanup occurs; and,
- 3) The tank meets requirements for the placement and inspectability of the tank and piping, and requirements that the tank contain petroleum to be used or previously used as a lubricant or coolant, or motor fuel, as defined.

Final Status: Signed into law, Chapter 532, Statutes of 2012.

Marine Water Quality

SB 482 (Kehoe) Testing for contamination of public beaches. Transfers primary jurisdiction for the beach water quality monitoring program from the Department of Public Health to the State Water Resources Control Board.

Final Status: Signed into law, Chapter 592, Statutes of 2011.

SB 623 (Kehoe) Marine antifouling paint. As approved by the Assembly Environmental Safety Committee, prohibited on and after January 1, 2019, the use or application of antifouling paints that contain copper on recreational vessels.

The bill was subsequently amended to require the Office of Statewide Health Planning and Development to extend an existing Health Workforce Pilot Project to evaluate the safety, effectiveness, and acceptability of nurse practitioners, certified nurse-midwives, and physician assistants in providing aspiration abortions.

Final Status: Signed into law, Chapter 450, Statutes of 2012.

SB 935 (Committee on Environmental Quality) Ballast water. Extends until January 1, 2016, the deadline by which the California State Lands Commission must approve the application by an owner or operator of a vessel to install an experimental ballast water treatment system in order to require the California State Lands Commission to deem that system to be in compliance with any future ballast water treatment standards.

Final Status: Signed into law, Chapter 550, Statutes of 2012.

SB 1360 (Simitian) Release of waste from vessels. Deletes the sunset date of January 1, 2014, on provisions of law relating to the release of sewage from large passenger vessels or oceangoing ships. Expands the prohibition on the release of sewage into a marine sanctuary. Requires the owner or operator of large passenger vessel to notify the California Emergency Management Agency upon the discovery of a release of graywater into a marine sanctuary.

Final Status: Signed into law, Chapter 279, Statutes of 2012.

Pesticides: Department of Pesticide Regulation

AB 1176 (Williams) Pesticides as toxic air contaminants. Requires the Department of Pesticide Regulation to adhere to a 180 day deadline for steps in the toxic air contaminant process. Requires the Department of Pesticide Regulation to each year adopt control measures to protect human health for at least two pesticides meeting the definition of a toxic air contaminant.

Final Status: Held in the Assembly Agriculture Committee.

SB 623 (Kehoe) Marine antifouling paint. As approved by the Assembly Environmental Safety Committee, prohibited on and after January 1, 2019, the use or application of antifouling paints that contain copper on recreational vessels.

The bill was subsequently amended to require the Office of Statewide Health Planning and Development to extend an existing Health Workforce Pilot Project to evaluate the safety, effectiveness, and acceptability of nurse practitioners, certified nurse-midwives, and physician assistants in providing aspiration abortions.

Final Status: Signed into law, Chapter 450, Statutes of 2012.

Porter-Cologne Water Quality Control Act; Toxic Contamination of Water;
Surface Water and Groundwater Protection

AB 246 (Wieckowski) Water quality enforcement: district attorneys. As approved by the Assembly, extended civil prosecution authority for violations of the Porter-Cologne Water Quality Control Act to district attorneys and certain city attorneys.

This bill was subsequently amended in the Senate to remove all provisions dealing with water quality and instead modifies the existing hiring credit to change the definition of a “qualified full-time employee,” “qualified employer,” and “annual full time equivalent.”

Final Status: Failed passage in the Senate Governance and Finance Committee.

AB 262 (Harkey) California Regional Water Quality Control Boards: boundaries. Modifies the boundaries of the San Diego and Santa Ana Regional Water Quality Control Boards to move that portion of the San Diego Regional Water Quality Control Board area that is in Orange County into the Santa Ana Regional Water Quality Control Board jurisdiction.

Final Status: Failed passage in Assembly Environmental Safety and Toxic Materials Committee.

AB 640 (Logue) Water Code mandatory minimum civil penalties. Increases the size of small community facilities that are allowed to use mandatory minimum penalties for remediation of water code violations. Expands the definition of small community publicly owned treatment works that are allowed to use mandatory minimum penalties for remediation of water code violations by increasing the allowable population serving the small community publicly owned treatment works from 10,000 to 20,000 persons.

Final Status: Held in the Senate Environmental Quality Committee.

AB 939 (V. Manuel Pérez) The New River. As approved by the Assembly, made technical corrections to the existing New River Improvement Project and established a New River Water Quality, Public Health, and River Parkway Development program within the California Environmental Protection Agency.

This bill was subsequently amended in the Senate to remove the provisions related to the New River and to instead transfer authority for restoration of the Salton Sea from the State to the Salton Sea Authority.

Final Status: Held in the Senate Appropriations Committee.

AB 955 (Huber) Onsite water treatment systems. As approved by the Assembly, this bill required the State Water Resources Control Board regulations for onsite water treatment systems to establish standards based on the risk posed by the onsite water treatment systems and meet the requirements of state law.

As subsequently amended in the Senate, the portions related to onsite water treatment systems were removed and the bill instead extends the sunset of the California Recreational Trails Committee to January 1, 2028, and updates their responsibilities.

Final Status: Vetoed.

AB 964 (Huffman) Onsite sewer improvement projects. As approved the Assembly, this bill addressed sanitary sewer overflows from aged, cracked and leaking sewer laterals and encouraged public agencies to adopt 10-year plans to eliminate their sanitary sewer overflows and to administer low-cost loans to aid property owners in replacing laterals.

As subsequently amended in the Senate, the provisions of the bill addressing onsite sewer improvements were removed and the bill now instead provides a streamlined mechanism for small irrigation uses to obtain a water right from the State Water Resources Control Board by expanding the existing water right registration process to include those uses.

Final Status: Signed into law, Chapter 579, Statutes of 2011.

AB 1048 (Harkey) Drinking water fluoridation. Requires the San Diego Regional Water Quality Board to address levels of fluoride in recycled water and wastewater as part of the San Diego Regional Water Quality Control Board's review of the Water Quality Control Plan for the San Diego basin.

Final Status: Held in the Assembly Environmental Safety and Toxics Materials Committee.

AB 1058 (Smyth) Salinity and water quality. Requires the California Water Resources Control Board to adopt a statewide policy establishing water quality objectives and a plan of implementation for chloride and other measures of salinity that may affect the suitability of water used for agricultural purposes.

Final Status: Held in the Assembly Environmental Safety and Toxics Materials Committee.

AB 1125 (Achadjian) Los Osos Community Service District. Authorizes the County of San Luis Obispo and the Los Osos Community Services District to offer discount wastewater rates for low-income residences.

Final Status: Signed into law, Chapter 177, Statutes of 2011.

AB 1200 (Ma) Combined sewage and stormwater systems. As approved by the Assembly, required combined sewer and stormwater systems to report sewage spills to the California Emergency Management Agency and the State Water Resources Control Board.

As subsequently amended in the Senate, the provisions related to discharges were removed and the bill now instead makes changes to the method of electing Democratic and Republican central committees in response to the impacts of the new top two primary process and to recent redistricting efforts.

Final Status: Signed into law, Chapter 8, Statutes of 2012.

AB 1669 (Perea) Nitrates in groundwater. Establishes the Nitrate at Risk Area Fund, administered by the State Water Resources Control Board, to pay for solutions for disadvantaged communities suffering from nitrate-contaminated groundwater. Requires the Department of Public Health, working with the State Water Resources Control Board, to designate such areas by using existing data on public water systems.

Final Status: Held in the Assembly Appropriations Committee.

AB 2177 (Gorell) Stormwater discharge. Requires the State Water Resources Control Board, in consultation with affected stakeholders, to prepare a comprehensive statewide stormwater plan and submit it to the Legislature by January 1, 2015.

Final Status: Held in the Assembly Appropriations Committee.

AB 2398 (Hueso) Permitting of recycled water facilities. Creates the Recycled Water Act of 2012 and establishes a statewide goal to recycle 1.5 million acre-feet of water by 2020 and 2.5 million acre-feet of water by 2030. Defines highly treated recycled water as Advanced Treated Purified Water and subjects its use to regulation by the Department of Public Health. Defines

less-treated water, known as tertiary treated recycled water, as not waste water and subjects its use to regulation by the State Water Resources Control Board.

Final Status: Held in the Senate Natural Resources Committee.

SB 607 (Walters) Brine waste discharge. Requires the State Water Resources Control Board to either amend the California Ocean Plan or adopt separate standards to address water quality objectives and effluent limitations specifically appropriate to brackish groundwater treatment system facilities that produce municipal water supplies for local use.

Final Status: Signed into law, Chapter 241, Statutes of 2011.

SB 900 (Leno) Regional Water Quality Control Board members. As approved by the Assembly Environmental Safety and Toxic Materials Committee, this bill modified the conflict of interest requirements for appointees to the Regional Water Quality Control Boards to allow a person to be appointed and serve as a member of the Regional Water Quality Control Board if they receive a significant income from a person subject to waste discharge requirements, or an applicant for waste discharge requirements if the waste discharge is outside the jurisdiction of that regional board.

This bill was subsequently amended to remove the provisions related to the Regional Water Quality Control Boards and instead now provides for changes to California's non-judicial foreclosure process. Implements and make permanent the servicing standards and other provisions based on the provisions of the National Mortgage Settlement.

Final Status: Signed into law, Chapter 87, Statutes of 2012.

SB 965 (Wright) Ex-parte communications with State and Regional water board members. Establishes allowable ex parte communications with State Water Resources Control Board and Regional Water Quality Control Board members and increases public access for non-English speaking people.

Final Status: Signed into law, Chapter 551, Statutes of 2012.

SB 1306 (Blakeslee) Peer review of water quality permits. Requires an independent peer review of the scientific basis for the adoption by the State Water Resources Control Board and Regional Water Quality Control Boards of general permit application requirements for stormwater discharges and conditional waivers of waste discharge requirements from irrigated lands.

Final Status: Held in the Assembly Environmental Safety and Toxic Materials Committee.

Site Cleanup: Underground storage tank regulation;
Brownfields; Remediation of contaminated property

AB 291 (Wieckowski) Underground storage tanks: petroleum. Extends for two years a temporary fee paid per gallon on motor vehicle fuel (petroleum storage fee) that the owner of an underground storage tank must pay, from 1.4 mils to 2 mils per gallon, through January 1, 2014.

Final Status: Signed into law, Chapter 569, Statutes of 2011.

AB 358 (Smyth) Hazardous substances: underground storage tanks: releases: reports. Makes changes to the underground storage tank cleanup program including:

- 1) Requires the owner or operator of an underground storage tank to send specified information to the State Water Resources Control Board regarding an unauthorized release of hazardous substances to local agencies on a written or electronic form developed by the board;
- 2) Requires each Regional Water Quality Control Board and local agency to submit a report to the State Water Resources Control Board for all unauthorized releases using the board's Internet-accessible database;
- 3) Allows the State Water Resources Control Board to adopt regulations to specify reporting requirements to implement the provisions of the bill; requires the regulations to be adopted as emergency regulations; and, exempts the adoption of these regulations from certain requirements regarding review by the Office of Administrative Law; and,
- 4) Allows a person required to perform corrective actions under certain federal laws to apply to the State Water Resources Control Board for payment of a claim.

Final Status: Signed into law, Chapter 571, Statutes of 2011.

AB 467 (Eng) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84). Modifies the allocation of Proposition 84 funds collected from responsible parties for groundwater contamination cleanup. Authorizes the Department of Public Health to enter into an agreement with a recipient of a Proposition 84 grant that would authorize the expenditure of the recovered funds from responsible parties to implement ongoing groundwater remediation and treatment activities.

Final Status: Vetoed by Governor.

AB 1221 (Alejo) State Water Pollution Cleanup and Abatement Account. Expands eligibility for funding from the State Water Pollution Cleanup and Abatement Account to include California Native American tribes and not-for-profit organization serving a disadvantaged community with authority to clean up or abate waste.

Final Status: Signed into law, Chapter 517, Statutes of 2011.

AB 1701 (Wieckowski) Underground storage tanks. Requires state certification of cities and counties to oversee the cleanup of underground storage tanks. Provides that a city or county may apply to the State Water Resources Control Board to be certified to implement the local underground storage tank cleanup programs and requires the State Water Resources Control Board to adopt procedures and criteria for certifying cities and counties.

Final Status: Signed into law, Chapter 536, Statutes of 2012.

AB 1715 (Smyth) Underground storage tanks. Establishes requirements for the State Water Resources Control Board for review, reporting and enforcing the closure of underground storage tank clean-ups. Limits the authority of Regional Water Quality Control Boards or local agencies from issuing a corrective action directive for a tank case until the State Water Resources Control Board issues a decision regarding the closure of the tank case

Final Status: Signed into law, Chapter 237, Statutes of 2012.