

AMENDED IN SENATE MAY 1, 1997

SENATE BILL

No. 675

Introduced by Senator Costa

February 25, 1997

An act to amend and repeal Section 41705 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 675, as amended, Costa. Air pollution: odors.

Existing law prohibits the discharge of any air contaminant or other material that causes injury, detriment, nuisance, or annoyance to, or that endangers, a considerable number of persons or the public. Existing law exempts from that prohibition, until October 16, 1997, odors emanating directly from a facility or operations that produce, manufacture, or handle compost, as defined.

This bill would extend that exemption indefinitely *and require the California Integrated Waste Management Board, not later than April 1, 1998, to convene a working group, as prescribed, to assist in the implementation of the exemption.*

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. 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 41705 of the Health and Safety
2 Code, as amended by Section 2.1 of Chapter 952 of the
3 Statutes of 1995, is amended to read:

4 41705. (a) Section 41700 shall not apply to odors
5 emanating from either of the following:

6 (1) Agricultural operations necessary for the growing
7 of crops or the raising of fowl or animals.

8 (2) (A) Operations that produce, manufacture, or
9 handle compost, as defined in Section 40116 of the Public
10 Resources Code, provided that the odors emanate
11 directly from the compost facility or operations.

12 (B) *The California Integrated Waste Management*
13 *Board shall convene, commencing not later than April 1,*
14 *1998, a working group of enforcement agencies and*
15 *districts to assist in the implementation of this paragraph.*
16 *The board, in consultation with the working group, shall*
17 *initiate integrated training activities, regional workshops,*
18 *and local advisory guidance documents to ensure that this*
19 *paragraph is properly implemented by the enforcement*
20 *agencies.*

21 (b) If a district receives a complaint pertaining to an
22 odor emanating from a compost operation exempt from
23 Section 41700 pursuant to paragraph (2) of subdivision
24 (a), that is subject to the jurisdiction of an enforcement
25 agency under Division 30 (commencing with Section
26 40000) of the Public Resources Code, the district shall, as
27 soon as is feasible, refer the complaint to the enforcement
28 agency.

29 SEC. 2. Section 41705 of the Health and Safety Code,
30 as added by Section 2.2 of Chapter 952 of the Statutes of
31 1995, is repealed.

32 SEC. 3. This act is an urgency statute necessary for the
33 immediate preservation of the public peace, health, or
34 safety within the meaning of Article IV of the
35 Constitution and shall go into immediate effect. The facts
36 constituting the necessity are:

37 In order to maintain continuity in achieving the
38 purposes of the California Integrated Waste



1 Management Act of 1989, it is necessary that this act take
2 effect immediately.

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