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AB-1153 Solid waste disposal and codisposal site cleanup: illegal disposal site abatement. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 22, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1153

Introduced by Assembly Member Bonta

February 20, 2025

An act to amend Section 48021 of the Public Resources Code, relating to solid waste, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1153, as amended, Bonta. Solid waste disposal and codisposal site cleanup: illegal disposal site abatement.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires the department to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites where no responsible party is available to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. Existing law provides that all expenses incurred by the department in carrying out the program are to be paid from the Solid Waste Disposal Site Cleanup Trust Fund, which is continuously appropriated to the department for purposes of the program. Existing law authorizes the department, in administering the program, to expend funds for specified purposes, including providing grants to public entities for the abatement of illegal disposal sites.

This bill would additionally authorize the ~~department, as part of grants provided to public entities to abate illegal disposal sites, to provide funding~~ *department to expend funds appropriated for the program* for removing and disposing of recreational vehicles, as defined, for *developing* enforcement strategies, and for developing local enforcement teams and illegal dumping enforcement officers, as ~~defined:~~ *specified*. By ~~expanding the scope of the grants, which are funded by~~ *authorizing new uses of moneys in* a continuously appropriated fund, this bill would make an appropriation.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 48021 of the Public Resources Code is amended to read:

48021. (a) In prioritizing the sites for cleanup pursuant to Section 48020, the ~~board~~ department shall consider the degree of risk to public health and safety and the environment posed by conditions at a site, the ability of the site owner to clean up the site without monetary assistance, the ability of the ~~board~~ department to clean up the site adequately with available funds, maximizing the use of available funds, and other factors as determined by the ~~board~~ department.

(b) (1) In administering the program authorized by Section 48020, the ~~board~~ department may expend funds directly for cleanup, provide loans to parties who demonstrate the ability to repay state funds, and provide partial grants to public entities, to assist in site cleanup.

(2) The ~~board~~ department may expend funds directly for the cleanup of a publicly owned site only if the ~~board~~ department determines that the public entity lacks resources or expertise to timely manage the cleanup itself.

(3) In addition to the criteria specified in subdivision (a), in considering partial grants that provide greater than 50 percent of the funds directly for cleanup, the ~~board~~ department shall consider all of the following:

(A) The amount of contributions of moneys or in-kind services from the applicant.

(B) The availability of other appropriate funding sources to remediate the site.

(C) The degree of public benefit.

(D) The presence of innovative and cost-effective programs to abate or prevent solid waste problems to be addressed by the grants.

(E) Other factors as determined by the ~~board~~ department.

(c) (1) In addition to the expenditures specified in subdivision (b), the ~~board~~ department may expend a portion of the funds appropriated for the program to abate illegal disposal ~~sites, including, but not limited to, all of the following:~~ sites.

~~(A) Funding for the removal and disposal of a recreational vehicle, as defined in Section 18010 of the Health and Safety Code.~~

~~(B) Funding for enforcement strategies.~~

~~(C) Funding for developing local enforcement teams and illegal dumping enforcement officers, as defined in Section 830.7 of the Penal Code.~~

(2) For the purposes of this subdivision, the ~~board~~ department may provide grants to public entities.

(3) Where funds are provided by the ~~board~~ department to address illegal disposal sites within a jurisdiction, the local enforcement agency shall provide ongoing enforcement to prevent recurring illegal disposal at the site.

(4) For the purposes of this subdivision, an activity to remove or abate solid waste disposed into a municipal storm sewer is eligible to receive a partial grant, if the grant is used for solid waste cleanup, solid waste abatement, or any other activity that mitigates the impact of solid waste, and an ongoing program is established to prevent recurring solid waste disposal into the municipal storm sewer.

(d) (1) In addition to the expenditures specified in subdivisions (b) and (c), the department may expend funds appropriated for the program for any of the following:

(A) The removal and disposal of an abandoned recreational vehicle, as defined in Section 18010 of the Health and Safety Code.

(B) The development of enforcement strategies.

(C) The development of local enforcement teams and illegal dumping enforcement officers, as defined in Section 830.7 of the Penal Code.

(2) When implementing this subdivision, the department shall prioritize projects in disadvantaged communities, as described in Section 39711 of the Health and Safety Code.

~~(d)~~

(e) In developing and implementing the program, the ~~board~~ department shall consult with certified local enforcement agencies and the regional water boards.