

ASSEMBLY BILL

No. 445

Introduced by Assembly Member Carter

February 15, 2011

An act to amend Section 25101 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 445, as introduced, Carter. Hazardous waste.

Existing law provides for the regulation of hazardous waste by the Department of Toxic Substances Control and makes a declaration of legislative intent regarding that regulation.

This bill would delete obsolete provisions from, and make nonsubstantive changes to, that declaration of legislative intent.

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

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

- 1 SECTION 1. Section 25101 of the Health and Safety Code is
- 2 amended to read:
- 3 25101. The Legislature therefore declares that:
- 4 (a) In order to protect the public health and the environment
- 5 and to conserve natural resources, it is in the public interest to
- 6 establish regulations and incentives—~~which~~ to ensure that the
- 7 generators of hazardous waste employ technology and management
- 8 practices for the safe handling, treatment, recycling, and destruction
- 9 of their hazardous wastes prior to disposal.

1 ~~(b) In order to assist the generators of hazardous waste in~~
 2 ~~meeting the responsibility for the safe disposal of hazardous waste~~
 3 ~~it is necessary to establish the Hazardous Waste Management~~
 4 ~~Council.~~

5 ~~(e)~~

6 ~~(b) The Legislature further declares that in order to protect the~~
 7 ~~public of this state and particularly the communities where~~
 8 ~~hazardous wastes are treated and disposed of, it is essential to~~
 9 ~~assure ensure full compensation of all people injured or damaged~~
 10 ~~by hazardous wastes. It is therefore necessary that the Hazardous~~
 11 ~~Waste Management Council, created pursuant to Section 25206,~~
 12 ~~make recommendations regarding a system of insurance and~~
 13 ~~mechanisms establishing liability to achieve this result, as required~~
 14 ~~by subdivision (e) of Section 25208.~~

15 ~~(d)~~

16 ~~(c) It is in the best interest of the health and safety of the people~~
 17 ~~of the State of California for the state to obtain and maintain~~
 18 ~~authorization to administer a state hazardous waste program in~~
 19 ~~lieu of the federal program pursuant to Section 3006 of Public Law~~
 20 ~~94-580, as amended, the Resource Conservation and Recovery~~
 21 ~~Act of 1976 (42 U.S.C. 6926). Therefore, it is the intent of the~~
 22 ~~Legislature that the director shall have those powers necessary to~~
 23 ~~secure and maintain interim and final authorization for the state~~
 24 ~~hazardous waste program pursuant to the requirements of Section~~
 25 ~~3006 of Public Law 94-580, the Resource Conservation and~~
 26 ~~Recovery Act of 1976 (42 U.S.C. 6926), and to implement such~~
 27 ~~that program in lieu of the federal program.~~