

AMENDED IN ASSEMBLY APRIL 1, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2654

Introduced by Assembly Member ~~Nunez~~ *Matthews*

February 20, 2004

An act to ~~amend Section 32284 of the Education Code, relating to public schools~~ *add Section 25150.7 to the Health and Safety Code, relating to hazardous waste.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2654, as amended, ~~Nunez~~ *Matthews*. ~~School safety plans: pesticides~~ *Hazardous waste disposal: ash debris.*

~~Existing law requires each school district and county office of education to develop a comprehensive safety plan for its schools operating any combination of kindergarten to grade 12, inclusive, and establishes the procedures to be used in developing these plans. Existing law authorizes that plan to include procedures for responding to the release of a pesticide or other toxic substance from properties located within 1/4 mile of a school.~~

~~This bill would make technical, nonsubstantive changes to that law.~~

Existing law prohibits the management of hazardous waste except as provided in the hazardous waste control laws. Existing law requires a public agency, or its contractor, that operates a household hazardous waste collection facility to be certified by the Department of Toxic Substances Control and allows such a facility to accept household hazardous waste and hazardous waste generated by conditionally exempt small quantity generators. Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the

California regional water quality control boards regulate water quality in the state and prescribe waste discharge requirements.

This bill would allow a person to dispose of hazardous waste resulting from a wildfire, mud slide, earthquake, or other natural disaster, that cannot be safely separated from ash or debris at a certified household hazardous waste collection facility or a solid waste landfill authorized to receive the hazardous waste under waste discharge requirements issued by a regional board pursuant to the Porter-Cologne Water Quality Control Act.

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

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

1 ~~SECTION 1. — Section 32284 of the Education Code is~~
2 *SECTION 1. Section 25150.7 is added to the Health and*
3 *Safety Code, to read:*
4 *25150.7. (a) Notwithstanding any other provision of law,*
5 *including, but not limited to, Article 10.8 (commencing with*
6 *Section 25218), a person may dispose of hazardous waste subject*
7 *to this section in the following manner:*
8 *(1) The waste may be submitted to a household hazardous*
9 *waste collection facility certified pursuant to Section 25218.2.*
10 *(2) The waste may be submitted to a solid waste landfill*
11 *authorized to receive the hazardous waste under waste discharge*
12 *requirements issued pursuant to Article 4 (commencing with*
13 *Section 13260) of Division 7 of the Water Code.*
14 *(b) Hazardous waste subject to this section shall meet all of the*
15 *following requirements:*
16 *(1) During emergency clean up efforts after a wildfire, mud*
17 *slide, earthquake, or other natural disaster, restoration workers*
18 *shall evaluate readily identifiable hazardous waste and determine*
19 *if the hazardous waste can be safely segregated and separately*
20 *managed from the ash or debris.*
21 *(3) Any identifiable hazardous waste shall be separated from*
22 *ash or debris whenever it is possible to safely do so.*
23 *(c) If the hazardous waste cannot be separated safely from ash*
24 *or debris, the hazardous waste shall be contained and disposed of*
25 *pursuant to subdivision (a).*
26 ~~amended to read:~~



1 ~~32284. The comprehensive school safety plan may also~~
2 ~~include, at local discretion of the governing board of a school~~
3 ~~district and using local funds, procedures for responding to the~~
4 ~~release of a pesticide or other toxic substance from properties~~
5 ~~located within one-quarter mile of a schoolsite. No funds received~~
6 ~~from the state may be used for this purpose.~~

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