



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

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FOR IMMEDIATE RELEASE

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SUMMARY OF DTSC 2010 Legal and Regulatory Changes

On Jan. 1, several changes involving the Department of Toxic Substances Control (DTSC) will go into effect. They will:

- ensure that plumbing material that carry cooking and drinking water are “lead free”;
- require that lighting products do not exceed European limits for toxic metals;
- establish a health-based cleanup standard for methamphetamine labs;
- prohibit the use of lead wheel weights;
- require DTSC to develop information on nanomaterials in collaboration with manufacturers and importers;
- lengthen the statute of limitations on spill reporting;
- extend the California Land Reuse and Revitalization Act; and
- modify testing requirements for transporters of used oil.

The statutory changes and mandates will impact California consumers, households, retailers, and manufacturers, and arise from the following Legislative measures.

Lead in Plumbing

SB 1334 and SB 1395 – to ensure water used for cooking and drinking is free from lead transferred from pipes, plumbing fittings, and fixtures.

Senate Bill 1334, Calderon. Drinking water: pipes and fittings: lead content

Requires all pipes, plumbing fitting or fixtures, or flux to be certified by an independent American National Standards Institute (ANSI)-accredited third party for compliance with lead standards. Requires the certification to include testing materials in accordance with DTSC protocols for implementing the lead standards compliance testing and evaluation program outlined in SB 1395 (see next item).

http://leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1334&sess=PREV&house=B&author=calderon

Senate Bill 1395, Corbett. Lead plumbing: monitoring and compliance testing.

Allows DTSC to annually select up to 75 drinking water plumbing fittings and fixtures for testing to determine compliance with the lead plumbing provisions in SB 1334. DTSC is required to post the findings on its Web site and to provide a report to the California Department of Public Health.

http://leginfo.ca.gov/pub/07-08/bill/sen/sb_1351-1400/sb_1395_bill_20080929_chaptered.html

Lighting Efficiency and Toxics Reduction

AB 1109 – Reduces certain toxic materials, such as mercury and lead, in lighting products.

Assembly Bill 1109, Huffman. Energy resources: lighting efficiency: hazardous waste; the California Lighting Efficiency and Toxics Reduction Act.

Requires lighting manufacturers to provide certifications to retailers that their products do not exceed European Union limits for cadmium, lead, mercury, or hexavalent chromium. Under the measure, manufacturers may list the certification on packaging.

http://leginfo.ca.gov/pub/07-08/bill/asm/ab_1101-1150/ab_1109_bill_20071012_chaptered.html

Methamphetamine Labs

AB 1489 – prevents exposures by residual contaminants produced during methamphetamine production by requiring public health officers to use “health-based standards” before approving structures for human habitation.

Assembly Bill 1489, Smyth. Hazardous materials: methamphetamine laboratories. Allows DTSC to continue developing health-based target cleanup standards for precursors and byproducts of methamphetamine production. This change will allow DTSC to expand the development of cleanup standards to accommodate ever-changing processes used in the manufacture of illegal drugs.

http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1451-1500/ab_1489_bill_20091011_chaptered.html

Lead Wheel Weights

SB 757 – establishes a ban on automobile and truck tire-balancing wheel weights made of lead.

Senate Bill 757, Pavley. Lead wheel weights

Prohibits manufacturing, using, or selling automobile and truck lead wheel weights containing more than 0.1 percent lead by weight. Authorizes DTSC to respond and investigate non-compliance and limits enforcement to administrative or civil penalties up to \$2,500 per day for each violation. The measure also requires lead weight alternatives to be addressed through the “safer alternatives” regulations that DTSC is adopting in its implementation of recent Green Chemistry bills, if the alternative is identified as a “chemical of concern.”

http://leginfo.ca.gov/pub/09-10/bill/sen/sb_0751-0800/sb_757_bill_20091011_chaptered.html

Auto Dismantler Authorization

AB 805 – requires the Department of Motor Vehicles (DMV) to make a thorough investigation of all documents contained in automobile dismantlers’ licensing applications.

Assembly Bill 805, Fuentes. Vehicles: automobile dismantlers: license: applications.

Requires the Department of Motor Vehicles to verify all information in a license application to ensure that the applicant operating an auto dismantler business in California has an EPA ID Number, has satisfied requirements related to the Business Plan for Emergency Response and Storm Water Permits, and has a Board of Equalization resale permit.

http://leginfo.ca.gov/pub/09-10/bill/asm/ab_0801-0850/ab_805_bill_20091011_chaptered.html

Nanotechnology Call-in

AB 289 – Requires Cal/EPA to coordinate all requests for information from nanotechnology manufacturers made on behalf of its state agencies.

Assembly Bill 289, Chan Chemicals: testing methods.

Requires the Cal/EPA to coordinate all requests for information from nanotechnology manufacturers made on behalf of state agencies. In January 2009, DTSC sent letters to manufacturers requesting information regarding analytical test methods, fate and transport in the environment, and other relevant information about nanomaterials. Manufacturers had one year from that date to respond. In January 2010, DTSC will proceed to identify information gaps and develop further information on nanomaterials.

http://leginfo.ca.gov/pub/05-06/bill/asm/ab_0251-0300/ab_289_bill_20060929_chaptered.html

Spill Reporting Statute of Limitations, Penalties

AB 305 – extends the statute of limitations for violations of the Hazardous Material Release Response Plan requirements, and increases penalties associated with hazardous materials business and contingency plans.

Assembly Bill 305, Nava. Hazardous materials: statute of limitations: penalties.

Extends the statute of limitations to five years for violations of Hazardous Material Release Response Plan (business plan) requirements and authorizes the imposition of a jail sentence in addition to a monetary fine for the violation of spill reporting requirements. Allows both a fine of up to \$50,000 or punishment of up to one year in county jail, or both, for failing to report or for filing a false or misleading report of an oil spill in to non-marine waters.

http://leginfo.ca.gov/pub/09-10/bill/asm/ab_0301-0350/ab_305_bill_20091011_chaptered.html

Extend California Land Reuse and Revitalization Act

SB 143 – extends the life of a major brownfields act that provides incentives for in-fill developers.

Senate Bill 143, Cedillo. Hazardous materials: California Land Reuse and Revitalization Act of 2004.

Adds a prospective purchaser to the list of persons eligible to enter into a specified cleanup agreement. Extends the repeal date for the California Land Reuse and Revitalization Act (CLRRA) of 2004 until January 1, 2017. This act provides qualified innocent landowners, certain purchasers, or contiguous property owners with immunity from liability for certain hazardous materials response costs or other damages if they clean up the property.

http://leginfo.ca.gov/pub/09-10/bill/sen/sb_0101-0150/sb_143_bill_20091011_chaptered.html

The California Oil Recycling Enhancement Act

Senate Bill 546 – amends the California Oil Recycling Enhancement Act to modify used oil transporter testing requirements.

Senate Bill 546, Lowenthal. Used oil. The California Oil Recycling Enhancement Act
This bill makes a number of changes to the used oil management programs in California, including: modifying testing requirements on used oil transporters; raising lubricating oil manufacturers' fees; increasing the incentive payment for recycling used oil; authorizing an additional incentive to facilities that produce re-refined base lubricants; and establishing certification requirements for out-of-state used oil recycling facilities.

http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0501-0550/sb_546_bill_20091011_chaptered.html

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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The mission of the Department of Toxic Substances Control is to protect public health, safety, and the environment from toxic harm.