

ASSEMBLY BILL

No. 1776

Introduced by Assembly Member Obernolte

February 3, 2016

An act to amend Section 25113 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1776, as introduced, Obernolte. Hazardous waste: disposal: exemption.

Existing law prohibits the management of hazardous waste except in accordance with the hazardous waste control laws and prohibits the disposal of hazardous waste except at a disposal site or at a facility of an owner or operator who holds a valid hazardous waste facilities permit or other grant of authorization from the Department of Toxic Substances Control to use and operate the site or facility. Existing law defines the term “disposal” for purposes of the hazardous waste control laws as including the discharge, deposit, injection, dumping, spilling, leaking, or placing of a waste into or on any land.

This bill would exclude, from the definition of the term “disposal” under those laws, the onsite movement of soil at an active outdoor sport shooting range, as defined, if this movement is done to facilitate the removal and recycling of spent ammunition materials existing on the site as a result of the normal use of the shooting range and the residual soil is replaced within the area from which it was originally removed.

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

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

1 SECTION 1. Section 25113 of the Health and Safety Code is
 2 amended to read:
 3 25113. (a) (1) “Disposal” means either of the following:
 4 (1)
 5 (A) The discharge, deposit, injection, dumping, spilling, leaking,
 6 or placing of any waste so that the waste or any constituent of the
 7 waste is or may be emitted into the air or discharged into or on
 8 any land or waters, including groundwaters, or may otherwise
 9 enter the environment.
 10 (2)
 11 (B) The abandonment of any waste.
 12 (2) “Disposal” does not include the onsite movement of soil at
 13 an active outdoor sport shooting range if this movement is done
 14 to facilitate the removal and recycling of spent ammunition
 15 materials existing on the site as a result of the normal use of the
 16 shooting range and the residual soil is replaced within the area
 17 from which it was originally removed.
 18 (3) For purposes of this section, “sport shooting range” has
 19 the same meaning as in paragraph (2) of subdivision (a) of Section
 20 3482.1 of the Civil Code.
 21 (b) The amendment of ~~the this section made at~~ by Section 2 of
 22 Chapter 1436 of the ~~1989-90 Regular Session Statutes of the~~
 23 ~~Legislature 1989~~ does not constitute a change in, but is declaratory
 24 of, the existing law.

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