

SB 524 (Cogdill)

*Transportation funds.*

LEGISLATIVE COUNSEL'S DIGEST

Chaptered - 10/19/2010

Enrolled - 10/11/2010

Amended - 10/8/2010

Amended - 7/7/2009

Amended - 5/28/2009

Amended - 4/29/2009

Amended - 3/31/2009

Introduced - 2/27/2009

SB 524, as amended, ~~Correa~~ Cogdill .

~~Solid waste: auto shredder residue.~~

*Transportation funds.*

*Existing law, pursuant to Article XIX B of the California Constitution, requires a specified portion of the sales tax on gasoline to be transferred from the General Fund to the Transportation Investment Fund for allocation to the state transportation improvement program, city and county streets and roads, and the Public Transportation Account. In order for a city or a county to receive a streets and roads allocation from the Transportation Investment Fund, it is required to annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund for those purposes during the 1996-97, 1997-98, and 1998-99 fiscal years. Existing law provides that if a city or county fails to comply with this maintenance of effort requirement in a particular fiscal year, it may alternatively comply by expending in that year and the following fiscal year a combined total amount that is not less than the amount otherwise required to be expended in the 2 fiscal years.*

*This bill would, notwithstanding those provisions, provide that the County of Fresno would have until June 30, 2015, to meet the maintenance of effort requirement applicable to counties in order to receive a streets and roads allocation from the Transportation Investment Fund for the 2009-10 fiscal year.*

*This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Fresno.*

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

~~The California Integrated Waste Management Act of 1989 requires materials that require special handling, as defined, to be removed from major appliances and vehicles in which they are contained prior~~

to crushing for transport or transferring to a baler or shredder for recycling. The act requires the California Integrated Waste Management Board (board), in consultation with specified entities, including the Department of Toxic Substances Control, to evaluate the use of recycling residue, which is defined as nonhazardous residue or residue treated to be nonhazardous that is a direct result of a metals recovery operation for the express purposes of recycling, for use as solid waste landfill cover materials or for use as extenders for currently used cover material.

Existing law, by regulation, authorizes auto shredder waste that is treated as required by regulation to be used as alternative daily cover if specified requirements are met.

This bill would require the Secretary for Environmental Protection, on or before February 1, 2010, subject to the availability of funding, to establish an auto shredder residue working group, comprised of representatives of the board, the department, the State Air Resources Board, the State Water Resources Control Board, members of the auto shredder industry, landfill operators, members of the public health and environmental communities, and other interested stakeholders. The bill would require the working group to review and evaluate the existing practice of using treated auto shredder residue as alternative daily cover, determine the effects of the department's proposed revocation of the current regulatory classification of treated auto shredder residue and resulting prohibitions on its use as alternative daily cover, determine whether the current regulatory classification of treated auto shredder residue poses a threat to human health and the environment, identify the constituents in auto shredder residue that could pose health and safety or environmental problems when used as alternative daily cover in accordance with applicable regulations, recommend approaches to work with the auto industry to manufacture vehicles that produce less hazardous waste at end of life, and recommend changes to statute, regulation, or agency practice, if any, based on the working group's analysis.

The bill would require the secretary, on or before December 31, 2010, to report to the Legislature on the findings of the working group. The bill would require the department, when reviewing policies and procedures for management of automobile shredder waste, to determine if the current regulatory classification of treated auto shredder residue and subsequent uses poses a threat to human health and the environment and to seek input from various state agencies and stakeholders.

The requirements of the bill would become inoperative on July 1, 2011, and would be repealed on January 1, 2012.