



# CITY OF CARSON

## Legislation Text

File #: 2019-839, Version: 2

### Report to Mayor and City Council

Tuesday, September 03, 2019

Consent

#### **SUBJECT:**

**CONSIDER RESOLUTION NO. 19-156 SUPPORTING ASSEMBLY BILL 1500  
(CARRILLO), HAZARDOUS SUBSTANCES (CITY COUNCIL)**

#### **I. SUMMARY**

This item is on the agenda at the request of Mayor Robles.

The City Council is asked to consider supporting AB 1500 (Carrillo) Hazardous Substances that would provide local authorities, including a Certified Unified Program Agency (CUPA) for implementing and enforcing hazardous materials, waste laws and a Local Health Officer to temporarily suspend a facilities permit, including shutting down a facility, if conditions at the facility pose an imminent or substantial threat to public health and safety.

#### **II. RECOMMENDATION**

TAKE the following actions:

1 WAIVE further reading and ADOPT Resolution No. 19-156, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING ASSEMBLY BILL 1500, HAZARDOUS SUBSTANCES, PROVIDING LOCAL AUTHORITIES TO DIRECT OFFENDING BUSINESSES TO CEASE OPERATIONS."

2. DIRECT staff to transmit an executed copy of the resolution to Assemblymember Wendy Carrillo's Office.

#### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

Multiple regulatory agencies, such as the California Department of Toxic Substances Control (DTSC) and the South Coast Air Quality Management District (SCAQMD), have the authority to regulate businesses that handle or generate hazardous waste that impose risks to public health and safety in California. These agencies have the authority to direct businesses to cease operations if the businesses generate hazardous waste that pose an immediate risk to life and health.

Recently, SCAQMD registered high levels of Chromium 6 emissions from several businesses in California. The agency determined that the elevated levels were high enough to cause long-term health risks; however, the hazardous waste did not pose an immediate risk to life and health. As a result, these businesses can continue to operate.

On the local level, a Certified Unified Program Agency (CUPA) is responsible for implementing and enforcing hazardous materials and waste laws and a Local Health Officer (LHO) has the general authority to protect the public's health. Despite receiving multiple notices of violation from the local CUPA and the LHO, the businesses that emit hazardous waste can continue to operate because neither the CUPA and the LHO have the authority to direct offending businesses to cease operations.

AB 1500 (Carrillo) seeks to provide local authorities, including CUPAs and LHOs the authority to take immediate action against businesses and facilities that pose an imminent and substantial endangerment to public health and safety. These facilities, or portions of the facilities, would be required to temporarily cease operations until the issue is corrected.

The bill would also strengthen the authority of a local CUPA to discourage CUPA-regulated businesses to operate without a permit and strengthen the authority of the LHO to issue orders against any parties responsible for releasing hazardous substances that pose an imminent or substantial endangerment to the public health in a non-declared emergency.

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

1. Resolution No. 19-156 (pgs. 3-4)

Prepared by: City Manager's Office