

AMENDED IN SENATE JULY 14, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY MAY 7, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1427**

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**Introduced by Assembly Member Maddox**

February 21, 2003

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An act relating to biological solids.

LEGISLATIVE COUNSEL'S DIGEST

AB 1427, as amended, Maddox. Biosolids: study.

(1) The existing Porter-Cologne Water Quality Control Act generally requires the California regional water quality control boards to prescribe waste discharge requirements for individual waste discharges. The act requires the State Water Resources Control Board or a regional board, upon receipt of an application for waste discharge requirements for discharges of dewatered, treated, or chemically fixed sewage sludge and other biological solids, to prescribe general waste discharge requirements for those sludges and solids, as specified.

The ~~existing~~ California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, establishes an integrated waste management program, including the regulation of solid waste disposal. Existing law authorizes the board to approve the use of compost, cocompost, and chemically fixed sewage sludge for use as solid waste landfill cover materials or for use as

extenders for currently used cover material, if the board makes a specified evaluation.

The bill would require the California Environmental Protection Agency, and its boards, offices, and departments, in consultation with the Department of Food and Agriculture, the regulated industry, local jurisdictions, and other stakeholders, to conduct a study, utilizing existing ~~and appropriate~~ scientific data, existing research, and specified documents to determine the feasibility of establishing a statewide policy on biosolids treatment, disposal, and recycling. The bill would require this study to also examine alternative technologies for the treatment, disposal, and recycling of biosolids and identify areas, jurisdictions, and other markets that can utilize treated biosolids.

The bill would, on or before December 31, ~~2004~~ 2005, require the agency to ~~report the findings developed under~~ submit that study to the Legislature.

(2) The bill would require the Orange County Sanitation District to pay the California Environmental Protection Agency, *including the boards, offices, and departments within the agency, and the Department of Food and Agriculture*, for the costs of conducting the study required by this ~~section~~ bill, thereby imposing a state-mandated local program by imposing a new duty upon a local agency.

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

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

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

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. (a) The Legislature finds and declares that~~  
2 ~~biosolids are primarily organic solids left from municipal~~  
3 ~~wastewater treatment processes.~~  
4 ~~(b) It is the intent of the Legislature to promote cooperation~~  
5 ~~among state agencies and local governments on matters relating to~~  
6 ~~the treatment, disposal, and recycling of biosolids. This~~  
7 ~~cooperation is necessary to protect the public health and the~~  
8 ~~environment. Fragmented and inconsistent regulatory approaches~~



1 ~~among local jurisdictions regarding the treatment, disposal, and~~  
2 ~~recycling of biosolids hamper the development and~~  
3 ~~implementation of a coordinated statewide approach to the proper~~  
4 ~~management and oversight of biosolids.~~

5 ~~(e) The Legislature further finds that the potential effects of~~  
6 ~~biosolids recycling have been analyzed in numerous studies in the~~  
7 ~~past.~~

8 ~~(d)~~

9 *SECTION 1. (a) (1) The California Environmental*  
10 *Protection Agency, and its boards, offices, and departments, in*  
11 *consultation with the Department of Food and Agriculture, the*  
12 *regulated industry, local jurisdictions, and other stakeholders,*  
13 *shall conduct a study, utilizing existing and appropriate scientific*  
14 *data, to determine the feasibility of establishing a statewide policy*  
15 *on biosolids treatment, disposal, and recycling.*

16 (2) Whenever possible, the study shall review and utilize  
17 existing ~~appropriate~~ biosolids research literature and scientific  
18 data as a basis for the policy development.

19 (3) The study shall utilize, but not be limited to, the analysis,  
20 scientific information, and the technical support documents  
21 generated during the development of the federal Environmental  
22 Protection Agency's biosolids regulations that are found in Part  
23 503 (commencing with Section 503.1) of Subchapter N of Chapter  
24 I of Title 40 of the Code of Federal Regulations and the scientific  
25 information and documents from the study recently conducted by  
26 the State Water Resources Control Board that was mandated by  
27 Section 13274 of the Water Code, as the basis for the statewide  
28 biosolids policy.

29 (4) The study shall also examine alternative technologies for  
30 the treatment, disposal, and recycling of biosolids, and identify  
31 areas, jurisdictions, and other markets that can utilize treated  
32 biosolids.

33 ~~(e) On or before December 31, 2004, the California~~  
34 ~~Environmental Protection Agency shall report the findings under~~  
35 ~~the study described in subdivision (d) to the Legislature.~~

36 ~~(f)~~

37 *(b) On or before December 31, 2005, the California*  
38 *Environmental Protection Agency shall submit the study required*  
39 *pursuant to subdivision (a) to the Legislature.*



1 (c) The Orange County Sanitation District shall pay the  
2 California Environmental Protection Agency, *including the*  
3 *boards, offices, and departments within the agency, and the*  
4 *Department of Food and Agriculture*, for the costs of conducting  
5 the study required by subdivision ~~(d)~~ (a).

6 SEC. 2. No reimbursement is required by this act pursuant to  
7 Section 6 of Article XIII B of the California Constitution because  
8 the only costs that may be incurred by a local agency or school  
9 district are the result of a program for which legislative authority  
10 was requested by that local agency or school district, within the  
11 meaning of Section 17556 of the Government Code and Section  
12 6 of Article XIII B of the California Constitution.

