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The California Governor's Office of Emergency Services (Cal OES), Fire and Rescue Division, Hazardous Materials (HazMat) Section, tracks state and federal legislation impacting California's HazMat accident prevention and emergency response programs and emergency management capabilities. This report is a summary of legislation we are watching and does not reflect in-depth analysis or bill positions.

CHANGES SINCE THE LAST CAL OES LEGISLATIVE UPDATE: October 2016

- Text in **BLUE** denotes a change since the last update.
- Text in **RED** denotes will remove before next update.
- The following bills were added:
- The following bills were modified:
 - [AB – 2272](#)
- The following federal bills, proposed rules, and notices were added:
 - [Federal Rule – 49 CFR Part 110](#)
 - [SB 546 – RESPONSE Act of 2016](#)
- The following bills were **ENROLLED, CHAPTERED, VETOED, or DIED:**
 - [AB – 2272](#)
- Language was amended for the following bills:
 - None

CALIFORNIA BILLS

AB-22

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB22](http://leginfo.legislature.ca.gov/faces/billnavclient.xhtml?bill_id=201520160AB22)

AUTHOR: Rodriguez

TOPIC: Office of Emergency Services: oil-by-rail spills: firefighters.

LAST AMENDED: 5/14/15

SUMMARY: Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies. Existing law requires the office to serve as the central point of state government for the emergency reporting of spills, unauthorized releases, or other accidental releases of hazardous materials and to coordinate the notification of the appropriate state and local administering agencies that may be required to respond to those spills, unauthorized releases, or other accidental releases. Existing law also establishes the Curriculum Development Advisory Committee to provide advice on the development of specified course curricula and response training.

This bill would require, upon a specified appropriation by the Legislature, the Curriculum Development Advisory Committee to review the curriculum and courses of instruction offered by public and private programs that train firefighters in response methods for oil-by-rail spills, require the Office of Emergency Services to compile a list of those curriculum and courses of instruction and make that list available to all fire departments, and establish a program to reimburse fire departments for costs incurred by those departments in sending firefighters to trainings, as provided.

BILL HISTORY:

2015

- Aug 27 In committee: Held under submission.
- Aug 17 In committee: Referred to APPR. suspense file.
- July 14 From committee: Do pass and re-refer to Com. on APPR.
- June 11 Re-referred to Com. on G.O.
- June 1 In Senate. Read first time. To Com. on RLS. for assignment.
- June 1 Read third time. Passed. Ordered to the Senate.
- May 28 Read second time. Ordered to third reading.
- May 28 From committee: Do pass.
- May 20 In committee: Set, first hearing. Referred to APPR. suspense file.
- May 18 Re-referred to Com. on APPR.
- May 14 From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended.
- April 9 From committee: Do pass and re-refer to Com. on APPR. Re-referred to Com. on APPR.
- Feb 17 Referred to Com. on G.O.

2014

- Dec 2 From printer. May be heard in committee January 1.
- Dec 1 Read first time. To print.

AB-45

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB45](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB45)

AUTHOR: Mullin

TOPIC: Household hazardous waste.

LAST AMENDED: 1/21/16

SUMMARY: The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires, among other things, each city and each county to prepare a household hazardous waste element containing specified components, and to submit that element to the department for approval. Existing law requires the department to approve the element if the local agency demonstrates that it will comply with specified requirements. A city or county is required to submit an

annual report to the department summarizing its progress in reducing solid waste, including an update of the jurisdiction's household hazardous waste element.

This bill would require the department to adopt one or more model ordinances for a comprehensive program for the collection of household hazardous waste and would authorize a local jurisdiction that provides for the residential collection and disposal of solid waste that proposes to enact an ordinance governing the collection and diversion of household hazardous waste to adopt one of the model ordinances adopted by the department. The bill would require the department to determine whether a nonprofit organization has been created and funded to make grants to local jurisdictions for specified purposes relating to household hazardous waste disposal and would specify that if the department does not determine that such a nonprofit organization exists by December 31, 2018, then the bill's provisions would be repealed on January 1, 2019.

BILL HISTORY:

2016

- June 29 In committee: Set, final hearing. Hearing canceled at the request of author.
- June 6 In committee: Set, second hearing. Hearing canceled at the request of author.
- May 16 In committee: Set, first hearing. Hearing canceled at the request of author.
- Feb 4 Referred to Com. on E.Q.
- Jan 27 In Senate. Read first time. To Com. on RLS. for assignment.
- Jan 27 Read third time. Passed. Ordered to the Senate. (Ayes 50. Noes 18. Page 3507.)
- Jan 25 Read second time. Ordered to third reading.
- Jan 21 Read second time and amended. Ordered returned to second reading.
- Jan 21 From committee: Amend, and do pass as amended.(Ayes 12. Noes 0.) (January 21).

2015

- May 28 In committee: Hearing postponed by committee.
- May 20 In committee: Set, first hearing. Referred to APPR. suspense file.
- May 4 Re-referred to Com. on APPR.
- April 30 Read second time and amended.
- April 29 From committee: Amend, and do pass as amended and re-refer to Com. on APPR.
- April 27 Re-referred to Com. on E.S. & T.M.
- April 23 From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended.
- April 23 From committee: Do pass and re-refer to Com. on E.S. & T.M. Re-referred to Com. on E.S. & T.M.
- April 14 Re-referred to Com. on L. GOV.
- April 13 From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.
- Mar 23 Re-referred to Com. on L. GOV.
- Mar 19 From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.
- Mar 19 Referred to Coms. on L. GOV. and E.S. & T.M.

2014

Dec 2 From printer. May be heard in committee January 1.

Dec 1 Read first time. To print.

AB-628

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB628](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB628)

AUTHOR: Bloom

TOPIC: Used Oil

LAST AMENDED: 2/25/15

SUMMARY: Existing law authorizes the Department of Toxic Substances Control to regulate the disposal of hazardous waste, including used oil, and, for those purposes, defines “used oil” to mean oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities.

This bill would clarify that the synthetic oil referred to in the definition of “used oil” may be from any source.

BILL HISTORY:

2015

June 23 In committee: Set, first hearing. Hearing canceled at the request of author.

May 21 Referred to Com. on E.Q.

May 7 In Senate. Read first time. To Com. on RLS. for assignment.

May 7 Read third time. Passed. Ordered to the Senate. (Ayes 60. Noes 16. Page 1334.)

Apr 30 Read second time. Ordered to third reading.

Apr 29 From committee: Do pass. (Ayes 6. Noes 1.) (April 28).

Apr 15 In committee: Set, first hearing. Hearing canceled at the request of author.

Mar 9 Referred to Com. on E.S. & T.M.

Feb 25 From printer. May be heard in committee March 27.

Feb 24 Read first time. To print.

AB-1759

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1759](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1759)

AUTHOR: Bonta

TOPIC: Hydrogen fluoride: notice of use: substitution.

LAST AMENDED: 2/2/16

SUMMARY: (1) Existing law requires the State Air Resources Board to adopt airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources. Existing law prescribes civil penalties for violations of specified air pollution control laws,

rules, regulations, permits, or orders of the State Air Resources Board or of an air pollution control district or air quality management district.

This bill would require an owner or operator of an oil refinery that uses hydrogen fluoride, hydrofluoric acid, or modified hydrofluoric acid in its operations to send out biannual notices to each business, school, child care facility, library, church, community facility, senior facility, and residence within a 3.5-mile radius of the refinery, as specified. The bill would require the cost of the notice to be paid by the owner or operator of the refinery. The bill would require the owner or operator to file a copy of the notice and distribution list with the State Air Resources Board. An owner or operator who violates these provisions would be subject to those civil penalties.

(2) Existing law generally regulates the management of hazardous waste. A violation of the hazardous waste control laws is a crime.

This bill would require a business that, at any time, handles, maintains, or stores more than 250 gallons of hydrogen fluoride or hydrofluoric acid to, if possible, convert to a known, significantly less hazardous substitute by January 1, 2017. If that conversion is not possible and the business is located within 2 miles of a residential dwelling, the bill would require the business to cease handling, maintaining, or storing hydrogen fluoride and hydrofluoric acid by January 1, 2017. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

BILL HISTORY:

2016

Mar 8 In committee: Set, first hearing. Hearing canceled at the request of author.

Feb 18 Referred to Coms. on NAT. RES. and E.S. & T.M.

Feb 3 From printer. May be heard in committee March 4.

Feb 2 Read first time. To print.

AB-1776

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1776](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1776)

AUTHOR: Obernolte

TOPIC: Court transcripts: electronic form.

LAST AMENDED: 8/19/16

SUMMARY: Existing law authorizes a court, party, or other person entitled to a transcript to request that it be delivered in computer-readable form, except as specified. Existing law requires that a copy of the original transcript be delivered in computer-readable form upon request if the proceedings were produced utilizing computer-aided transcription equipment, as specified.

This bill would authorize the electronic delivery of transcripts to an appellate court unless the court requests the transcript in paper form.

BILL HISTORY:

2016

- Aug 22 Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(c).
- Aug 22 Read second time. Ordered to third reading.
- Aug 19 Read third time and amended. Ordered to second reading.
- Aug 2 Read second time. Ordered to third reading.
- Aug 1 From committee: Be placed on second reading file pursuant to Senate Rule 28.8.
- June 22 Read second time and amended. Re-referred to Com. on APPR.
- June 21 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 15).
- May 5 Referred to Com. on E.Q.
- Apr 21 In Senate. Read first time. To Com. on RLS. for assignment.
- Apr 21 Read third time. Passed. Ordered to the Senate.
- Apr 14 Read second time. Ordered to Consent Calendar.
- Apr 13 From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (April 13).
- Mar 30 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (March 29). Re-referred to Com. on APPR.
- Mar 28 Re-referred to Com. on E.S. & T.M.
- Mar 17 From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended.
- Feb 18 Referred to Com. on E.S. & T.M.
- Feb 3 From printer. May be heard in committee March 5.
- Feb 2 Read first time. To print.

AB-1902

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1902](http://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1902)

AUTHOR: Wilk

TOPIC: Time for commencing civil actions: Aliso Canyon gas leak.

LAST AMENDED: 2/11/16

SUMMARY: Existing law sets forth a two year statute of limitations for commencing a civil action for injury, illness, or wrongful death based upon exposure to a hazardous material or toxic substance other than asbestos, as specified.

This bill would establish a 3 year statute of limitations for commencing a civil action for injury, illness, or wrongful death based on exposure to methane, benzene, mercaptan, or any other hazardous material or toxic substance resulting from the Southern California Gas Company Aliso Canyon SS-25 gas leak, as specified.

BILL HISTORY:

2016

- Apr 5 In committee: Set, final hearing. Failed passage. Reconsideration granted.
- Mar 29 In committee: Set, second hearing. Hearing canceled at the request of author.
- Mar 8 In committee: Set, first hearing. Hearing canceled at the request of author.
- Feb 25 Referred to Com. on JUD.
- Feb 12 From printer. May be heard in committee March 13.
- Feb 11 Read first time. To print.

AB-1904

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1904](http://leginfo.ca.gov/faces/billnavclient.xhtml?bill_id=201520160AB1904)

AUTHOR: Wilk

TOPIC: Hazardous materials: natural gas odorants.

LAST AMENDED: 6/23/16

SUMMARY: Existing law authorizes the Occupational Safety and Health Standards Board to adopt, amend, and repeal occupational safety and health standards and orders. Existing regulations adopted pursuant to that authorization require natural gas that is delivered into any vessel or system, as specified, to have a distinctive odor of sufficient intensity so that the presence of the gas may be detected down to concentrations in air of not over 20% of the lower explosive limit, and require that these odorants be, among other things, harmless to humans, nontoxic, and noncorrosive to certain metals.

This bill would require the Office of Environmental Health Hazard Assessment to submit a report to the Legislature, on or before January 1, 2019, that includes an assessment of any potential danger of odorants currently used in natural gas storage facilities in the state to public health and safety and the environment, and that identifies alternative odorants for possible use in natural gas storage facilities, as specified. The bill would require the Office of Environmental Health Hazard Assessment to consult with appropriate entities, as specified.

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

BILL HISTORY:

2016

- Aug 11 In committee: Held under submission.
- Aug 8 Referred to APPR. suspense file.
- Aug 3 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.)

- (August 3). Re-referred to Com. on APPR.
- June 30 Re-referred to Com. on E.Q.
- June 23 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.
- June 9 Referred to Com. on RLS.
- June 6 In Senate. Read first time. To Com. on RLS. for assignment.
- June 2 Read third time. Urgency clause adopted. Passed. Ordered to the Senate.
- May 31 Read second time. Ordered to third reading.
- May 27 Read second time and amended. Ordered returned to second reading.
- May 27 From committee: Amend, and do pass as amended. (Ayes 20. Noes 0.) (May 27).
- Apr 13 In committee: Set, first hearing. Referred to suspense file.
- Mar 30 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (March 29). Re-referred to Com. on APPR.
- Feb 25 Referred to Com. on E.S. & T.M.
- Feb 12 From printer. May be heard in committee March 13.
- Feb 11 Read first time. To print.
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AB-1905

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1905](http://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160AB1905)

AUTHOR: Wilk

TOPIC: Natural gas injection and storage: study.

LAST AMENDED: 4/7/16

SUMMARY: Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, stimulation, and abandonment of oil and gas wells in the state. Existing law requires the Secretary of the Natural Resources Agency to complete an independent scientific study on well stimulation treatments, as specified.

The bill would require the Secretary of the Natural Resources Agency, on or before July 1, 2017, to cause to be conducted, and completed, an independent scientific study on natural gas injection and storage practices and facilities, as specified.

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

BILL HISTORY:

2016

- May 27 In committee: Held under submission.
- Apr 20 In committee: Set, first hearing. Referred to APPR. suspense file.
- Apr 11 Re-referred to Com. on APPR.
- Apr 7 Read second time and amended.
- Apr 6 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 4).

Mar 9 In committee: Set, first hearing. Hearing canceled at the request of author.
Feb 25 Referred to Com. on NAT. RES.
Feb 12 From printer. May be heard in committee March 13.
Feb 11 Read first time. To print.

AB-1988

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1988

AUTHOR: Jones

TOPIC: Public meetings: closed sessions: confidential final reports.

LAST AMENDED: 4/25/16

SUMMARY: Existing law authorizes the legislative body of a local agency that has received a confidential final draft audit report from the California State Auditor's Office to hold closed sessions to discuss its response to that report, as specified.

This bill would authorize an audit committee created by charter, ordinance, resolution, or formal action of the legislative body of a city that has received a confidential final report from the city auditor to hold closed sessions to discuss its response to that report.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

BILL HISTORY:

2016

Apr 27 In committee: Set, second hearing. Hearing canceled at the request of author.
Apr 26 Re-referred to Com. on L. GOV.
Apr 25 From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.
Apr 21 In committee: Set, first hearing. Hearing canceled at the request of author.
Feb 25 Referred to Com. on L. GOV.
Feb 17 From printer. May be heard in committee March 18.

Feb 16 Read first time. To print.

AB-2148 – VETOED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2148

AUTHOR: Holden

TOPIC: Unmanned aircraft systems: operation or use within or over state-managed lands or waters.

VETOED: 9/29/16

ENROLLED: 8/31/16

PASSED IN SENATE: 8/23/16

PASSED IN ASSEMBLY: 8/30/16

LAST AMENDED: 8/19/16

SUMMARY: Existing federal law, the Federal Aviation Administration Modernization and Reform Act of 2012, provides for the integration of civil and public unmanned aircraft systems, commonly known as drones, into the national airspace system. Existing law establishes both the Department of Fish and Wildlife and the Department of Parks and Recreation in the Natural Resources Agency. A violation of any rule or regulation made or adopted by the Department of Fish and Wildlife pursuant to the Fish and Game Code is a misdemeanor. A violation of the rules and regulations established by the Department of Parks and Recreation to protect the state park system is punishable as either a misdemeanor or an infraction.

This bill would make it unlawful for any person to operate an unmanned aircraft system in, or fly an unmanned aircraft system over, lands or waters managed by the Department of Fish and Wildlife and Department of Parks and Recreation, except as authorized or unless exempted from this prohibition. The bill would authorize the consideration of certain factors when reviewing a request for authorization for the use of an unmanned aircraft system.

The bill would also make it unlawful to use an unmanned aircraft system to take, or assist in the take of, fish or wildlife for sport purposes, including, but not limited to, the use of unmanned aircraft systems for scouting purposes. The bill would provide that an unmanned aircraft system is a motorized air vehicle within the meaning of a certain existing prohibition and, thus, under that prohibition may not be used to pursue, drive, or herd any bird or mammal, except as specified, including, among other things, specified permits and notices.

Because violations of the provisions of the bill would be crimes, the bill would impose a state-mandated local program

The bill would provide that certain of its provisions are severable and do not apply to the operation of an unmanned aircraft system by a state agency within or over these managed lands or waters, or to any person whom the Federal Aviation Administration authorizes to

operate an unmanned aircraft system for a commercial purpose and who operates it in a manner that complies with that authorization.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

- Sept 29 Vetoed by Governor.
- Sept 8 Enrolled and presented to the Governor at 4 p.m.
- Aug 30 Senate amendments concurred in. To Engrossing and Enrolling.
- Aug 25 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.
- Aug 23 Read third time. Passed. Ordered to the Assembly.
- Aug 22 Read second time. Ordered to third reading.
- Aug 19 Read third time and amended. Ordered to second reading.
- Aug 15 Read second time. Ordered to third reading.
- Aug 11 From committee: Do pass. (Ayes 5. Noes 2.) (August 11).
- Aug 8 Referred to APPR. suspense file.
- Aug 2 Read second time and amended. Re-referred to Com. on APPR.
- Aug 1 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (June 28).
- June 22 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.
- June 9 Referred to Com. on N.R. & W.
- May 19 In Senate. Read first time. To Com. on RLS. for assignment.
- May 19 Read third time. Passed. Ordered to the Senate. (Ayes 57. Noes 18.)
- May 16 Read second time. Ordered to third reading.
- May 12 Read second time and amended. Ordered returned to second reading.
- May 11 From committee: Amend, and do pass as amended. (Ayes 15. Noes 5.) (May 11).
- Apr 26 Re-referred to Com. on APPR.
- Apr 25 Read second time and amended.
- Apr 21 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 10. Noes 3.) (April 19).
- Apr 13 Re-referred to Com. on W., P., & W.
- Apr 12 From committee chair, with author's amendments: Amend, and re-refer to Com. on W., P., & W. Read second time and amended.
- Apr 6 From committee: Do pass and re-refer to Com. on W., P., & W. (Ayes 10. Noes 0.) (April 5). Re-referred to Com. on W., P., & W.
- Mar 17 Re-referred to Com. on P. & C.P.
- Mar 16 From committee chair, with author's amendments: Amend, and re-refer to Com. on P. & C.P. Read second time and amended.

Feb 29 Referred to Coms. on P. & C.P. and W., P., & W.
Feb 18 From printer. May be heard in committee March 19.
Feb 17 Read first time. To print.

AB-2223

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2223

AUTHOR: Gray

TOPIC: Dairy methane reduction.

LAST AMENDED: 5/27/16

SUMMARY: Existing law establishes the Department of Food and Agriculture under the administration of the Secretary of Food and Agriculture to promote and protect the agricultural industry of the state.

This bill would appropriate \$10,000,000 from the General Fund to the Department of Food and Agriculture to provide loans for the implementation of dairy digesters and other dairy methane reduction projects and management practices.

BILL HISTORY:

2016

June 9 Referred to Com. on B. & F.R.
June 6 In Senate. Read first time. To Com. on RLS. for assignment.
June 2 Read third time. Passed. Ordered to the Senate.
May 31 Read second time. Ordered to third reading.
May 27 Read second time and amended. Ordered returned to second reading.
May 27 From committee: Amend, and do pass as amended. (Ayes 20. Noes 0.) (May 27).
May 11 In committee: Set, first hearing. Referred to APPR. suspense file.
Apr 13 From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (April 13). Re-referred to Com. on APPR.
Apr 12 Re-referred to Com. on AGRI.
Apr 11 Read second time and amended.
Apr 7 From committee: Amend, and do pass as amended and re-refer to Com. on AGRI. (Ayes 8. Noes 1.) (April 4).
Mar 29 Re-referred to Com. on NAT. RES.
Mar 28 From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
Mar 3 Referred to Coms. on NAT. RES. and AGRI.
Feb 19 From printer. May be heard in committee March 20.
Feb 18 Read first time. To print.

AB-2257 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2257

AUTHOR: Maienschein, (Coauthors: Assembly Members Brough, Chang, Cristina Garcia, and Jones), (Coauthor: Senator Bates)

TOPIC: Local agency meetings: agenda: online posting.

CHAPTERED: 9/9/16 – CHAPTER 265, STATUTES OF 2016

Approved by Governor: September 9, 2016.

Filed with Secretary of State: September 9, 2016

ENROLLED: 8/23/16

PASSED IN SENATE: 8/15/16

PASSED IN ASSEMBLY: 8/22/16

LAST AMENDED: 6/22/16

SUMMARY: (1) The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act further requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. The act requires that the agenda or notice be freely accessible to members of the public and be posted on the local agency's Internet Web site, if the local agency has one.

This bill would require an online posting of an agenda a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified. The bill would exempt a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site from this requirement if it has an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform. The bill would authorize an integrated agenda management platform to include prior meeting agendas, as specified. The bill would require any agenda posted pursuant to these provisions to be in an open format that meets specified requirements, including, among others, that the agenda is platform independent and machine readable. The bill would also define terms for these purposes.

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

- Sept 9 Chaptered by Secretary of State - Chapter 265, Statutes of 2016.
- Sept 9 Approved by the Governor.
- Aug 26 Enrolled and presented to the Governor at 4:30 p.m.
- Aug 22 Senate amendments concurred in. To Engrossing and Enrolling.
- Aug 16 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 18 pursuant to Assembly Rule 77.
- Aug 15 Read third time. Passed. Ordered to the Assembly.
- Aug 2 Read second time. Ordered to third reading.
- Aug 1 From committee: Be placed on second reading file pursuant to Senate Rule 28.8.
- June 29 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 29). Re-referred to Com. on APPR.
- June 22 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.
- June 16 In committee: Set, first hearing. Hearing canceled at the request of author.
- June 9 Referred to Com. on GOV. & F.
- May 23 In Senate. Read first time. To Com. on RLS. for assignment.
- May 23 Read third time. Passed. Ordered to the Senate.
- May 19 Read second time. Ordered to third reading.
- May 18 From committee: Do pass. (Ayes 20. Noes 0.) (May 18).
- May 12 Re-referred to Com. on APPR.
- May 11 From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended.
- May 11 In committee: Set, first hearing. Hearing canceled at the request of author.
- Apr 26 Re-referred to Com. on APPR.
- Apr 25 Read second time and amended.
- Apr 21 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 20).
- Apr 12 Re-referred to Com. on L. GOV.
- Apr 11 From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.
- Mar 29 In committee: Set, first hearing. Hearing canceled at the request of author.
- Mar 3 Referred to Com. on L. GOV.
- Feb 19 From printer. May be heard in committee March 20.
- Feb 18 Read first time. To print.

AB-2272 – VETOED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2272

AUTHOR: Thurmond

TOPIC: Occupational safety and health standards: plume.

VETOED: 9/30/16

ENROLLED: 8/31/16

PASSED IN SENATE: 8/24/16

PASSED IN ASSEMBLY: 8/30/16

LAST AMENDED: 8/15/16

SUMMARY: Under existing law, the Occupational Safety and Health Standards Board within the Department of Industrial Relations promulgates and enforces occupational safety and health standards for the state, including standards dealing with toxic materials and harmful physical agents. Under existing law, the Division of Occupational Safety and Health is required to enforce all occupational safety and health standards, as specified. A violation of these standards and regulations under specific circumstances is a crime.

This bill would, by June 1, 2017, require the division to convene an advisory committee to develop a regulation that requires a health facility to evacuate or remove plume through the use of a plume scavenging system in all settings that employ techniques that involve the creation of plume and would authorize certain entities and people to be on the advisory committee, including, among others, practicing physicians and surgeons from affected specialties. The bill would require the division, in developing the regulation to do certain things, including evaluating the use of certain standards adopted by specified organizations as a benchmark. The bill would also require the division, when developing the proposed regulation, to take into consideration recommendations on the evacuation of plume from the federal Occupational Safety and Health. The bill would, by June 1, 2018, require the division to submit to the board the proposed regulation. The bill would, by July 1, 2019, require the board to adopt the proposed regulation.

The bill would provide that compliance with general room ventilation standards or the use of surgical masks does not satisfy the requirements for protection from surgical plumes under these provisions. The bill would provide that the use of respirators does not satisfy the requirements for protection from surgical plumes under these provisions, except as specified. The bill would require the manufacturer of a plume scavenging system to provide evidence that the system meets specified minimum requirements when installed, operated, and maintained in accordance with the manufacturer's instructions.

The bill would specify that these provisions do not limit the authority of the division to develop, or limit the authority of the board to adopt, a regulation with a broader scope or broader application than required by these provisions.

By expanding the definition of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

Sept 30 **Vetoed by Governor.**

Sept 9 Enrolled and presented to the Governor at 2:30 p.m.

Aug 30 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 26 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.

Aug 24 Read third time. Passed. Ordered to the Assembly.

Aug 15 Read second time and amended. Ordered to third reading.

Aug 11 From committee: Amend, and do pass as amended. (Ayes 5. Noes 2.) (August 11).

Aug 1 In committee: Referred to APPR. suspense file.

Aug 1 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

June 22 From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (June 22). Re-referred to Com. on APPR.

June 14 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L. & I.R.

May 26 Referred to Com. on L. & I.R.

May 19 In Senate. Read first time. To Com. on RLS. for assignment.

May 19 Read third time. Passed. Ordered to the Senate.

May 5 Read second time. Ordered to third reading.

May 4 Read second time. Ordered to third reading.

May 4 From committee: Do pass. (Ayes 15. Noes 5.) (May 4).

Apr 21 From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (April 20). Re-referred to Com. on APPR.

Mar 3 Referred to Com. on L. & E.

Feb 19 From printer. May be heard in committee March 20.

Feb 18 Read first time. To print.

AB-2311 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2311

AUTHOR: Brown

TOPIC: Emergency services: access and functional needs in emergencies.

CHAPTERED: 9/23/16 – CHAPTER 520, STATUTES OF 2016

Approved by Governor: September 23, 2016.

Filed with Secretary of State: September 23, 2016

ENROLLED: 8/25/16

PASSED IN SENATE: 8/17/16

PASSED IN ASSEMBLY: 8/23/16

LAST AMENDED: 8/15/16

SUMMARY: Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies. Existing law defines the terms "political subdivision" and "emergency plan" for purposes of emergency services provided by local governments. Existing law requires the Office of Emergency Services to work with specified entities to improve communication with deaf and hearing-impaired persons during emergencies.

This bill would require each county, including a city and county, to integrate access and functional needs, as defined, into its emergency plan, upon the next update to its emergency plan, as specified. By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

BILL HISTORY:

2016

Sept 23 Chaptered by Secretary of State - Chapter 520, Statutes of 2016.

Sept 23 Approved by the Governor.

Aug 31 Enrolled and presented to the Governor at 4 p.m.

Aug 23 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 17 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 19 pursuant to Assembly Rule 77.

Aug 17 Read third time. Passed. Ordered to the Assembly.

Aug 15 Read second time and amended. Ordered to third reading.

Aug 11 From committee: Amend, and do pass as amended. (Ayes 7. Noes 0.) (August 11).

Aug 1 In committee: Referred to APPR. suspense file.

June 28 From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 13. Noes 0.) (June 28). Re-referred to Com. on APPR.

June 9 Referred to Com. on G.O.

June 6 In Senate. Read first time. To Com. on RLS. for assignment.

June 2 Read third time. Passed. Ordered to the Senate.
May 31 Read second time. Ordered to third reading.
May 27 Read second time and amended. Ordered returned to second reading.
May 27 From committee: Amend, and do pass as amended. (Ayes 20. Noes 0.) (May 27).
May 4 In committee: Set, first hearing. Referred to APPR. suspense file.
Apr 21 From committee: Do pass and re-refer to Com. on APPR. (Ayes 20. Noes 0.)
(April 20). Re-referred to Com. on APPR.
Mar 17 Re-referred to Com. on G.O.
Mar 16 From committee chair, with author's amendments: Amend, and re-refer to Com.
on G.O. Read second time and amended.
Mar 3 Referred to Com. on G.O.
Feb 19 From printer. May be heard in committee March 20.
Feb 18 Read first time. To print.

AB-2313 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2313

AUTHOR: Williams, (Coauthor: Senator Hertzberg)

TOPIC: Renewable natural gas: monetary incentive program for biomethane projects: pipeline infrastructure.

CHAPTERED: 9/24/16 – CHAPTER 571, STATUTES OF 2016

Approved by Governor: September 24, 2016.

Filed with Secretary of State: September 24, 2016

ENROLLED: 8/31/16

PASSED IN SENATE: 8/23/16

PASSED IN ASSEMBLY: 8/30/16

LAST AMENDED: 8/19/16

SUMMARY: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. Existing law requires the commission to adopt, by rule or order, (1) standards for biomethane that specify the concentrations of constituents of concern that are reasonably necessary to protect public health and ensure pipeline integrity and safety, as specified, and (2) requirements for monitoring, testing, reporting, and recordkeeping relative to those constituents of concern. Existing law requires the commission to require gas corporation tariffs to condition access to common carrier pipelines on the applicable customer meeting those standards and requirements. Existing law requires the commission to adopt policies and programs that promote the in-state production and distribution of biomethane, as defined, and requires that these policies and programs facilitate the development of a variety of sources of in-state biomethane. The commission has adopted two decisions implementing these requirements, the 2nd of which adopted a 5-year monetary incentive program effective June 11, 2015, for biomethane projects pursuant to which a qualifying project is entitled to a one-time payment of 50% of the interconnection costs incurred by the biomethane producer, up to a total payment of \$1,500,000. Total cost of

the monetary incentive program for biomethane projects is limited to \$40,000,000 over the 5-year life of the program.

This bill would require the commission to modify the monetary incentive program for biomethane projects so that the total available incentive limitation for a project, other than a dairy cluster biomethane project, as defined, is increased from \$1,500,000 to \$3,000,000. The bill would require the commission to increase the total available incentive limitation for a dairy cluster biomethane project to \$5,000,000 and would authorize the use of incentive payments subject to this limitation for interconnection costs and costs incurred for gathering lines for transport of biogas to a centralized processing facility for the project. The bill would require the commission to extend the program, as modified, until December 31, 2021. Before the exhaustion of the funds available pursuant to the monetary incentive program, and before the expiration of the program, the bill would require the commission to consider options to promote the in-state production and distribution of biomethane, including whether to allow recovery in rates of the costs of investments to (1) facilitate direct investment in the procurement and installation of utility infrastructure necessary to achieve interconnection between the natural gas transmission and distribution pipeline network and biomethane generation and collection equipment and of gathering lines for a dairy cluster biomethane project, (2) provide for the installation of utility infrastructure to achieve interconnection with facilities that generate biomethane, and (3) ensure that these investments for infrastructure are prudent and reasonable and provide a direct benefit to, and are in the interests of, all classes of ratepayers.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because the bill extends the monetary incentive program and requires action by the commission to implement certain of its requirements, and became failure to comply with these commission actions would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

Sept 24 Chaptered by Secretary of State - Chapter 571, Statutes of 2016.

Sept 24 Approved by the Governor.

Sept 9 Enrolled and presented to the Governor at 2:30 p.m.

Aug 30 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 26 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.

- Aug 23 Read third time. Passed. Ordered to the Assembly.
- Aug 22 Read second time. Ordered to third reading.
- Aug 19 Read third time and amended. Ordered to second reading.
- Aug 15 Read second time and amended. Ordered to third reading.
- Aug 11 From committee: Amend, and do pass as amended. (Ayes 6. Noes 1.) (August 11).
- Aug 8 Referred to APPR. suspense file.
- Aug 2 Read second time and amended. Re-referred to Com. on APPR.
- Aug 1 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 27).
- June 20 In committee: Hearing postponed by committee.
- June 14 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E., U., & C.
- June 9 Referred to Com. on E., U., & C.
- May 23 In Senate. Read first time. To Com. on RLS. for assignment.
- May 23 Read third time. Passed. Ordered to the Senate.
- May 12 Read second time. Ordered to third reading.
- May 11 From committee: Do pass. (Ayes 14. Noes 6.) (May 11).
- Apr 27 Re-referred to Com. on APPR.
- Apr 26 Read second time and amended.
- Apr 25 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 4.) (April 20).
- Mar 31 From committee: Be re-referred to Com. on U. & C. Re-referred. (Ayes 8. Noes 0.) (March 31). Re-referred to Com. on U. & C.
- Mar 28 Re-referred to Com. on RLS. pursuant to Assembly Rule 96.
- Mar 17 Re-referred to Com. on NAT. RES.
- Mar 16 From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
- Mar 3 Referred to Com. on NAT. RES.
- Feb 19 From printer. May be heard in committee March 20.
- Feb 18 Read first time. To print.

AB-2320 – VETOED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2320

AUTHOR: Calderon and Low
TOPIC: Unmanned aircraft systems.
VETOED: 9/29/16
ENROLLED: 8/31/16
PASSED IN SENATE: 8/18/16
PASSED IN ASSEMBLY: 8/24/16
LAST AMENDED: 8/15/16

SUMMARY: (1) Existing federal law, the Federal Aviation Administration Modernization and Reform Act of 2012, provides for the integration of civil and public unmanned aircraft systems, commonly known as drones, into the national airspace system.

Existing state law generally authorizes a court to issue an order for the protection of certain persons, including, among others, the victims of domestic violence, elder and dependent adult abuse, workplace violence, and civil harassment. Under existing law, an intentional and knowing violation of those types of protective orders is a misdemeanor. If the violation results in physical injury, or occurs within specified time periods of a previous violation, existing law imposes additional penalties. Existing law also makes the crime of stalking another person, as defined, punishable as a misdemeanor or felony. Existing law makes it a felony to commit that offense when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior.

This bill would specifically prohibit a person who is prohibited from coming within a specified distance of another person, from operating an unmanned aircraft system in a way that causes an unmanned aircraft, as those terms are defined, to fly within the prohibited distance of the other person or from capturing images of the other person by using an unmanned aircraft system. By creating a new crime, the bill would impose a state-mandated local program.

(2) Existing law requires a person who has been convicted of specified sex offenses to register with local law enforcement authorities as a sex offender.

This bill would specifically authorize a judge to order a person required to register pursuant to those provisions for an offense committed on or after January 1, 2017, to not operate an unmanned aircraft system if the judge finds that restriction is in the public interest. Because a violation of that provision would be a crime, the bill would impose a state-mandated local program.

(3) Existing law provides that every person who goes to the scene of an emergency or stops at the scene of an emergency for the purpose of viewing the scene or the activities of police officers, firefighters, emergency medical or other emergency personnel, or military personnel coping with the emergency in the course of their duties during the time it is necessary for emergency vehicles or those personnel to be at the scene of the emergency or to be moving to or from the scene of the emergency for the purpose of protecting lives or property, unless it is part of the duties of that person's employment to view that scene or activities, and thereby impedes police officers, firefighters, emergency medical or other emergency personnel, or military personnel in the performance of their duties in coping with the emergency, is guilty of a misdemeanor.

This bill would also make the operation or use of an unmanned aircraft system, that is at the scene of an emergency, regardless of the operator's location, punishable as a misdemeanor. By expanding the scope of a crime, this bill would impose a state-mandated local program.

(4) Existing law makes a person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family, guilty of the crime of stalking, punishable as a misdemeanor or a felony.

This bill would specifically include, for purposes of these provisions, the operation or use of an unmanned aircraft system in the definition of a person.

(5) Existing law makes a person who knowingly brings into certain correctional facilities or certain other places where prisoners or inmates of those facilities are located, any alcoholic beverage, any drugs, other than controlled substances, in any manner, shape, form, dispenser, or container, or any device, contrivance, instrument, or paraphernalia intended to be used for unlawfully injecting or consuming any drug other than controlled substances, without having authority so to do by the rules of the correctional facility, guilty of a felony.

This bill would specifically include, for purposes of these provisions, the operation or use of an unmanned aircraft system in the definition of a person.

(6) The bill would make related legislative findings and declarations.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

Sept 29 Vetoed by Governor.

Aug 31 Enrolled and presented to the Governor at 4 p.m.

Aug 24 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 19 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 21 pursuant to Assembly Rule 77.

Aug 18 Read third time. Passed. Ordered to the Assembly. (Ayes 38. Noes 0.)

Aug 15 Read second time and amended. Ordered to third reading.

Aug 11 From committee: Amend, and do pass as amended. (Ayes 7. Noes 0.) (August 11).

Aug 1 In committee: Referred to APPR. suspense file.

June 22 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 21). Re-referred to Com. on APPR.

May 26 Referred to Com. on PUB. S.

May 19 In Senate. Read first time. To Com. on RLS. for assignment.

May 19 Read third time. Passed. Ordered to the Senate. (Ayes 76. Noes 0.)

May 12 Read second time. Ordered to third reading.

May 11 From committee: Do pass. (Ayes 19. Noes 0.) (May 11).

May 5 Re-referred to Com. on APPR.

- May 4 From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended.
- Apr 26 Re-referred to Com. on APPR.
- Apr 25 Read second time and amended.
- Apr 21 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 20).
- Apr 13 From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 6. Noes 3.) (April 12). Re-referred to Com. on L. GOV.
- Apr 5 Re-referred to Com. on P. & C.P.
- Apr 4 From committee chair, with author's amendments: Amend, and re-refer to Com. on P. & C.P. Read second time and amended.
- Mar 28 Re-referred to Com. on P. & C.P.
- Mar 17 From committee chair, with author's amendments: Amend, and re-refer to Com. on P. & C.P. Read second time and amended.
- Mar 17 Referred to Com. on P. & C.P.
- Feb 19 From printer. May be heard in committee March 20.
- Feb 18 Read first time. To print.
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AB-2323

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2323

AUTHOR: Ridley-Thomas

TOPIC: Electricity: rates: low-carbon fuel production facilities.

LAST AMENDED: 4/19/16

SUMMARY: Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the PUC to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law, with certain exceptions, prohibits a public utility from changing any rate, except upon a showing before the PUC and a finding by the PUC that the new rate is justified.

Existing law, enacted as part of the Clean Energy and Pollution Reduction Act of 2015, requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and the State Air Resources Board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. That law requires that the programs proposed by electrical corporations seek to minimize overall costs and maximize overall benefits. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if they are consistent with the above-described purposes, do not unfairly compete with

nonutility enterprises, include performance accountability measures, and are in the interests of ratepayers, as specified.

This bill would require an electrical corporation that offers time-of-use rates, critical peak pricing, real-time pricing, or peak time rebates for the charging of electric vehicles, as part of a program to encourage transportation electrification, to offer similar rates to low-carbon transportation fuel production facilities and public and private fueling stations dedicated to providing low-carbon fuels for transportation purposes. The bill would require the PUC, in consultation with the state board and the Energy Commission, to establish performance accountability measures for production facilities that elect to use the rates established pursuant to the bill's requirements and would require the PUC to ensure that those rates are in the interests of ratepayers.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.

Because the provisions of this bill are within the act, and because a violation of an order of the commission under these provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

- May 27 In committee: Held under submission.
 - May 11 In committee: Set, first hearing. Referred to APPR. suspense file.
 - Apr 20 Re-referred to Com. on APPR.
 - Apr 19 Read second time and amended.
 - Apr 18 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 10. Noes 4.) (April 13).
 - Mar 30 Re-referred to Com. on U. & C.
 - Mar 29 From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & C. Read second time and amended.
 - Mar 28 Re-referred to Com. on U. & C.
 - Mar 17 From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & C. Read second time and amended.
 - Mar 17 Referred to Com. on U. & C.
 - Feb 19 From printer. May be heard in committee March 20.
 - Feb 18 Read first time. To print.
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AB-2585

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2585

AUTHOR: Williams

TOPIC: California Global Warming Solutions Act of 2006: market-based compliance mechanisms.

LAST AMENDED: 3/15/16

SUMMARY: AB 2585, as amended, Williams. California Global Warming Solutions Act of 2006: market-based compliance mechanisms.

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms.

This bill would require the state board, no later than July 1, 2018, to review any regulation adopted as part of a market-based compliance mechanism to consider the intended purpose and consistency of requirements aimed to prevent resource shuffling, as defined, among all fuels subject to that regulation.

BILL HISTORY:

2016

May 27 In committee: Held under submission.

May 18 In committee: Set, first hearing. Referred to APPR. suspense file.

Apr 19 From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 18). Re-referred to Com. on APPR.

Mar 16 Re-referred to Com. on NAT. RES.

Mar 15 From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Mar 14 Referred to Com. on NAT. RES.

Feb 22 Read first time.

Feb 21 From printer. May be heard in committee March 22.

Feb 19 Read first time. To print.

AB-2718

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2718

AUTHOR: Gomez

TOPIC: Vehicles: transportation of hazardous materials.

LAST AMENDED: 5/9/16

SUMMARY: Existing law requires a carrier, prior to the transport of certain hazardous materials, to provide advance notification, in writing, to the Department of the California Highway Patrol, as specified. Under existing law, the department is then required to notify the sheriff of each county and police chief of each city through which the hazardous materials are to be transported. Those sheriffs and police chiefs, in turn, are required to make timely notification to the fire chiefs within their respective jurisdictions through a mutually agreed upon communications system.

Existing law also requires a carrier to notify the department, by telephone or telegram, if there are any changes in the scheduling of the shipments described above, in the routes to be used for those shipments, or any cancellation of those shipments. A carrier who violates these provisions, in addition to any other penalty provided by law, is subject to a civil penalty of not less than \$500 or more than \$1,000 for each violation.

This bill would additionally authorize a carrier to notify the department by electronic communication if there are any changes in the scheduling of the shipments described above, in the routes to be used for those shipments, or any cancellation of those shipments. The bill would define “electronic communication” to mean email or telegram.

BILL HISTORY:

2016

- May 19 Referred to Com. on T. & H.
- May 12 In Senate. Read first time. To Com. on RLS. for assignment.
- May 12 Read third time. Passed. Ordered to the Senate.
- May 10 Read second time. Ordered to Consent Calendar.
- May 9 Read second time and amended. Ordered returned to second reading.
- May 5 From committee: Amend, and do pass as amended. To Consent Calendar.
(Ayes 20. Noes 0.) (May 4).
- Apr 19 From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.)
(April 18). Re-referred to Com. on APPR.
- Mar 10 Referred to Com. on TRANS.
- Feb 22 Read first time.
- Feb 21 From printer. May be heard in committee March 22.
- Feb 19 Introduced. To print.

AB-2748 – VETOED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2748

AUTHOR: Gatto

TOPIC: Environmental disaster: release of claims: statute of limitations: attorneys’ fees.

VETOED: 9/26/16

ENROLLED: 8/31/16

PASSED IN SENATE: 8/23/16

PASSED IN ASSEMBLY: 8/30/16

LAST AMENDED: 8/19/16

SUMMARY: (1) Existing law provides that an obligation is extinguished by a release given to the debtor by the creditor, upon a new consideration, or in writing, with or without new consideration. A general release does not extend to claims the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Under this bill, a partial or interim payment or reimbursement, made in connection with an environmental disaster by the responsible polluter or any agent or entity related to the responsible polluter to any recipient, would not release the polluter from liability to the recipient for any claim related to the environmental disaster or for any future claim by the recipient against the polluter, or for both current and future claims. The bill would prohibit any such partial or interim payment or reimbursement from being conditioned upon the recipient's agreement to release the polluter from liability for any current or future claim. The bill would allow such a payment or reimbursement to any recipient to be credited against the liability of the polluter, agent, or entity to the recipient for any current or future claim that is related to the environmental disaster.

Under the bill, a temporary or final settlement of any kind made in connection with an environmental disaster by the responsible polluter or any agent or entity related to the responsible polluter, to any claimant, would release the responsible polluter, agent, or entity from liability to the claimant only for acts, omissions, or injuries that are believed by the claimant to have occurred prior to the date of the settlement, and would not release any claim that is unknown to the claimant at the time of the settlement, occurs subsequent to the settlement, or that is unrelated to the environmental disaster. The bill would make any agreement in violation of those prohibitions that is entered into on or after February 1, 2017, void as a matter of law and against public policy.

(2) Existing law establishes statutes of limitations for civil actions for injury or illness or wrongful death based upon exposure to a hazardous material or toxic substance other than asbestos, as specified. For injury or illness, the statute of limitations is 2 years from the date of injury, or 2 years after the plaintiff becomes aware of, or reasonably should have become aware of, an injury, the physical cause of the injury, and sufficient facts to put a reasonable person on inquiry notice that the injury was caused or contributed to by the wrongful act of another, whichever occurs later. For wrongful death, the statute of limitations is no later than either 2 years from the date of the death of the plaintiff's decedent, or 2 years from the first date on which the plaintiff is aware of, or reasonably should have become aware of, the physical cause of the death and sufficient facts to put a reasonable person on inquiry notice that the death was caused or contributed to by the wrongful act of another, whichever occurs later.

This bill would, notwithstanding the above provision, establish a statute of limitations of 3 years for specified civil actions for injury, illness, or wrongful death based upon exposure to a hazardous material or toxic substance other than asbestos.

(3) Under existing law, except as attorneys' fees are specifically provided for by statute, the measure and mode of compensation of attorneys is left to the agreement of the parties.

This bill would authorize the court, in any action for private nuisance against an environmental polluter defendant arising out of an environmental disaster for which the defendant has been adjudged civilly liable, upon motion, to award reasonable attorneys' fees to a prevailing plaintiff against the defendant.

(4) This bill would limit the application of its provisions to damages caused by an environmental disaster that occurred at Southern California Gas Company's Aliso Canyon gas storage facility, as specified, or contamination surrounding the Exide Technologies facility in the City of Vernon. The bill would specify that its provisions do not apply to any action against a public entity, as defined.

This bill would make legislative findings and declarations as to the necessity of a special statute for these regions.

BILL HISTORY:

2016

Sept 26 Vetoed by Governor.

Sept 9 Enrolled and presented to the Governor at 2:30 p.m.

Aug 30 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 25 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.

Aug 23 Read third time. Passed. Ordered to the Assembly.

Aug 22 Read second time. Ordered to third reading.

Aug 19 Read third time and amended. Ordered to second reading.

Aug 19 Read second time. Ordered to third reading.

Aug 18 Read third time and amended. Ordered to second reading.

Aug 1 Read second time. Ordered to third reading.

June 30 From committee: Do pass. (Ayes 5. Noes 2.) (June 29).

June 22 From committee: Do pass and re-refer to Com. on E.Q. (Ayes 4. Noes 2.) (June 21). Re-referred to Com. on E.Q.

June 9 Referred to Coms. on JUD. and E.Q.

June 6 In Senate. Read first time. To Com. on RLS. for assignment.

June 2 Read third time. Passed. Ordered to the Senate.

June 2 Assembly Rule 63 suspended.

June 2 Read second time and amended.

June 2 From committee: Amend, and do pass as amended. (Ayes 7. Noes 3.) (June 2).

June 2 Re-referred to Com. on JUD.

June 1 Joint Rule 62(a), file notice suspended.

June 1 Re-referred to Com. on JUD. pursuant to Assembly Rule 77.2.

June 1 Read third time and amended. Ordered to third reading.

May 31 Reconsideration granted.

- May 9 May 27-Motion to reconsider continued.
- May 5 Motion to reconsider made by Assembly Member Gatto.
- May 5 Read third time. Refused passage. (Ayes 30. Noes 32. Page 4692.).
- May 3 Read second time. Ordered to third reading.
- May 2 Read second time and amended. Ordered returned to second reading.
- Apr 28 From committee: Amend, and do pass as amended. (Ayes 7. Noes 3.) (April 26).
- Apr 19 Re-referred to Com. on JUD.
- Apr 18 From committee chair, with author's amendments: Amend, and re-refer to Com. on JUD. Read second time and amended.
- Apr 12 In committee: Hearing postponed by committee.
- Mar 30 In committee: Set, first hearing. Hearing canceled at the request of author.
- Mar 28 Re-referred to Com. on JUD.
- Mar 18 From committee chair, with author's amendments: Amend, and re-refer to Com. on JUD. Read second time and amended.
- Mar 17 Referred to Com. on JUD.
- Feb 22 Read first time.
- Feb 21 From printer. May be heard in committee March 22.
- Feb 19 Introduced. To print.

AB-2788

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2788

AUTHOR: Gatto

TOPIC: Wireless telecommunications facilities.

LAST AMENDED: 6/13/16

SUMMARY: Under existing law, a wireless telecommunications collocation facility, as specified, is subject to a city or county discretionary permit and is required to comply with specified criteria, but a collocation facility, which is the placement or installation of wireless facilities, including antennas and related equipment, on or immediately adjacent to a wireless telecommunications collocation facility, is a permitted use not subject to a city or county discretionary permit.

This bill would permit the use of a small cell, as defined, without a city or county discretionary permit or aesthetic review in all zoning districts, subject only to a building permit or administrative permit, as applicable. The bill would require a city or county to issue those permits, as applicable, within 60 days, except as specified.

Under existing law, a city or county, as a condition of approval of an application for a permit for construction or reconstruction of a development project for a wireless telecommunications facility, may not require an escrow deposit for removal of a wireless telecommunications facility or any component thereof, unreasonably limit the duration of any permit for a wireless telecommunications facility, or require that all wireless

telecommunications facilities be limited to sites owned by particular parties within the jurisdiction of the city or county, as specified.

This bill would require the city or county to renew a permit with a duration of less than 10 years for an equivalent duration unless the city or county finds that wireless telecommunications facility does not comply with the codes and permit conditions applicable at the time the permit was initially approved. The bill would also prohibit a city or county from precluding the leasing or licensing of a site owned by the city or county for the installation of a small cell, except as specified. The bill would authorize a city or county to impose a fee associated with a permit application for construction or reconstruction of a development project for a wireless telecommunications facility only if similar fees are charged within the city or county for similar types of commercial development. By imposing new duties on local agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

BILL HISTORY:

2016

- June 22 In committee: Set, first hearing. Hearing canceled at the request of author.
- June 20 In committee: Hearing postponed by committee.
- June 15 Re-referred to Coms. on E., U., & C. and GOV. & F.
- June 13 Re-referred to Com. on RLS.
- June 13 Withdrawn from committee.
- June 13 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.
- June 9 Referred to Com. on N.R. & W.
- May 27 In Senate. Read first time. To Com. on RLS. for assignment.
- May 27 Read third time. Urgency clause adopted. Passed. Ordered to the Senate.
- May 19 Read second time. Ordered to Consent Calendar.
- May 18 From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (May 18).
- May 9 Re-referred to Com. on APPR.
- May 5 Read second time and amended.
- May 4 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (May 3).
- Apr 21 In committee: Hearing postponed by committee.
- Mar 10 Referred to Com. on NAT. RES.
- Feb 22 Read first time.
- Feb 21 From printer. May be heard in committee March 22.
- Feb 19 Introduced. To print.

AB-2893 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2893

AUTHOR: Alejo (Chair), Arambula, Lopez, and McCarty

TOPIC: Department of Toxic Substances Control: enforcement.

CHAPTERED: 8/19/16 – CHAPTER 145, STATUTES OF 2016

Approved by Governor: August 19, 2016. Filed with Secretary of State, August 19, 2016

ENROLLED: 5/5/16

PASSED IN SENATE: 6/30/16

PASSED IN ASSEMBLY: 8/4/16

LAST AMENDED: 5/25/16

SUMMARY: (1) The Hazardous Waste Control Law authorizes the Department of Toxic Substances Control and authorized local enforcement officers and agencies to require specified persons to furnish and transmit certain information relating to the person's ability to pay for or perform a response action, and further authorizes those entities to require any person who has information regarding another person's activities that relate to the ability of the person to pay for or perform a response action to also furnish and transmit the information. Existing law makes those provisions applicable only if there is a reasonable basis to believe that there has been or may be a release or threatened release of a hazardous substance and only for the purpose of determining how to finance a response action or otherwise for the purpose of enforcing the Hazardous Waste Control Law. A violation of the Hazardous Waste Control Law is a crime.

This bill would make those provisions applicable also if there is a reasonable basis to believe that there has been or may be a release or threatened release of hazardous wastes or hazardous material and also for the purpose of determining how to finance a corrective action.

(2) Existing law authorizes an officer or employee of the department and specified other persons to require any person who has or may have information relevant to specified matters relating to the release of hazardous substances to furnish and transmit that information. Existing law authorizes the department to disclose trade secrets received by the department pursuant to the Hazardous Waste Control Law only under specified circumstances.

This bill would require the person required to furnish and transmit the information to pay for any costs of photocopying and transmitting the information. The bill would limit the disclosure by the department of information, including trade secrets, received by the department pursuant to these provisions of the Hazardous Waste Control Law, specifying the parties to whom that disclosure is proper and requiring the disclosures be in connection with the department's responsibilities under that law. The bill would require this information to be made available to governmental agencies for use in making studies and for use in judicial review or enforcement proceedings involving the person furnishing the information. The bill

would make conforming and other nonsubstantive changes. Because the bill's provisions would expand the scope of a crime, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

Aug 19 Chaptered by Secretary of State - Chapter 145, Statutes of 2016.

Aug 19 Approved by the Governor.

Aug 10 Enrolled and presented to the Governor at 3 p.m.

Aug 4 Senate amendments concurred in. To Engrossing and Enrolling.

June 30 In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 30 pursuant to Assembly Rule 77.

June 30 Read third time. Passed. Ordered to the Assembly.

June 21 Read second time. Ordered to Consent Calendar.

June 20 From committee: Be placed on second reading file pursuant to Senate Rule 28.8 and ordered to consent calendar.

June 8 From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 6. Noes 0.) (June 8). Re-referred to Com. on APPR.

May 25 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

May 19 Referred to Com. on E.Q.

May 12 In Senate. Read first time. To Com. on RLS. for assignment.

May 12 Read third time. Passed. Ordered to the Senate.

May 5 Read second time. Ordered to Consent Calendar.

May 4 From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (May 4).

Apr 13 From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 12). Re-referred to Com. on APPR.

Mar 28 Referred to Com. on E.S. & T.M.

Mar 1 From printer. May be heard in committee March 31.

Feb 29 Read first time. To print.

AB-2894

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2894

AUTHOR: Alejo (Chair), Gonzalez, McCarty, and Ting

TOPIC: Hazardous waste: Orphan Share Reimbursement Trust Fund.

LAST AMENDED: 2/29/16

SUMMARY: Existing law establishes the Orphan Share Reimbursement Trust Fund to pay specified costs and claims relating to response actions at hazardous substance release sites under circumstances in which the share of liability for those costs is attributable to the activities of persons who are defunct or insolvent. Existing law requires moneys expended from the fund for those purposes to be recoverable by the Attorney General, at the request of the administrator of the fund, from any liable person or persons who have not entered into, or are not in compliance with, a written cleanup agreement for the completion of all response actions necessary at the hazardous release site, as specified. Existing law provides that any potentially responsible party who withholds information required to be submitted, or who submits false information, is subject to a civil penalty of up to \$25,000 for each piece of information withheld or for each piece of false information submitted.

This bill would subject a potentially responsible party to that civil penalty only if the party knowingly and willfully withholds information required to be submitted or knowingly and willfully submits false information. The bill would also make nonsubstantive changes to related provisions.

BILL HISTORY:

2016

Mar 28 Referred to Com. on E.S. & T.M.

Mar 1 From printer. May be heard in committee March 31.

Feb 29 Read first time. To print.

AB-2912 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2912

AUTHOR: Introduced by Committee on Natural Resources

TOPIC: AB-2912 Oil spills.

CHAPTERED: 8/19/16 – CHAPTER 209, STATUTES OF 2016

Approved by Governor: August 26, 2016. Filed with Secretary of State, August 26, 2016

ENROLLED: 8/16/16

PASSED IN SENATE: 8/11/16

PASSED IN ASSEMBLY: 8/15/16

LAST AMENDED: 6/30/16

SUMMARY: The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup. The act requires each owner or operator of a tank vessel, nontank vessel carrying oil as a secondary cargo, or facility to submit, upon request of the administrator, a copy of a federally approved oil spill response plan at the time of approval of the plan.

This bill would instead require each owner or operator of a tank vessel, nontank vessel, vessel carrying oil as a secondary cargo, or facility to submit, upon request of the administrator, a copy of a federally approved oil spill response plan at the time of approval of the plan. The bill also would revise and add various definitions within the act and would make nonsubstantive changes to these and other provisions.

BILL HISTORY:

2016

Aug 26 Chaptered by Secretary of State - Chapter 209, Statutes of 2016.

Aug 26 Approved by the Governor.

Aug 18 Enrolled and presented to the Governor at 3 p.m.

Aug 15 Senate amendments concurred in. To Engrossing and Enrolling.

Aug 11 In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 14 pursuant to Assembly Rule 77.

Aug 11 Read third time. Passed. Ordered to the Assembly.

Aug 2 Read second time. Ordered to Consent Calendar.

Aug 1 From committee: Be placed on second reading file pursuant to Senate Rule 28.8 and ordered to consent calendar.

June 30 Read second time and amended. Re-referred to Com. on APPR.

June 29 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (June 28).

June 20 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

May 19 Referred to Com. on N.R. & W.

May 12 In Senate. Read first time. To Com. on RLS. for assignment.

May 12 Read third time. Passed. Ordered to the Senate. (Ayes 78. Noes 0. Page 4791.)

May 5 Read second time. Ordered to Consent Calendar.

May 4 From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (May 4).

Apr 19 From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 9. Noes 0.) (April 18). Re-referred to Com. on APPR.

Mar 28 Referred to Com. on NAT. RES.

Mar 16 From printer. May be heard in committee April 15.

Mar 15 Read first time. To print.

SB-380 – CHAPTERED

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB380](http://leginfo.ca.gov/faces/billnavclient.xhtml?bill_id=201520160SB380)

AUTHOR: Pavley

TOPIC: Natural gas storage: moratorium.

CHAPTERED: 5/10/16 – CHAPTER 14, STATUTES OF 2016

Approved by Governor: May 10, 2016. Filed with Secretary of State, May 10, 2016

ENROLLED: 5/4/16

PASSED IN SENATE: 4/28/16

PASSED IN ASSEMBLY: 5/2/16

LAST AMENDED: 4/19/16

SUMMARY: (1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Existing law requires the State Oil and Gas Supervisor to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field, so as to prevent damage to life, health, property, and natural resources, as provided; to permit owners and operators of wells to utilize all known methods and practices to increase the ultimate recovery of hydrocarbons; and to perform the supervisor's duties in a manner that encourages the wise development of oil and gas resources to best meet oil and gas needs in this state. Under existing law, a person who fails to comply with certain requirements relating to the regulation of oil or gas operations is guilty of a misdemeanor.

This bill would require the supervisor to continue the prohibition against Southern California Gas Company injecting any natural gas into the Aliso Canyon natural gas storage facility located in the County of Los Angeles until a comprehensive review of the safety of the gas storage wells at the facility is completed, as specified, the supervisor determines that well integrity has been ensured by the review, the risks of failures identified in the review have been addressed, the supervisor's duty to prevent damage to life, health, property, and natural resources, and other requirements is satisfied, and the Executive Director of the Public Utilities Commission has concurred via letter with the supervisor regarding his or her determination of safety. The bill would require the supervisor to determine criteria for the gas storage well comprehensive safety review with input from independent experts and would require the criteria to include, but not be limited to, specified tests and inspections. The bill would require the supervisor to direct the contracted independent experts to provide a methodology to be used in assessing the tests and inspections specified in the criteria. The bill would require the division to post the methodology on a public portion of its Internet Web site. The bill would require the operator of the facility to provide the division with the proposed maximum reservoir pressure and to include data and calculations supporting the basis for the pressure limit. The bill would authorize the supervisor to allow injections of natural gas into the facility once the gas storage well comprehensive safety review is complete, the division holds a duly noticed public hearing in the affected community to provide the public an opportunity to comment on the safety review findings and the proposed pressure limit, and the supervisor has approved the maximum and minimum reservoir pressure at the facility. The bill would also require that, before the completion of the gas storage well comprehensive safety review, the production of natural gas from gas storage wells at the facility be limited to gas storage wells that have satisfactorily completed the testing and remediation required under the review, except as specified. The bill would require the supervisor to direct the operator of the facility to provide a plan to ensure, at the earliest possible time, the availability of sufficient gas production capacity using gas storage wells that have satisfactorily completed the testing and remediation required under the review. The bill would require all gas storage wells returning to service under these provisions to inject or produce gas only through the interior metal tubing, and would require the operator to conduct

ongoing pressure monitoring and comply with any other requirements specified by the supervisor. The bill would require the gas storage wells at the facility that are plugged and abandoned pursuant to these provisions to be periodically inspected by the operator for leaks using effective gas leak detection techniques. The bill would require the division, with respect to the review and in a timely manner, to post all testing, inspection and monitoring results, and other safety review-related materials to a public portion of the division's Internet Web site. Because a violation of certain of these requirements would be a crime, the bill would impose a state-mandated local program. The bill would repeal these provisions on January 1, 2021.

(2) Under existing law, the Public Utilities Commission is authorized to supervise and regulate every public utility in the state. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

This bill would require the commission, no later than July 1, 2017, to open a proceeding to determine the feasibility of minimizing or eliminating use of the Aliso Canyon natural gas storage facility located in the County of Los Angeles while still maintaining energy and electric reliability for the region, and to consult with specified entities in making its determination. The bill would require the commission, in consultation with specified entities, to determine the range of working gas necessary to ensure safety and reliability for the region and just and reasonable rates in California, and to direct the operator of the facility to provide all information the commission deems necessary to make that determination. The bill would require the commission, within 30 days of the effective date of this act, to publish a report, including specified information regarding gas production at the facility. The bill would require the commission to make the report available on its Internet Web site, and to seek public comments on the report, as specified. The bill would require the executive director of the commission, in consultation with the supervisor, to direct the operator of the facility to maintain the specified range of working gas after certain conditions have occurred. Certain provisions of this bill would be part of the act and an order or other action of the commission would be required to implement certain of the provisions. Because a violation of the bill's provisions or of an order or decision of the commission would be a crime, this bill would impose a state-mandated local program by creating new crimes. The bill would repeal these provisions on January 1, 2021.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

BILL HISTORY:
2016

- May 10 Chaptered by Secretary of State. Chapter 14, Statutes of 2016.
May 10 Approved by the Governor.
May 4 Enrolled and presented to the Governor at 2:30 p.m.
May 2 Assembly amendments concurred in. (Ayes 37. Noes 0.) Ordered to engrossing and enrolling.
Apr 28 In Senate. Concurrence in Assembly amendments pending.
Apr 28 Read third time. Urgency clause adopted. Passed. Ordered to the Senate.
Apr 20 Read second time. Ordered to third reading.
Apr 19 Read second time and amended. Ordered to second reading.
Apr 18 From committee: Do pass as amended. (Ayes 15. Noes 0.) (April 13).
Mar 30 From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
Mar 7 Read second time and amended. Re-referred to Com. on APPR.
Mar 3 From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (February 22).
Feb 16 From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & C.
Feb 8 Referred to Com. on U. & C.
Jan 28 In Assembly. Read first time. Held at Desk.
Jan 28 Read third time. Urgency clause adopted. Passed. (Ayes 40. Noes 0. Page 2975.) Ordered to the Assembly.
Jan 28 Unanimous consent granted to take up without reference to file.
Jan 28 Ordered to third reading.
Jan 28 From committee: Do pass. (Ayes 7. Noes 0. Page 2981.) (January 28).
Jan 28 From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0. Page 2981.) (January 28). Re-referred to Com. on APPR.
Jan 28 Joint Rule 62(a) suspended.
Jan 28 Re-referred to Com. on N.R. & W.
Jan 27 From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
- 2015
Mar 5 Referred to Com. on RLS.
Feb 25 From printer. May be acted upon on or after March 27.
Feb 24 Introduced. Read first time. To Com. on RLS. for assignment. To print.
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SB-788

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB788](http://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB788)

AUTHOR: McGuire and Jackson

TOPIC: California Coastal Protection Act of 2015.

LAST AMENDED: 6/2/15

SUMMARY: The California Coastal Sanctuary Act of 1994 authorizes the State Lands Commission to enter into a lease for the extraction of oil or gas from state-owned tide and submerged lands in the California Coastal Sanctuary if the commission determines that the oil or gas deposits are being drained by means of producing wells upon adjacent federal lands and the lease is in the best interest of the state.

This bill would enact the California Coastal Protection Act of 2015, which would delete this authorization. The bill would make related legislative findings and declarations.

BILL HISTORY:

2015

- Aug 27 August 27 hearing: Held in committee and under submission.
- July 15 July 15 set for first hearing. Placed on APPR. suspense file.
- Jun 30 From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (June 29). Re-referred to Com. on APPR.
- Jun 15 Referred to Com. on NAT. RES.
- Jun 4 In Assembly. Read first time. Held at Desk.
- Jun 3 Read third time. Passed. (Ayes 23. Noes 14. Page 1290.) Ordered to the Assembly.
- Jun 2 Read second time and amended. Ordered to third reading.
- Jun 1 From committee: Do pass as amended. (Ayes 5. Noes 2. Page 1160.) (May 28).
- May 23 Set for hearing May 28.
- May 18 May 18 hearing: Placed on APPR. suspense file.
- May 8 Set for hearing May 18.
- May 4 Read second time and amended. Re-referred to Com. on APPR.
- Apr 30 From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1. Page 821.) (April 28).
- Apr 9 Set for hearing April 28.
- Mar 19 Referred to Com. on N.R. & W.
- Mar 2 Read first time.
- Mar 2 From printer. May be acted upon on or after April 1.
- Feb 27 Introduced. To Com. on RLS. for assignment. To print.

SB-887 – CHAPTERED

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB887](http://leginfo.ca.gov/faces/billnavclient.xhtml?bill_id=201520160SB887)

AUTHOR: Pavley, (Coauthors: Senators Allen and De León), (Coauthor: Assembly Member Wilk)

TOPIC: Natural gas storage wells.

CHAPTERED: 9/26/16 – CHAPTER 673, STATUTES OF 2016

Approved by Governor: September 26, 2016.

Filed with Secretary of State: September 26, 2016

ENROLLED: 8/30/16

PASSED IN SENATE: 8/26/16

PASSED IN ASSEMBLY: 8/24/16

LAST AMENDED: 8/19/16

SUMMARY: (1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Existing law provides that a person who fails to comply with specific laws relating to the regulation of oil or gas operations is guilty of a misdemeanor.

This bill would require the operator of a gas storage well, before January 1, 2018, to have commenced a mechanical integrity testing regime specified by the division and would require the division to promulgate regulations that establish standards for all gas storage wells, as specified. This bill would require the division to determine by regulation what constitutes a reportable leak from a gas storage well and the timeframe for reporting those leaks, as specified. Until the regulations are in effect, this bill would require the operator to notify the division immediately of a leak of any size from a gas storage well. This bill would require the division to post information about a reported leak that cannot be controlled within 48 hours on its Internet Web site, as prescribed. This bill would require the supervisor, within 72 hours of being notified of a reportable leak, to determine if a relief well is necessary. If the supervisor makes that determination, whether within the first 72 hours or after, the bill would require the operator to immediately begin preparation for, and, as soon as practicable at the determination of the supervisor, commence the drilling of, a relief well. This bill would require an operator of a gas storage well to develop and maintain a comprehensive gas storage well training and mentoring program for those employees whose job duties involve the safety of operations and maintenance of gas storage wells and associated equipment, as specified. This bill would require certain materials, relating to wells serving or located in a natural gas storage facility, including, among others, a risk management plan, to be submitted by the operator and approved at the supervisor's discretion. This bill would require the division to perform unannounced random onsite inspections of some gas storage wells annually. This bill would require the State Air Resources Board, in consultation with any local air district and the division, to develop guidelines for a monitoring program that includes continuous monitoring of the ambient concentration of natural gas at sufficient locations throughout a natural gas storage facility or planned natural gas storage facility to identify natural gas leaks and the presence of natural gas emissions in the atmosphere. The bill would require an operator of a natural gas storage facility to develop and submit to the state board a facility monitoring plan that satisfies the program requirements, and would require the state board to review the plan and to either approve or disapprove the plan. This bill would require an operator of a natural gas storage facility to provide the monitoring data to the state board. This bill would require the state board or the division, as applicable, to post and make available on its respective Internet Web site all materials that are provided to the state board or division, as applicable, in order to comply with the provisions added by this act. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.

(2) Existing law requires the operator of a well to file a written notice of intention to commence drilling with, and prohibits any drilling until approval is given by, the supervisor

or district deputy. Under existing law, the notice is deemed approved if the supervisor or district deputy fails to respond to the notice in writing within 10 working days from receipt and is deemed canceled if operations have not commenced within one year of receipt. Existing law provides that these provisions also apply to the deepening or redrilling of the well, any operation involving the plugging of the well, or any operations permanently altering in any manner the casing of the well.

This bill would require the division, on a weekly basis, to post on its Internet Web site a list of the notices of intention received by the division, and to provide copies of those notices to the public upon request.

(3) Under existing law, the supervisor is required to impose an annual charge computed at a uniform rate based on the number of wells used to inject and withdraw gas from an underground storage facility during the preceding calendar year. Existing law requires the charge to defray the costs incurred by the state in maintaining surveillance over those facilities.

This bill would instead require that annual charge to be the proportionate share of the total regulatory costs projected for each fiscal year based on the field capacity and number of wells of each underground gas storage facility, as specified. The bill would require an additional charge to be imposed on an operator, if an uncontrolled leak or release of gas occurs at the operator's underground gas storage facility, to defray the costs of the response effort of the division, as specified.

(4) The Administrative Procedure Act governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Existing law provides that, if a state agency makes a finding that the adoption of a regulation or order of repeal is necessary for the immediate preservation of the public peace, health and safety, or general welfare, the regulation or order of repeal may be adopted as an emergency regulation or order of repeal. Under existing law, a regulation, amendment, or order of repeal adopted as an emergency regulation remains in effect no more than 180 days unless the adopting agency and the Office of Administrative Law comply with certain requirements.

Until January 1, 2019, this bill would instead require that emergency regulations adopted by the division effective February 5, 2016, continue in effect until the adoption, amendment, or repeal of the regulation is promulgated by the division pursuant to the act.

(5) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. The Public Utilities Act prohibits any gas corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require that construction.

This bill, if a new underground gas storage facility is proposed, would require the commission to ensure that a risk assessment evaluating the potential impact of a leak from the facility on public and environmental health, safety, and welfare is conducted by the project proponent, as specified. This bill would require that the findings of any risk assessment conducted pursuant to these provisions be subjected to peer review by independent experts and reported to the Legislature, as specified.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

BILL HISTORY:

2016

- Sept 26 Chaptered by Secretary of State. Chapter 673, Statutes of 2016.
- Sept 26 Approved by the Governor.
- Sept 1 Enrolled and presented to the Governor at 5 p.m.
- Aug 26 Assembly amendments concurred in. (Ayes 36. Noes 2.) Ordered to engrossing and enrolling.
- Aug 25 In Senate. Concurrence in Assembly amendments pending.
- Aug 24 Read third time. Passed. Ordered to the Senate.
- Aug 19 Ordered to third reading.
- Aug 19 Read third time and amended.
- Aug 18 Read second time. Ordered to third reading.
- Aug 17 Read second time and amended. Ordered to second reading.
- Aug 16 From committee: Do pass as amended. (Ayes 11. Noes 2.) (August 11).
- Aug 3 August 3 set for first hearing. Placed on APPR. suspense file.
- June 30 Read second time and amended. Re-referred to Com. on APPR.
- June 29 From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (June 27).
- June 9 Referred to Com. on NAT. RES.
- June 2 In Assembly. Read first time. Held at Desk.
- June 1 Read third time. Passed. (Ayes 30. Noes 9.) Ordered to the Assembly.
- May 31 Read second time and amended. Ordered to third reading.
- May 27 From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 27).
- May 20 Set for hearing May 27.
- May 16 May 16 hearing: Placed on APPR. suspense file. (Ayes 7. Noes 0.)
- May 6 Set for hearing May 16.
- Apr 26 Read second time and amended. Re-referred to Com. on APPR.
- Apr 25 From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (April 20).
- Mar 29 From committee: Do pass and re-refer to Com. on E.Q. (Ayes 7. Noes 2.) (March 29). Re-referred to Com. on E.Q.
- Mar 28 From committee with author's amendments. Read second time and amended.

Re-referred to Com. on N.R. & W.
Mar 9 Set for hearing March 29.
Jan 28 Referred to Coms. on N.R. & W. and E.Q.
Jan 21 From printer. May be acted upon on or after February 20.
Jan 20 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-888 – CHAPTERED

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB888](http://leginfo.ca.gov/faces/billnavclient.xhtml?bill_id=201520160SB888)

AUTHOR: Allen, (Coauthors: Senators De León and Pavley), (Coauthor: Assembly Member Wilk)

TOPIC: SB-888 Gas corporations: emergency management: leak mitigation.

CHAPTERED: 9/23/16 – CHAPTER 536, STATUTES OF 2016

Approved by Governor: September 23, 2016.

Filed with Secretary of State: September 23, 2016

ENROLLED: 8/30/16

PASSED IN SENATE: 8/26/16

PASSED IN ASSEMBLY: 8/24/16

LAST AMENDED: 8/19/16

SUMMARY: (1) Existing law creates, within the office of the Governor, the Office of Emergency Services, which, under the Director of Emergency Services, coordinates disaster response, emergency planning, emergency preparedness, disaster recovery, disaster mitigation, and homeland security activities.

This bill would establish the Office of Emergency Services as the lead agency for emergency response to a large, ongoing leak or release of natural gas and associated gases from a natural gas storage facility that poses a significant present or potential hazard to the public health and safety, property, or the environment. The bill would require the Office of Emergency Services to coordinate among other state and local agencies the emergency response, public health and environmental assessment, monitoring, and long-term management and control of the leak.

(2) The Public Utilities Act provides that any public utility that violates any provision of the California Constitution or the act, or that fails or neglects to comply with any order, decision, decree, rule, direction, demand, or requirement of the Public Utilities Commission where a penalty has not otherwise been provided, is subject to a penalty of not less than \$500 and not more than \$50,000 for each offense. Existing law requires that any fine or penalty imposed by the commission and collected from a public utility be paid to the State Treasury to the credit of the General Fund.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas

emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities.

This bill would require a penalty assessed against a gas corporation pursuant to the act in regards to a natural gas storage facility leak to at least equal the amount necessary to fully offset the impact on the climate from the greenhouse gases emitted by the leak from the natural gas storage facility, as determined by the state board, and would require the commission to consider the extent to which the gas corporation has mitigated, or is in the process of mitigating, the impact on the climate from greenhouse gas emissions resulting from the leak, as specified. The bill would require the commission to deposit moneys from penalties assessed against a gas corporation in regards to a natural gas storage facility leak into the Gas Storage Facility Leak Mitigation Account, which the bill would establish in the State Treasury. The bill would provide that moneys in this account shall be expended, upon appropriation by the Legislature, solely for direct emissions reductions in furtherance of achieving the greenhouse gas emissions limit and, if sufficient moneys remain after mitigating the impact on the climate from the gas corporation's emissions, to reimburse state and local response costs. The bill would require these moneys to be expended in a manner that achieves a reduction in greenhouse gases that will fully offset the impact on the climate from those gases emitted by the leak, and in accordance with provisions requiring specified allocations to disadvantaged communities. The bill would require the state board to determine the amount of, and impact on the climate from, greenhouse gases emitted by a leak for these purposes. The bill would require that moneys in the fund resulting from penalties assessed for the Aliso Canyon gas leak be expended, consistent with the state board's Aliso Canyon Climate Impacts Mitigation Program, for specified purposes.

BILL HISTORY:

2016

Sept 23 Chaptered by Secretary of State. Chapter 536, Statutes of 2016.

Sept 23 Approved by the Governor.

Sept 1 Enrolled and presented to the Governor at 5 p.m.

Aug 26 Assembly amendments concurred in. (Ayes 28. Noes 11.) Ordered to engrossing and enrolling.

Aug 25 In Senate. Concurrence in Assembly amendments pending.

Aug 24 Read third time. Passed. Ordered to the Senate.

Aug 19 Ordered to third reading.

Aug 19 Read third time and amended.

Aug 15 Read second time. Ordered to third reading.

Aug 12 From committee: Do pass. (Ayes 14. Noes 2.) (August 11).

Aug 3 August 3 set for first hearing. Placed on APPR. suspense file.

June 29 Read second time and amended. Re-referred to Com. on APPR.

June 28 From committee: Do pass as amended and re-refer to Com. on APPR.
(Ayes 8. Noes 0.) (June 27).June 23 From committee: Do pass and re-refer to Com. on NAT. RES.
(Ayes 16. Noes 2.) (June 22). Re-referred to Com. on NAT. RES.

June 9 Referred to Coms. on G.O. and NAT. RES.
June 2 In Assembly. Read first time. Held at Desk.
June 2 Read third time. Passed. (Ayes 28. Noes 10.) Ordered to the Assembly.
May 31 Read second time and amended. Ordered to third reading.
May 27 From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 27).
May 20 Set for hearing May 27.
May 16 May 16 hearing: Placed on APPR. suspense file. (Ayes 7. Noes 0.)
May 11 From committee with author's amendments. Read second time and amended.
Re-referred to Com. on APPR.
May 6 Set for hearing May 16.
Apr 25 Read second time and amended. Re-referred to Com. on APPR.
Apr 21 From committee: Do pass as amended and re-refer to Com. on APPR.
(Ayes 9. Noes 2.) (April 19).
Mar 30 Set for hearing April 19.
Mar 29 April 5 hearing postponed by committee.
Mar 17 Set for hearing April 5.
Mar 8 From committee: Do pass and re-refer to Com. on E., U., & C. (Ayes 9. Noes 0.)
(March 8). Re-referred to Com. on E., U., & C.
Mar 1 Set for hearing March 8.
Jan 28 Referred to Coms. on G.O. and E., U., & C.
Jan 21 From printer. May be acted upon on or after February 20.
Jan 20 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-949

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB949](http://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201520160SB949)

AUTHOR: Jackson

TOPIC: Emergency services: critical infrastructure information.

LAST AMENDED: 2/4/16

SUMMARY: The California Emergency Services Act requires the Governor to coordinate the State Emergency Plan and any programs necessary for the mitigation of the effects of an emergency in this state, as specified. The act also establishes, within the office of the Governor, the Office of Emergency Services and requires it to perform various duties with respect to specified emergency preparedness, mitigation, and response activities in the state.

This bill would authorize the Governor to require owners and operators of critical infrastructure to submit critical infrastructure information, as those terms are defined, to the Office of Emergency Services, or any other designee, for the purposes of gathering, analyzing, communicating, or disclosing critical infrastructure information, as provided.

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. The act exempts from these disclosure requirements, among other documents, critical infrastructure

information, as defined, that is voluntarily submitted to the Office of Emergency Services for use by that office.

This bill would provide that critical infrastructure information obtained pursuant to its provisions would be confidential and not subject to disclosure under the California Public Records Act, subpoena, or discovery, or admissible as evidence in any private civil action.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

BILL HISTORY:

2016

Apr 12 April 12 set for first hearing canceled at the request of author.

Mar 15 Set for hearing April 12.

Feb 18 Referred to Coms. on G.O. and JUD.

Feb 5 From printer. May be acted upon on or after March 6.

Feb 4 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-968 – CHAPTERED

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB968

AUTHOR: Monning, (Coauthor: Senator Jackson), (Coauthor: Assembly Member Achadjian)

TOPIC: Diablo Canyon Units 1 and 2 powerplant.

CHAPTERED: 9/26/16 – CHAPTER 674, STATUTES OF 2016

Approved by Governor: September 26, 2016.

Filed with Secretary of State: September 26, 2016

ENROLLED: 8/30/16

PASSED IN SENATE: 8/26/16

PASSED IN ASSEMBLY: 8/24/16

LAST AMENDED: 8/17/16

SUMMARY: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Diablo Canyon nuclear powerplant, composed of reactor Units 1 and 2, is operated by the Pacific Gas and Electric Company in the County of San Luis Obispo. Existing law requires the commission to convene, or continue, until August 26, 2025, an independent peer review panel to conduct an independent review of enhanced seismic studies and surveys of the Diablo Canyon Units 1 and 2 powerplant, including the surrounding areas of the facility and areas of nuclear waste storage. The Nuclear Facility Decommissioning Act of 1985 requires each electrical corporation owning or operating nuclear facilities to establish an externally managed,

segregated fund for payment of decommissioning costs of those facilities, establishes requirements for collection of moneys for decommissioning costs in the utility's rates and charges, and requires that the expenses associated with decommissioning of nuclear facilities be paid from those funds. Pursuant to the act, the commission ordered 2 nuclear decommissioning funds be established for the Diablo Canyon Units 1 and 2 powerplant.

This bill would require the commission to cause an assessment to be completed by no later than July 1, 2018, conducted by an independent 3rd party, selected as specified, of the adverse economic impacts, and net economic effects, that could occur, and of potential ways for the state and local jurisdictions to mitigate the adverse economic impact, if the Diablo Canyon Units 1 and 2 powerplant were to temporarily or permanently shut down before the powerplant's current operating licenses expire or when the Pacific Gas and Electric Company closes the powerplant upon the expiration of its current licenses. The bill would require the commission to approve the withdrawal of \$400,000 from the nuclear decommissioning funds established for the Diablo Canyon Units 1 and 2 powerplant for use by the commission for additional staffing to urgently effectuate the third-party assessment.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Pacific Gas and Electric Company.

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

BILL HISTORY:

2016

Sept 26 Chaptered by Secretary of State. Chapter 674, Statutes of 2016.

Sept 26 Approved by the Governor.

Sept 1 Enrolled and presented to the Governor at 5 p.m.

Aug 26 Assembly amendments concurred in. (Ayes 37. Noes 0.) Ordered to engrossing and enrolling.

Aug 26 Urgency clause adopted.

Aug 25 In Senate. Concurrence in Assembly amendments pending.

Aug 24 Read third time. Urgency clause adopted. Passed. Ordered to the Senate.

Aug 18 Read second time. Ordered to third reading.

Aug 17 Read second time and amended. Ordered to second reading.

Aug 16 From committee: Do pass as amended. (Ayes 15. Noes 0.) (August 11).

Aug 3 August 3 set for first hearing. Placed on APPR. suspense file.

Aug 1 From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

June 28 Read second time and amended. Re-referred to Com. on APPR.

June 27 From committee: Do pass as amended and re-refer to Com. on APPR. With recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 22).

June 9 Referred to Com. on U. & C.

June 2 In Assembly. Read first time. Held at Desk.

June 1 Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly.

May 31 Read second time and amended. Ordered to third reading.

May 27 From committee: Do pass as amended. (Ayes 7. Noes 0.) (May 27).
May 20 Set for hearing May 27.
May 2 May 2 hearing: Placed on APPR. suspense file.
Apr 22 Set for hearing May 2.
Mar 31 Read second time and amended. Re-referred to Com. on APPR.
Mar 30 From committee: Do pass as amended and re-refer to Com. on APPR.
(Ayes 9. Noes 0.) (March 29).
Mar 14 From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U., & C.
Mar 9 Set for hearing March 29.
Feb 18 Referred to Com. on E., U., & C.
Feb 9 From printer. May be acted upon on or after March 10.
Feb 8 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-1043

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1043

AUTHOR: Allen

TOPIC: Biogas and biomethane.

LAST AMENDED: 4/25/16

SUMMARY: (1) The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020 equivalent to the statewide greenhouse gas emissions level in 1990. Existing law requires the state board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state.

This bill would require the state board to consider and, as appropriate, adopt policies to significantly increase the sustainable production and use of biogas, as defined, and, in so doing, would require the state board, among other things, to ensure the production and use of biogas provides direct environmental benefits and identify barriers to the rapid development and use of biogas and potential sources of funding. The bill would require the state board to develop and adopt a lifecycle accounting method for greenhouse gases and emissions of short-lived climate pollutants associated with biogas produced from forest biomass, as specified.

(2) Existing law requires the Office of Environmental Health Hazard Assessment, in consultation with the state board, the Department of Toxic Substances Control, the Department of Resources Recycling and Recovery, and the California Environmental Protection Agency, to compile a list of constituents of concern that could pose risks to human

health and that are found in biogas, as defined, at concentrations that significantly exceed the concentrations of those constituents in natural gas. Existing law requires the office to determine the health protective levels for that list, as specified, and requires the state board to identify realistic exposure scenarios and the health risks associated with those scenarios, as specified.

Existing law requires the Public Utilities Commission to adopt, by rule or order, standards for biomethane, as defined, that specify the concentrations of constituents of concern that are reasonably necessary to protect public health and ensure pipeline integrity and safety, as specified, and requirements for monitoring, testing, reporting, and recordkeeping, as specified. Existing law requires a gas corporation to comply with those standards and requirements and requires the commission to require gas corporation tariffs to condition access to common carrier pipelines on the applicable customer meeting those standards and requirements.

This bill would revise the definitions of biogas and biomethane for these purposes.

BILL HISTORY:

2016

- May 27 May 27 hearing: Held in committee and under submission.
- May 24 Set for hearing May 27.
- May 23 May 23 hearing: Placed on APPR. suspense file. (Ayes 7. Noes 0.)
- May 13 Set for hearing May 23.
- May 12 May 16 hearing postponed by committee.
- May 6 Set for hearing May 16.
- Apr 25 Read second time and amended. Re-referred to Com. on APPR.
- Apr 21 From committee: Do pass as amended and re-refer to Com. on APPR.
(Ayes 5. Noes 1.) (April 20).
- Apr 12 Set for hearing April 20.
- Apr 7 Read second time and amended. Re-referred to Com. on E.Q.
- Apr 6 From committee: Do pass as amended and re-refer to Com. on E.Q.
(Ayes 7. Noes 0.) (April 5).
- Mar 30 From committee with author's amendments. Read second time and amended.
Re-referred to Com. on E., U., & C.
- Mar 17 Set for hearing April 5.
- Feb 25 Referred to Com. on JUD.
- Feb 16 From printer. May be acted upon on or after March 17.
- Feb 12 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-1083

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1083

AUTHOR: Allen (Coauthor: Senator Jackson)

TOPIC: California oil spill contingency plan.

LAST AMENDED: 4/28/16

SUMMARY: The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government. Existing law directs the Governor to require the administrator to amend, not in conflict with the National Contingency Plan, the California oil spill contingency plan to provide for the best achievable protection of waters of the state and to include specified elements.

This bill would require a communications element, as specified, to be developed by the administrator and included in the California oil spill contingency plan.

BILL HISTORY:

2016

May 27 May 27 hearing: Held in committee and under submission.

May 20 Set for hearing May 27.

May 16 May 16 hearing: Placed on APPR. suspense file. (Ayes 7. Noes 0.)

May 6 Set for hearing May 16.

Apr 28 From committee with author's amendments. Read second time and amended.
Re-referred to Com. on APPR.

Apr 21 From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.)
(April 20). Re-referred to Com. on APPR.

Mar 31 Read second time and amended. Re-referred to Com. on E.Q.

Mar 30 From committee: Do pass as amended and re-refer to Com. on E.Q.
(Ayes 7. Noes 2.) (March 29).

Mar 9 Set for hearing March 29.

Feb 25 Referred to Coms. on N.R. & W. and E.Q.

Feb 18 From printer. May be acted upon on or after March 19.

Feb 17 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-1096

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1096

AUTHOR: Barryhill

TOPIC: Waste discharge requirements.

LAST AMENDED: 2/17/16

SUMMARY: Existing law, the Porter-Cologne Water Quality Control Act, requires each California regional water quality control board, after any necessary hearing, to prescribe waste discharge requirements to implement relevant water quality control plans, and authorizes the State Water Resources Control Board, after any necessary hearing, to prescribe waste discharge requirements, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

BILL HISTORY:

2016

Feb 25 Referred to Com. on RLS.

Feb 18 From printer. May be acted upon on or after March 19.

Feb 17 Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-1147

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1147

AUTHOR: Galgiani

TOPIC: Hazardous materials: aboveground storage tanks.

LAST AMENDED: 4/6/16

SUMMARY: The Aboveground Petroleum Storage Act generally regulates aboveground storage tanks that contain petroleum and that meet certain requirements. The act requires the owner or operator of an aboveground storage tank that meets certain specifications to prepare a spill prevention control and countermeasure plan and to implement the plan in compliance with specified federal law. The act defines an “aboveground storage tank” as a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground or a tank in an underground area, as defined, except for certain types of tanks and vessels.

This bill would prohibit a city, county, or city and county from enforcing standards for aboveground storage tanks that are more stringent than state or federal standards for aboveground storage tanks unless the city, county, or city and county first adopts an ordinance establishing those standards.

BILL HISTORY:

2016

June 23 June 28 set for first hearing canceled at the request of author.

June 9 Referred to Com. on E.S. & T.M.

June 2 In Assembly. Read first time. Held at Desk.

June 2 Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly.

May 5 Read second time. Ordered to third reading.

May 4 From committee: Do pass. (Ayes 6. Noes 0.) (May 4).

Apr 29 Set for hearing May 4.

Apr 28 Re-referred to Com. on GOV. & F.

Apr 21 From committee: Do pass and re-refer to Com. on RLS. (Ayes 7. Noes 0.) (April 20). Re-referred to Com. on RLS.

Apr 6 From committee with author's amendments. Read second time and amended. Re-referred to Com. on E.Q.

- Mar 30 From committee with author's amendments. Read second time and amended.
Re-referred to Com. on E.Q.
 - Mar 28 April 6 hearing postponed by committee.
 - Mar 15 Set for hearing April 6.
 - Mar 3 Referred to Com. on E.Q.
 - Feb 19 From printer. May be acted upon on or after March 20.
 - Feb 18 Introduced. Read first time. To Com. on RLS. for assignment. To print.
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SB-1151

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1151

AUTHOR: Hall

TOPIC: Emergency services: feasibility study.

LAST AMENDED: 4/18/16

SUMMARY: Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.

This bill would require the office to conduct a study to determine the feasibility of establishing a contract with the United States Postal Service to obtain the assistance of the United States Postal Service with emergency response during a declared disaster, as specified. This bill would require the office to prepare a report on the findings of the study and submit that report to the Legislature on or before January 1, 2018.

BILL HISTORY:

2016

- Apr 28 Re-referred to Com. on RLS.
 - Apr 28 Withdrawn from committee.
 - Apr 22 Set for hearing May 2.
 - Apr 18 Read second time and amended. Re-referred to Com. on APPR.
 - Apr 14 From committee: Do pass as amended and re-refer to Com. on APPR.
(Ayes 8. Noes 1.) (April 12).
 - Mar 28 From committee with author's amendments. Read second time and amended.
Re-referred to Com. on G.O.
 - Mar 15 Set for hearing April 12.
 - Mar 3 Referred to Com. on G.O.
 - Feb 19 From printer. May be acted upon on or after March 20.
 - Feb 18 Introduced. Read first time. To Com. on RLS. for assignment. To print.
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SB-1206

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1206

AUTHOR: Morrell

TOPIC: Natural Gas Pipeline Safety Act of 2011.

LAST AMENDED: 2/18/16

SUMMARY: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations, as defined. The Natural Gas Pipeline Safety Act of 2011 designates the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law, including the development, submission, and administration of a state pipeline safety program certification for natural gas pipelines. The act requires the commission, by July 1, 2012, to open an appropriate proceeding or expand the scope of an existing proceeding to establish compatible emergency response standards that owners or operators of certain commission-regulated gas pipeline facilities, as defined, are required to follow and requires the commission to report to the Legislature on the status of establishing the compatible emergency response standards on or before January 1, 2013.

This bill would make a technical, nonsubstantive change to the compatible emergency response standards requirements.

BILL HISTORY:

2016

Mar 3 Referred to Com. on RLS.

Feb 19 From printer. May be acted upon on or after March 20.

Feb 18 Introduced. Read first time. To Com. on RLS. for assignment. To print.

FEDERAL BILLS, PROPOSED RULES, & NOTICES

SB-856 – Crude-By-Rail Safety Act

AUTHOR: Cantwell, Junior Senator from Washington

TOPIC: Household hazardous waste.

LAST AMENDED: 3/25/15

SUMMARY: A bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

SB-546 – RESPONSE Act of 2016

AUTHOR: Heitkamp (King, Baldwin, Mr. Schumer)

TOPIC: Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee

LAST AMENDED: 11/14/16

SUMMARY: A bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

AJR 42 – Transport by rail of flammable and combustible liquids.

AUTHOR: Dodd

TOPIC: Transport by rail of flammable and combustible liquids.

LAST AMENDED: 2/18/16

SUMMARY: This measure would urge the United States Department of Transportation, Department of Energy, and the Office of Management and Budget to expedite the rulemaking and implementation processes for federal safety regulations governing the transport by rail of flammable and combustible liquids, including crude oil, and would also urge the President

and the Congress of the United States to pass specified federal legislation mandating critical public safety improvements for the transport by rail of those liquids.

Changes to 40 CFR Part 300 – National Oil and Hazardous Substances Pollution Contingency Plan Revisions to Align With the National Response Framework

Federal Register / Vol. 81, No. 15 / Monday, January 25, 2016, Proposed Rules (Page 3982)

RIN 2050-AG78 / EPA-HQ-SFUND-2014-0050; FRL-9940-20-OLEM

Agency: Environmental Protection Agency (EPA)

Action: Proposed Rule

SUMMARY: The Environmental Protection Agency (EPA) is proposing revisions to the National Oil and Hazardous Substances Pollution Contingency Plan. These proposed revisions align the National Oil and Hazardous Substances Pollution Contingency Plan with the Department of Homeland Security's National Response Framework and National Incident Management System. The revisions also update the descriptions of federal agency organizational structures and capabilities and how they operate, and recognize the establishment of the Department of Homeland Security.

DATES: Comments must be received on or before March 25, 2016.

Changes to 40 CFR Part 68 – Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act

Federal Register / Vol. 81, No. 49 / Monday, March 14, 2016, Proposed Rules (Page 13638)

RIN 2050-AG82 / EPA-HQ-OEM-2015-0725; FRL-9940-94-OLEM

Agency: Environmental Protection Agency (EPA)

Action: Proposed Rule

SUMMARY: The Environmental Protection Agency (EPA), in response to Executive Order 13650, is proposing to amend its Risk Management Program regulations. The proposed revisions include several changes to the accident prevention program requirements including an additional analysis of safer technology and alternatives for the process hazard analysis for some Program 3 processes, third-party audits and incident investigation root cause analysis for Program 2 and Program 3 processes, enhancements to the emergency preparedness requirements, increased public availability of chemical hazard information, and several other changes to certain regulatory definitions and data elements submitted in risk management plans. These proposed amendments seek to improve chemical process safety, assist local emergency authorities in planning for and responding to accidents, and improve public awareness of chemical hazards at regulated sources.

DATES: Comments and additional material must be received on or before May 13, 2016.

Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines

**Federal Register / Vol. 81, No. 68 / Friday, April 8, 2016 / Proposed Rules
(Pages 20722 to 20856)**

Docket No. PHMSA–2011–0023

Agency: Pipeline and Hazardous Materials Safety Administration (PHMSA); Department of Transportation (DOT).

Action: Notice of proposed rulemaking.

SUMMARY: This Notice of Proposed Rulemaking (NPRM) proposes to revise the Pipeline Safety Regulations applicable to the safety of onshore gas transmission and gathering pipelines. PHMSA proposes changes to the integrity management (IM) requirements and proposes changes to address issues related to non-IM requirements. This NPRM also proposes modifying the regulation of onshore gas gathering lines.

Pipeline Safety: Potential for Damage to Pipeline Facilities Caused by Flooding, River Scour, and River Channel Migration

**Federal Register / Vol. 81, No. 11 / Tuesday, January 19, 2016 / Notices
(Page 2942)**

Docket No. PHMSA–2015–0283

Agency: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT

Action: Notice; Issuance of Advisory Bulletin.

SUMMARY: PHMSA is issuing this advisory bulletin to remind all owners and operators of gas and hazardous liquid pipelines of the potential for damage to pipeline facilities caused by severe flooding and actions that operators should consider taking to insure the integrity of pipelines in the event of flooding, river scour, and river channel migration.

Department of Homeland Security: Chemical Facility Anti-Terrorism Standards

Federal Register / Vol. 81, No. 139 / Wednesday, July 20, 2016 / Rules & Regulations (Page 47001)

Docket No. DHS-2016-0039

Agency: Department of Homeland Security (DHS)

Action: Suspension and modification of certain submission requirements for chemical facilities of interest and covered chemical facilities under agency regulations.

SUMMARY: The U.S. Department of Homeland Security (DHS or Department) is publishing this document to inform the public of the Department's actions to implement an improved tiering methodology for the Chemical Facility Anti-Terrorism Standards (CFATS) program that incorporates the relevant elements of risk mandated by section 2102(e)(2) of title XXI of the Homeland Security Act of 2002 (as amended). Implementation of the improved tiering methodology required changes to an Information Collection Request (ICR), which has recently been approved by the Office of Management and Budget (OMB).

Department of Transportation: Hazardous Materials: Oil Spill Response Plans and Information Sharing for High-Hazard Flammable Trains

Federal Register / Vol. 81, No. 146 / Friday, July 29, 2016 / Rules & Regulations (Page 50068)

Docket No. PHMSA-2014-0105 (HM-251B)

49 CFR Parts 130, 171, 173, and 174

Agency: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

Action: Notice of proposed rulemaking (NPRM).

SUMMARY: PHMSA, in consultation with the Federal Railroad Administration, is issuing this NPRM to propose revisions to regulations that would expand the applicability of comprehensive oil spill response plans (OSRPs) based on thresholds of liquid petroleum oil that apply to an entire train consist. Specifically, we are proposing to expand the applicability for comprehensive OSRPs so that any railroad that transports a single train carrying 20 or more loaded tank cars of liquid petroleum oil in a continuous block or a single train carrying 35 or more loaded tank cars of liquid petroleum oil throughout the train consist must also have a current comprehensive written OSRP. We are further proposing to revise the format and clarify the requirements of a comprehensive OSRP (e.g., requiring that covered railroads develop response zones describing resources available to arrive onsite to a worst-case discharge, or the substantial threat of one, which are located within 12 hours of each point along the route used by trains subject to the comprehensive OSRP).

We also solicit comment on defining high volume areas and staging resources using alternative response times, including shorter response times for spills that could affect such high volume areas. Further, in accordance with the Fixing America's Surface Transportation Act of 2015, this action proposes to require railroads to share information about high-hazard flammable train operations with state and tribal emergency response commissions to improve community preparedness and seeks comments on these proposals. Lastly, PHMSA is proposing to incorporate by reference an initial boiling point test for flammable liquids from the ASTM D7900 method referenced in the American National Standards Institute/American Petroleum Institute Recommend Practices 3000, "Classifying and Loading of Crude Oil into Rail Tank Cars," First Edition, September 2014 as an acceptable testing alternative to the boiling point tests currently specified in the HMR. PHMSA believes providing this additional boiling test option provides regulatory flexibility and promotes enhanced safety in transport through accurate packing group assignment.

Department of Transportation: Hazardous Materials: Revisions to Hazardous Materials Grants Requirements (RRR)

Federal Register / Vol. 81, No. 196 / Tuesday, October 11, 2016 / Proposed Rules (Page 70067)

Docket No. PHMSA-2015-0272 (HM-209A)

49 CFR Parts 110

Agency: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

Action: Notice of proposed rulemaking (NPRM).

SUMMARY: PHMSA proposes to revise its regulations pertaining to the Hazardous Materials grants program to incorporate the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to implement new requirements set forth by the Fixing America's Surface Transportation (FAST) Act of 2015. PHMSA invites all interested persons to provide comments regarding these intended revisions.
