



# **AB 480 Imminent and Substantial Endangerment-Emergency Closure**

**March 22, 2023**

**3-5 p.m.**

**HMBP-W-M4**



**25th California Unified Program  
Annual Training Conference**  
March 20 – 23, 2023

# Introductions

- Mario Tresieras** Chief, Health HazMat Division  
LA County Fire/CUPA
- Karen Riveles** Office of Environmental Health  
Hazard Assessment (OEHHA), CalEPA
- John Elkins** California Environmental Protection  
Agency (CalEPA)



# Overview

- Introduction to AB480
- Methodology, Development, and Next Steps
- Overview of Draft Decision Tree
- General Factors to Consider and Media-Specific Resources
- Scenarios to Exercise the Decision Tree
- Q/A
- Contact Info



# Introduction: What is Assembly Bill (AB) 480?

- If it is reasonably determined that the release or entry poses an imminent **and** substantial endangerment to public health due to factors, including, but not limited to, carcinogenicity, acute and/or chronic toxicity, bio accumulative properties, or persistence in the air or environment, the UPA may take the following actions:
  - **Order** - issue an order to the responsible party to immediately suspend or discontinue the activity causing or contributing to the release, spill, escape, or entry of the hazardous material, hazardous waste, or hazardous substance. The order shall remain in effect until the UPA determines that the imminent and substantial endangerment to public health has been abated.
  - **Coordinate** - with other appropriate regulatory agencies that may take any other action necessary to protect the public health, including, but not limited to, environmental investigations and temporary relief to, or relocation of, affected individuals.

• [Bill Text - AB-480 Hazardous materials. \(ca.gov\):  
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=  
202120220AB480](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB480)

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# What is AB 480?

- **Authorize Unified Program Agencies (UPAs):**
  - **Without a declaration of a local health emergency**, if a release, spill, escape, or entry, as described, of a hazardous material, hazardous waste, or hazardous substance occurs
  - In consultation with the **local health officer** (Must consult with LHO)
  - To make a reasonable determination that it **poses an imminent AND substantial endangerment to public health**
  - Issue an order to the responsible party to immediately **suspend or discontinue the activity**



# What is AB 480? cont.

- Requires UPAs to support its order with **written findings**
- Requires evidence of **local health officer consultation**
- Must be **consistent with criteria developed by UPAs**
  - To determine whether an imminent **AND** substantial endangerment to public health has occurred



# What is AB 480? cont.

- Preclude the UPA from issuing an order **if** the release, spill, escape, or entry of a hazardous material, hazardous waste, or hazardous substance:
  - **falls below a reporting threshold established by the office in any regulation**
- Provide the **responsible party an opportunity to appeal** the order



# Methodology, Development, and Next Steps

- The CUPA Forum Board formed a **multi-agency workgroup** to develop criteria for decision-making for UPAs to use
- Workgroup consists of **local and State experts** in hazardous materials, public health, and emergency response: CA Waterboard, CalEPA, DTSC, LA City, LA County, and OEHHA
- Workgroup has been meeting for over one-year to **develop criteria**
- Draft criteria to **aid UPAs** in decision-making process and **provide additional resources**





# Development of AB 480 Criteria

- Developed draft two-page **decision tree** with supporting/additional resources
- **Today:** Share and exercise **DRAFT** decision tree
- Share **Additional Resources** (General and by Media)
- **Seek input from participants!**
- Run through **exercise scenarios** with participants to aid in developing draft criteria



# Next Steps

- Workgroup will continue to meet **to add/modify/improve draft criteria**
- Workgroup **will consider input received here today**
- Additional Review and Development
  - Additional Internal and External review
  - Local Public Health, Environmental Health, Local Health Officer
  - CUPAs
  - Business community
  - Government agencies





**Thank you!**  
**Any Questions?**



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# Presenters

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- Karen Riveles, OEHHA - Email: [Karen.Riveles@oehha.gov](mailto:Karen.Riveles@oehha.gov)
- John Elkins, CalEPA – Email: [John.Elkins@calepa.ca.gov](mailto:John.Elkins@calepa.ca.gov)



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