

Date of Hearing: June 30, 2026

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

SB 883 (Umberg) – As Amended June 18, 2026

SENATE VOTE: 37-0

SUBJECT: Reactive chemicals: facilities: methyl methacrylate.

SUMMARY: Prohibits a city or county from approving a building permit for a reactive chemical storage facility with the potential for an explosion due to a thermal runaway reaction unless the facility meets specified conditions. Adds methyl methacrylate (MMA) to the list of regulated substances under the California Accidental Release and Prevention Program (CalARP). Specifically, **this bill:**

- 1) Prohibits a city or county from approving a building permit for a new, expanded, or modified reactive chemical storage facility with the potential for an explosion due to thermal runaway reaction that may cause injury or death to any person outside the proposed facility's property boundary, unless all of the following conditions are met:
 - a) The proposed facility has a backup cooling system for the reactive chemical storage;
 - b) The application for the building permit demonstrates that the proposed facility is not adjacent to a home or other building that may contain people such as a school or business; and,
 - c) The city council or county board of supervisors provides the public with notice and the opportunity to comment on the proposed facility.
- 2) Designates the fire department or fire authority, rather than the county health department, as the entity that has primary jurisdiction to mitigate the crisis if an explosion occurs at a reactive chemical storage facility.
- 3) Requires a city or county, if it approves a building permit for a reactive chemical storage facility, to notify the Office of Emergency Services (OES) and the Office of Environmental Health Hazard Assessment (OEHHA).
- 4) Prohibits the approval of a building permit from using the advanced manufacturing exemption under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under paragraph (4) of subdivision (a) of Section 21080.69 of the Public Resources Code.
- 5) Requires, by January 1, 2028, OES to develop and post on its internet website a map identifying all existing reactive chemical storage facilities in the state and update the map when a new, expanded, or modified reactive chemical storage facility is approved for a building permit.
- 6) Requires OEHHA to consider an existing, new, expanded, or modified reactive chemical storage facility as a factor in determining pollution burden as part of the California Communities Environmental Health Screening, also known as CalEnviroScreen.

- 7) Requires a certified unified program agency (CUPA) to routinely conduct an inspection of each reactive chemical storage facility in its jurisdiction, no less than once annually.
- 8) Requires a CUPA, following an inspection of a reactive chemical storage facility, to report the results of the inspection to the California Environmental Protection Agency, the Office of the State Fire Marshall, and OES.
- 9) Adds MMA to the list of regulated substances under the CalARP program.
- 10) Provides that any amount received in settlement for claims relating to the May 2026 chemical incident at the GKN Aerospace manufacturing facility, for a qualified taxpayer, as defined, would not count as gross income.

EXISTING LAW:

- 1) Enacts the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 to help communities plan for chemical emergencies. EPCRA requires industry to report on the storage, use, and releases of hazardous substances to federal, state, and local governments. It also requires state and local governments, and Indian tribes to use this information to prepare their community for potential risks. (42 United States Code § 11001 et seq.)
- 2) Defines "Certified Unified Program Agency" or "CUPA" as the agency certified by the Secretary of the California Environmental Protection Agency (CalEPA) to implement the unified program within a jurisdiction. (Health and Safety Code (HSC) § 25404(a)(1)(A))
- 3) Defines "Unified Program Agency" or "UPA" as the CUPA to implement or enforce a particular Unified Program element. UPAs have the responsibility and authority to implement and enforce the unified program requirements and implementing regulations. (HSC § 25404(a)(1)(C))
- 4) Requires the Secretary of CalEPA to adopt implementing regulations and implement a unified hazardous waste and hazardous materials management regulatory program, known as the unified program. (HSC § 25404(b))
- 5) Requires a business to establish and implement a Business Plan of a hazardous material if the business meets specified criteria. (HSC § 25507(a))
- 6) Requires a unified program agency to make the information in the statewide information management system submitted by the unified program agency available for public inspection during the regular working hours of the unified program agency, except the information specifying the precise location where hazardous materials are stored and handled onsite, including any maps. (HSC § 25509)
- 7) Requires, on or before January 1, 2022, OES to adopt regulations establishing reporting requirements for a hazardous material, hazardous waste, or hazardous substance release or threatened release [*As of the date of this hearing the regulations to establish reporting requirements for the release or threatened release of a hazardous material, hazardous waste, or hazardous substance have not been submitted to Office of Administrative Law*] (HSC 25510 § (c))

FISCAL EFFECT: Unknown.

COMMENTS:

Need for the bill: According to the author,

"As a legislator it is my duty to protect the safety and wellbeing of not only my constituents, but all Californians, and the incident that occurred in my district can not happen again. The potential for destruction was very high, and we are lucky that no property or lives were lost.

SB 883 fills significant gaps in existing legislation by raising transparency surrounding high-risk facilities, tightening emergency planning standards, improving cooperation during chemical emergencies, and giving communities better access to information about possible risks. This bill will also improve California's capacity to identify facilities that hold chemicals that might cause thermal runaway reactions and ensure that enough safety precautions are in place to limit the possibility of catastrophic accidents.

As California's energy storage, chemical production, and industrial processing facilities expand, state policies must keep up with the growing safety challenges these industries present. Communities need to be informed about potential risks in their areas, and first responders must have the tools, training, and knowledge necessary to protect the public.

SB 883 provides a balanced and realistic approach to protecting Californians while still encouraging economic growth. This bill, which improves monitoring, planning, and openness, will help prevent future incidents and more effectively protect citizens throughout California."

Certified Unified Program Agencies (CUPAs): CUPAs are local agencies certified by the Secretary of CalEPA to implement and enforce six "unified hazardous waste and hazardous materials management" regulatory programs (Unified Program). Currently, there are 81 CUPAs in California tasked with implementation and enforcement of the following:

- 1) Hazardous Materials Release Response Plans and Inventories (Business Plans);
- 2) California Accidental Release Prevention (CalARP) Program;
- 3) Underground Storage Tank Program (USTP);
- 4) Aboveground Petroleum Storage Act (APSA);
- 5) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs; and,
- 6) California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements.

Hazardous Materials Business Plan (Business Plan) program: The Business Plan program was enacted in 1986 with the purpose of preventing or minimizing the damage to public health and safety and the environment that can be caused by a release or threatened release of hazardous materials. The Business Plan satisfies community right-to-know laws, mandated by the 1986 federal EPCRA. Community right-to-know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. Crucially, the Business Plan enables first responders to make informed decisions in the event of an emergency to protect public health, safety, and the environment.

California Accidental Release Prevention (CalARP) program: The goal of the CalARP program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. CalARP requires businesses that produce, handle, process, distribute, or store certain chemicals over a threshold quantity to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the RMP to their CUPA. Regulated substances are those listed either on the federal list (40 Code of Federal Regulations § 68.130) or the state list (22 California Code of Regulations § 2770.5). An RMP is a detailed engineering analysis of the potential accidental factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The RMP contains safety information; a hazard review; operating procedures; training requirements; maintenance requirements; compliance audits; and, incident investigation procedures. The RMP must also consider proximity to sensitive populations such as children or seniors and external factors such as seismic activity.

Changes to the HMBP and CalARP programs: In 2021, the Legislature passed and the Governor signed Assembly Bill (AB) 148 (Chapter 115, Statutes of 2021), which transferred the responsibility for the HMBP and CalARP programs from the California Governor’s Office of Emergency Services (Cal OES) to CalEPA.

California Communities Environmental Health Screening (CalEnviroScreen): CalEnviroScreen, administered by OEHHA, is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution’s effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. CalEnviroScreen ranks communities based on data that are available from state and federal government sources. Below are the pollution burden indicators and population indicators:

Pollution burden indicators	Air quality (ozone), air quality (PM2.5), children's lead risk from housing, diesel particulate matter, drinking water contaminants, pesticide use, toxic releases from facilities, traffic impacts, cleanup sites, groundwater threats, hazardous waste generators and facilities, impaired water bodies, and solid waste sites and facilities
Population characteristic indicators	Asthma, cardiovascular disease, low birth weight infants, educational attainment, housing burden, linguistic isolation, poverty, and unemployment

This bill: Requires OEHHA to consider an existing, new, expanded, or modified reactive chemical storage facility as a factor in determining pollution burden as part of CalEnviroScreen.

Chemical Safety Board: Improving Reactive Hazard Management: In 2002, the United States Chemical Safety and Hazard Investigation Board (Chemical Safety Board) released the report, *Improving Reactive Hazard Management* (report). The report summarized the concerns with reactive hazards as follows:

"The capability of chemical substances to undergo reactions, or transformations in their structure, is central to the chemical processing industry. Chemical reactions allow for a diversity

of manufactured products. However, chemical reactivity can lead to significant hazards if not properly understood and controlled. Reactivity is not necessarily an intrinsic property of a chemical substance. The hazards associated with reactivity are related to process-specific factors, such as operating temperatures, pressures, quantities handled, concentrations, the presence of other substances, and impurities with catalytic effects. Safely conducting chemical reactions is a core competency of the chemical manufacturing industry. However, chemical reactions can rapidly release large quantities of heat, energy, and gaseous byproducts. Uncontrolled reactions have led to serious explosions, fires, and toxic emissions. The impacts may be severe in terms of death and injury to people, damage to physical property, and effects on the environment. In particular, incidents at Napp Technologies in 1995 and Morton International in 1998 raised concerns about reactive hazards to a national level. These and other incidents across the United States underscore the need to improve the management of reactive hazards."

Additionally, the report includes various recommendations for federal agencies. The two recommendations for the United States Environmental Protection Agency (US EPA) are:

- 1) Revise the Accidental Release Prevention Requirements, 40 CFR 68 (RMP), to explicitly cover catastrophic reactive hazards that have the potential to seriously impact the public, including those resulting from self-reactive chemicals and combinations of chemicals and process-specific conditions. Take into account the recommendations of this report for(?) OSHA on reactive hazard coverage. Seek congressional authority if necessary to amend the regulation; and,
- 2) Modify the accident reporting requirements in RMP Info to define and record reactive incidents. Consider adding the term "reactive incident" to the four existing "release events" in US EPA's current 5-year accident reporting requirements (Gas Release, Liquid Spill/Evaporation, Fire, and Explosion). Structure this information collection to allow US EPA and its stakeholders to identify and focus resources on industry sectors that experienced the incidents; chemicals and processes involved; and impact on the public, the workforce, and the environment."

Incident in Garden Grove May 2026: On May 21, 2026, a chemical storage tank containing approximately 5,000 to 7,000 gallons of MMA, a volatile and highly flammable liquid, began heating up and emitting toxic fumes at a GKN Aerospace facility in the City of Garden Grove within Orange County. As a result, the area surrounding the chemical incident was placed under an evacuation order, to which approximately 50,000 local residents were subject to. Evacuation orders were partially lifted on Monday, May 25, and lifted in full on Tuesday, May 26. Site response and recovery work continued under the oversight of the Orange County Health Care Agency (OCHCA), which functions as the county's CUPA. GKN Aerospace's facility has been in Garden Grove for 60 years and today employs more than 500 people. The facility manufactures aerospace canopies, cabin windows, and flight deck windows for commercial and military aircraft as well as spacecraft.

Methyl methacrylate, or MMA: MMA is an industrial chemical widely used in the manufacture of acrylic materials, coatings, composites, and specialty components, including aerospace applications. Like many industrial chemicals, MMA must be stored and managed within specific operating conditions. MMA is irritating to the skin, eyes, and mucous membranes in humans. An allergic response to dermal exposure may develop. Respiratory effects have been reported in humans following acute (short-term) and chronic (long-term) inhalation exposures. Respiratory

symptoms observed following acute exposures include chest tightness, dyspnea, coughing, wheezing, and reduced peak flow. Neurological symptoms have also been reported in humans following acute exposure to MMA. Fetal abnormalities have been reported in animals exposed to MMA by injection and inhalation.

MMA is used in the manufacture of methacrylate resins and plastics (e.g., Plexiglas). The principal uses of MMA are: cast sheet and other grades (advertising signs and displays, lighting fixtures, glazing and skylights, building panels and sidings, and plumbing and bathroom fixtures), molding/extrusion powder, and coatings (latex paints, lacquer, and enamel resins). MMA is used in the impregnation of concrete to make it water-repellent, and also has uses in the fields of medicine and dentistry to make prosthetic devices and as a ceramic filler or cement.

This bill: SB 883 would add MMA to the list of regulated substances under the CalARP program.

Continued discussions: Given that this bill was recently substantively amended, as the bill moves through the legislative process the author may wish to address the following issues:

- 1) Define "reactive chemical storage facility," to better describe the type of facilities the author wishes to include, and also consider the conditions such a facility would be required to meet, potentially looking at various best management practices;
- 2) Consider clarifying that the local government requirements apply to a city and county;
- 3) Consider clarifying that the fire department has primary jurisdiction for an explosion or a threat of explosion;
- 4) Consider whether or not it is appropriate for OES to post a map of reactive chemical storage facilities or if there are other options that balance public information with protecting potentially sensitive information;
- 5) Clarifying the CUPAs inspection role of reactive chemical storage facilities as compared to the CUPAs existing inspection requirements; and,
- 6) Consider whether the class of reactive chemicals (reactive hazards), as recommended by the U.S. Chemical Safety Board, should be included in the CalARP program.

Double-referral: This bill will be heard in the Assembly Emergency Management Committee on June 29 and if it passes that committee will be heard in the Assembly Environmental Safety and Toxic Materials Committee.

This bill: SB 883 responds to the incident in Garden Grove in May 2026 by prohibiting a city or county from approving a building permit for a reactive chemical storage facility with the potential for an explosion due to a thermal runaway reaction unless the facility meets specified conditions. Additionally, the bill adds MMA to the list of regulated substances under the CalARP Program. This bill is a work in progress, but it is on the right path. As noted above, there will be some work on definitions and refinements to the bill. Aligning some of the bill's provisions with how programs under the CUPAs are implemented will be helpful for both the regulators and the regulated community.

Arguments in support: According to a coalition of environmental organizations:

"On behalf of the undersigned organizations, we are glad to support Senate Bill 883 (Umberg), which increases California's oversight of reactive chemical storage facilities and improves protections for communities, workers, and first responders.

Recent chemical storage events, such as the near disaster at the Garden Grove chemical facility in 2026, have highlighted the considerable risks presented by facilities that store reactive chemicals that can cause thermal runaway. These incidents can include fires, explosions, toxic discharges, evacuations, property destruction, and large financial costs for local populations. California must take aggressive measures to mitigate these dangers and strengthen community preparedness.

SB 883 fills significant gaps in existing legislation by raising transparency surrounding high-risk facilities, tightening emergency planning standards, improving cooperation during chemical emergencies, and giving communities better access to information about possible risks. This bill will also improve California's capacity to identify facilities that hold chemicals that might cause thermal runaway reactions and ensure that enough safety precautions are in place to limit the possibility of catastrophic accidents.

As California's energy storage, chemical production, and industrial processing facilities expand, state policies must keep up with the growing safety challenges these industries present. Communities need to be informed about potential risks in their areas, and first responders must have the tools, training, and knowledge necessary to protect the public.

SB 883 provides a balanced and realistic approach to protecting Californians while still encouraging economic growth. This bill, which improves monitoring, planning, and openness, will help prevent future incidents and more effectively protect citizens throughout California."

Arguments in opposition: According to a group of business organizations:

"The impact on residents of Orange County from the recent incident was significant and we fully appreciate and understand the desire to ensure appropriate regulatory safeguards are in place to protect human health and the environment. Safety is our top priority, and our member companies are committed to advancing safety and sustainability in the communities where we operate and in the products we manufacture.

Given the bill was only recently amended, we are continuing to seek input from potentially impacted industry sectors and will provide additional feedback once it becomes available. However, we have identified some initial concerns that we feel warrant further discussion as the bill moves through the process.

Some terms and provisions are currently undefined (e.g. reactive chemical storage facility) that raise concerns as to the broad scope of potentially impacted industry sectors. Chemical, pharmaceutical, and semiconductor manufacturing, water treatment depots, mining supply facilities and industrial gas distributors are just a few of the industry sectors that could be subject to these new requirements.

The bill requires certain measures to be in place (e.g. backup cooling system for reactive chemical storage) before a new building permit for a new reactive chemical storage facility is approved. While this type of safety measure may be appropriate for some types of reactive chemical hazards, other safety measures may be more appropriate for others. We are concerned with imposing such a singular requirement in statute. It may be more appropriate to see the results of any investigation into the incident before identifying specific remedies or requirements that may or may not be focused on addressing the root cause.

Other issues that we believe warrant further discussion include how this bill and these requirements may or may not intersect with existing hazardous materials management programs, including the Hazardous Materials Business Plan program and the California Accidental Release Prevention (CalARP) program; the necessity of the newly proposed CalEnviroScreen provision; and the blanket prohibition of these types of facilities being eligible for the advanced manufacturing CEQA exemption."

Related legislation:

- 1) AB 760 (Ta, 2026). Enacts personal income and corporation tax exclusions for settlement payments made in connection with the 2026 Garden Grove chemical leak. This bill passed the Senate Revenue and Taxation Committee on June 24, 2026 and is pending action in the Senate Appropriations Committee.
- 2) AB 1459 (ESTM Committee, Chapter 89, Statutes of 2025). Makes various technical changes to the six unified hazardous waste and hazardous materials management regulatory programs that are overseen by the CUPAs.
- 3) AB 2699 (Wendy Carillo, 2024). Requires CalEPA to be responsible for the adoption and revision of regulations establishing reporting requirements for a hazardous material, hazardous waste, or hazardous substance release or threatened release. Increases administrative penalties for violations under the HBMP Program and increases penalties for civil and administrative violations under the CalARP Program. This bill was held on the suspense file in the Assembly Appropriations Committee.
- 4) AB 1716 (ESTM Committee, Chapter 207, Statutes of 2023). Makes various technical changes to the six unified hazardous waste and hazardous materials management regulatory programs that are overseen by the CUPAs.
- 5) AB 2059 (Carrillo, Chapter 278, Statutes of 2022). Requires specified suppliers of hazardous materials to maintain records of sales and provisions of hazardous materials of specified quantities to a business in the state for at least one year, and provide such records to a CUPA within five days of a request. Narrows the definition of retail establishment for purposes of hazardous material reporting and limits current exemptions of consumer products as specified from inclusion in a business plan for emergency response to a release or threatened release.
- 6) AB 1429 (Chen, Chapter 66, Statutes of 2019). Authorizes a business that handles hazardous materials to submit their Business Plan to CERS once every three years, instead of annually, if that business is not required to submit Tier II chemical inventory information under the federal EPCRA of 1986.

- 7) AB 1500 (Carrillo, 2019). Would have authorized a CUPA or a local health officer to temporarily suspend a facility permit, including the shutdown of a facility, if conditions at the facility pose an imminent or substantial endangerment to public health and safety. Clarifies the authority of a CUPA, subject to its jurisdiction, to fine or penalize a facility that is operating without a permit. This bill was held on the suspense file in the Senate Appropriations Committee.
- 8) AB 1689 (ESTM Committee, Chapter 159, Statutes of 2017). Adds combustible metals and metal alloys to the list of materials a business must include in its hazardous materials business plan.

REGISTERED SUPPORT / OPPOSITION:

Support

7th Generation Advisors
Ahri for Justice
APEN Action
California Environmental Voters
Center for Biological Diversity
Center on Race, Poverty & the Environment
Coalition for Clean Air
County Behavioral Health Directors Association
Harbor Institute for Immigrant and Economic Justice
Leadership Counsel for Justice & Accountability
Natural Resources Defense Council
Pesticide Action & Agroecology Network
Physicians for Social Responsibility - Los Angeles
Physicians for Social Responsibility - San Francisco Bay
San Francisco Baykeeper
Shasta County Board of Supervisors
Sierra Club

Opposition

Aerospace and Defense Alliance of California
American Chemistry Council
California Council for Environmental & Economic Balance
California Manufacturers & Technology Association
Chemical Industry Council of California
Western States Petroleum Association

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