

Introduced by Senator Padilla

February 23, 2007

An act to add Section 43023 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 826, as introduced, Padilla. Solid waste: environmental justice.

The existing California Integrated Waste Management Act of 1989, establishes an integrated waste management program administered by the California Integrated Waste Management Board in the Resources Agency.

The board is required to adopt regulations setting forth minimum standards for solid waste facilities, including the design, operation, maintenance, and reuse of those facilities.

This bill would require the board to adopt state minimum stands to identify and mitigate environmental justice impacts in disproportionately affected communities in which solid waste facilities are located, including providing advance notice regarding permitting or enforcement, and specified mitigation measures.

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 43023 is added to the Public Resources
- 2 Code, to read:
- 3 43023. (a) The board shall adopt state minimum standards for
- 4 the purposes of identifying and mitigating environmental justice
- 5 impacts in disproportionately affected communities in which solid

1 waste facilities are located. Those minimum standards shall include
2 both of the following:

3 (1) Advance notice, in addition to any notice otherwise required
4 by law or regulation, in languages spoken within the community
5 regarding any board meetings, workshops, or hearings related to
6 the permitting or enforcement of state minimum standards for a
7 solid waste facility.

8 (2) Special mitigation measures to reduce or eliminate any
9 disproportionate impacts from solid waste facilities in
10 disproportionately affected communities.

11 (b) For purposes of this section, “environmental justice” has
12 the same meaning as defined in Section 65040.12 of the
13 Government Code.