

Introduced by Senator Alpert

February 26, 1999

An act to amend Section 25249.12 of the Health and Safety Code, relating to toxic chemicals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1269, as introduced, Alpert. Diesel engine exhaust: warning.

Existing law, part of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), an initiative measure, prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from discharging or releasing such a chemical into any source of drinking water, except as specified. Existing law requires the Governor to designate a lead agency and any other agencies that may be required to implement the act and authorizes those agencies to adopt and modify regulations, standards, and permits, as necessary, to implement the act. The act provides that any amendment of its provisions requires a $\frac{2}{3}$ vote of the membership of each house of the Legislature.

This bill would authorize the lead agency, in consultation with the State Air Resources Board, to adopt specific regulations that provide a uniform, statewide warning requirement for environmental exposures to diesel engine exhaust, and would require those regulations to include criteria for determining which facilities are subject to the act's warning requirements for environmental exposures to diesel

exhaust and the methods those facilities may use to comply with those requirements.

The bill, in conformance with the requirements of the act, would make a legislative finding and declaration that the bill would further the purposes of the act.

Vote: ²/₃. 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 25249.12 of the Health and
2 Safety Code is amended to read:

3 25249.12. ~~Implementation.~~ (a) The Governor shall
4 designate a lead agency and ~~such any~~ other agencies ~~as~~
5 ~~that~~ may be required to implement ~~the provisions of~~ this
6 chapter, including this section. Each agency so
7 designated may adopt and modify regulations, standards,
8 and permits, as necessary, to conform with, and
9 implement ~~the provisions of~~, this chapter and to further
10 its purposes.

11 (b) *In consultation with the State Air Resources Board,*
12 *the lead agency designated by the Governor pursuant to*
13 *this section may adopt specific regulations that provide a*
14 *uniform, statewide warning requirement for*
15 *environmental exposures to diesel engine exhaust. These*
16 *regulations shall include both of the following:*

17 (1) *Criteria for determining which facilities are*
18 *subject to the exposure warning requirements of Section*
19 *25249.6 for environmental exposures to diesel engine*
20 *exhaust.*

21 (2) *Methods that the facilities specified in paragraph*
22 *(1) may use to comply with the warning requirements of*
23 *Section 25249.6.*

24 SEC. 2. The Legislature hereby finds and declares
25 that this act furthers the purposes of the Safe Drinking
26 Water and Toxic Enforcement Act of 1986.

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