

**ASSEMBLY BILL**

**No. 1195**

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**Introduced by Assembly Member Torrico**

February 23, 2007

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An act to amend Section 48651 of the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as introduced, Torrico. Recycling: used oil: payment.

Existing law requires the California Integrated Waste Management Board to pay a recycling incentive to specified entities for the collection of used oil that is transported to a used oil recycling facility. The board is required to pay a recycling incentive to an electric utility for using used lubricating oil meeting specified requirements for electrical generation. An entity that generates used industrial oil or a facility that accepts used oil is required to transport the used oil to a certified used oil facility or a registered out-of-state recycling facility.

This bill would limit the payment of the recycling incentive to those specified entities that transport the used oil to the facility for the purposes of recycling. The board would have the discretion to pay the recycling incentive to an electric utility if the utility uses used lubricating oil at a facility in the state. An entity that generates used industrial oil or a facility that accepts used oil would be required to transport the oil to a facility for the purposes of recycling.

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

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

1 SECTION 1. Section 48651 of the Public Resources Code is  
2 amended to read:

3 48651. (a) The board shall *only* pay a recycling incentive to  
4 every industrial generator, curbside collection program, and  
5 certified used oil collection center, for used lubricating oil collected  
6 from the public, or generated by the certified used oil collection  
7 center or the industrial generator, and transported by a used oil  
8 hauler to the facilities specified in Section 48623 *for the purposes*  
9 *of recycling as defined in Section 3460.*

10 (b) The board ~~shall~~ *may* pay a recycling incentive to an electric  
11 utility, as defined in Section 25108, for used lubricating oil  
12 generated and used by the electric utility *at a facility in this state*  
13 for electrical generation if the electric utility’s use of the used  
14 lubricating oil meets the requirements of subparagraph (C) of  
15 paragraph (2) of subdivision (d) of Section 25143.2 of the Health  
16 and Safety Code and the used oil is in compliance with the  
17 standards for recycled oil established in paragraph (3) of  
18 subdivision (a) of Section 25250.1 of the Health and Safety Code.

19 (c) A person or entity that generates used industrial oil or a used  
20 oil storage facility or a used oil transfer facility that accepts used  
21 oil shall cause that oil to be transported by a used oil hauler to a  
22 certified used oil recycling facility *for the purposes of recycling*  
23 *as defined in Section 3460* or an out-of-state recycling facility  
24 registered with the Environmental Protection Agency *for the*  
25 *purposes of recycling as defined in Section 3460* and operating in  
26 substantial compliance with applicable regulatory standards of the  
27 state in which the recycling facility is located.

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