

Communications and Legislation Committee

Item 8-5

Subject: Express Opposition, Unless Amended, to AB 2583 (Hall, D-Los Angeles) regarding water treatment: hazardous materials

Purpose: To provide an explanation of Metropolitan's position on AB 2583 which may constrain the use of essential chemicals.

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Summary

This presentation provides an overview of the District's recommended position on Assembly Bill 2583 (Hall, D-Los Angeles). Staff recommends an oppose unless amended position because the bill indirectly regulates the transportation of hazardous materials, unduly requires modification by water and wastewater agencies, and would substantially disrupt supply-chain reliability.



Express Opposition, Unless Amended, to AB 2583 (Hall, D-Los Angeles) regarding water treatment: hazardous materials

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May 11, 2010

Background

- Existing state law regulates **storage** and **handling** of acutely hazardous materials (chlorine gas of >1,500 lbs on site)
- Calif. Accidental Release Prevention Program (CalARP)
 - Process Safety Management: employee safety
 - Risk Management Plan: off-site consequence
- Existing CalARP laws do not constrain **transportation** or **use** of chlorine gas

AB 2583 Summary

As amended on April 22

- Requires California Emergency Management Agency (Cal EMA) to develop regulation by 2013
- Requires water/wastewater utilities with Risk Management Plans to
 - Consider use of “safer technology”
 - Identify process modifications needed to mitigate for potential chlorine releases when **transported**
 - Require the utility to use “safer technology” if appropriate

Identified Concerns

- Requires water/wastewater utilities to mitigate for third-party **transportation** risks
 - Indirectly regulates hazardous materials transportation
 - Regulates only a small portion of hazardous materials transported in California
- Does not balance need to protect public health while minimizing chemical release risk
- Does not involve agencies which regulate water or wastewater
- Does not acknowledge on-going efforts to directly improve transportation security

Operational Reliability

Complexity: One week's supply for treatment plant

Chlorine Gas

Delivered Bleach

Generated Bleach



Sixteen 20-ton salt trailers

**2.7 million gal.
softened water**



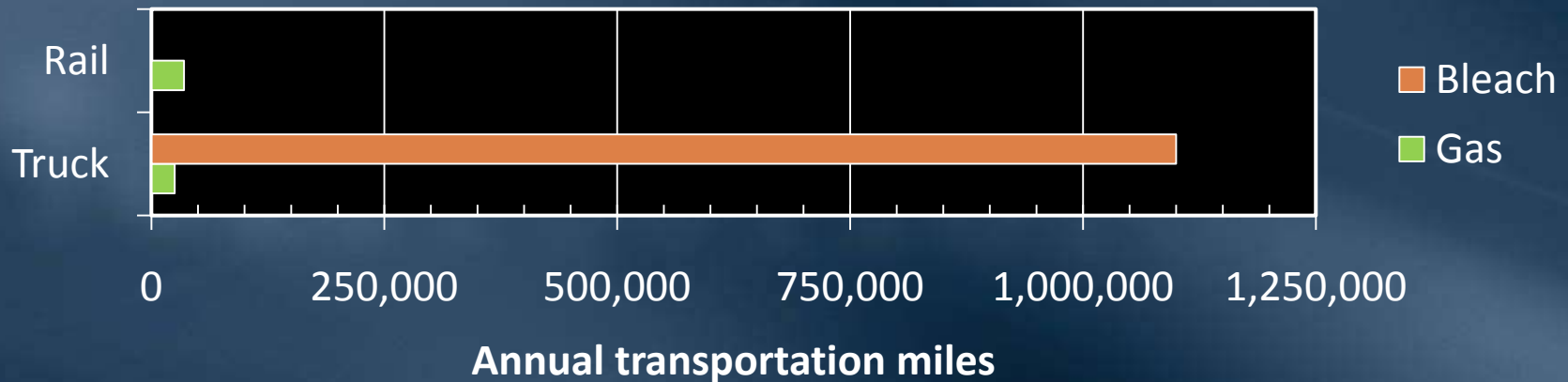
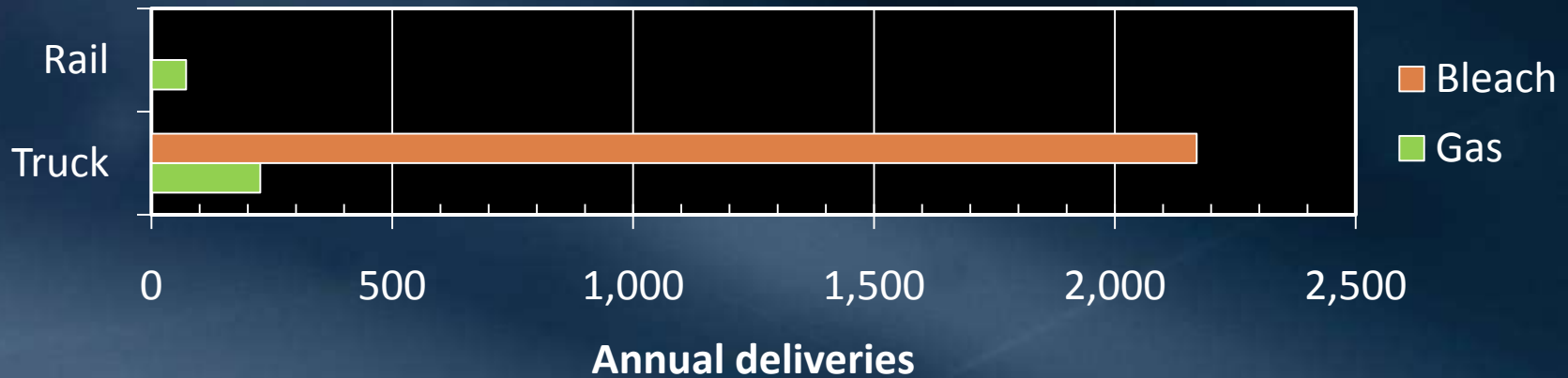
**2.4 megawatts
electricity**



**24,000 gallons
diesel fuel**

Effect on chemical deliveries

Assumes chlorine gas replaced by delivered bleach



Proposed Amendments

- Remove language which indirectly regulates the third-party transportation of hazardous materials
- Require law to be administered by agencies which regulate water/wastewater industry
- Complement proposed federal law on water system security to study safer technology
- Allow affected agencies to appeal any mandate to modify disinfection processes

Board Options

- Option #1
 - Adopt the CEQA determination
 - Oppose AB 2583 unless amended
- Option #2
 - Adopt the CEQA determination
 - Oppose AB 2583
- Option #3
 - Adopt the CEQA determination
 - Take no position on AB 2583

Staff Recommendation

- Option #1

