RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, under state law multiple regulatory authorities have jurisdiction over businesses that handle or generate hazardous waste and materials that pose a risk to public health and safety; and

WHEREAS, at the local level, the Certified Unified Program Agency (CUPA) is responsible for implementing and enforcing hazardous materials and waste laws; and

WHEREAS, in the City of Los Angeles, the Fire Department serves as the CUPA, and is responsible for the oversight of numerous hazardous materials facilities across the City; and

WHEREAS, a CUPA can cite violators of hazardous materials laws, but does not have the authority to direct businesses that pose an imminent threat to public health and safety to cease operations; and

WHEREAS, AB 480 (Carrillo) would authorize the CUPA, without a declaration of a local health emergency, to take specified actions to protect the health and safety of the public, including, among others, issuing 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 waste or hazardous substance; and

WHEREAS, AB 480 would also require a business, reporting the release or threatened release of hazardous materials to the CUPA and the State Office of Emergency Services, to provide state, city, or county fire or public health or safety personnel and emergency response personnel with access to the facility where there is a release or threatened release of hazardous materials; and

WHEREAS, this legislation is needed to ensure that the public is adequately protected from hazardous materials and that local authorities are empowered to protect the public;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2021 - 2022 State Legislative Program SUPPORT for AB 480 (Carrillo), which would authorize the local Certified Unified Program Agency (CUPA), in consultation with the local health officer to take specified actions to protect the health and safety of the public against hazardous waste, including the ability to issue an order to an emitter of hazardous waste to suspend or discontinue activity that is threatening public health.

PRESENTED BY: Mitch O'Farrell
MITCH O'FARRELL
Councilmember, 13th District

FEB 10 2021

SECONDED BY: Paul Koretz

jwd