

Date of Hearing: January 20, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

AB 1553 (O'Donnell) – As Amended January 3, 2022

Policy Committee: Environmental Safety and Toxic Materials      Vote: 6 - 0

Urgency: No      State Mandated Local Program: No      Reimbursable: No

**SUMMARY:**

This bill establishes the Southern Los Angeles Ocean Chemical Waste Community Oversight Council (Council) under the California Environmental Protection Agency (CalEPA) to oversee the study and mitigation of the toxic waste at "Dumpsite-2," the DDT dumpsite off the California coast. This bill specifies the membership, duties and limitations of the Council and sunsets on January 1, 2027.

Specifically, this bill:

- 1) Prescribes requirements relating to the composition and administration of the Council and provides the Council will consist of 11 voting members and no more than nine nonvoting members.
- 2) Requires the voting members of the Council to establish and elect officers and requires the Secretary for CalEPA to select an executive director of the Council.
- 3) Requires the Council to hold a public meeting every six months, with the first meeting occurring on or before September 1, 2023, to review and provide feedback on proposed scientific studies and mitigation plans and completed scientific studies related to Dumpsite-2.
- 4) Requires the Council, on or before June 30, 2024, and on or before June 30 of each year thereafter, to report to the Governor and the Legislature with recommendations on how to further mitigate the negative impacts of anthropogenic chemical waste deposits at or from Dumpsite-2, considering impacts on water quality, fish and wildlife habitat and public health as well as the technical and financial feasibility of proposed mitigation efforts.

**FISCAL EFFECT:**

- 1) CalEPA costs of \$850,000 per year for three years to fund five positions to support the Secretary of CalEPA and the Council, perform analyses and make recommendations (General Fund or special fund).
- 2) State Water Resources Control Board (SWRCB) costs of 1,125,000 per year for three years for technical staff to perform research, tracking, program management, reporting and public affairs duties associated with the study as well as the mitigation of negative impacts at or from Dumpsite-2 and reporting requirements (General Fund or special fund).

- 3) Potential cost pressures in the millions of dollars to implement the decisions of the Council regarding further research, remediation projects or other expenses (General Fund or special fund).
- 4) Unknown costs, likely between \$75,000 and \$150,000 each for the Natural Resources Agency, Department of Toxic Substance Control and Department of Public Health to participate on the Council (General Fund and Special Fund).

## COMMENTS:

**Background and Purpose.** San Pedro Basin, off the coast of Los Angeles, where barrels of chemical waste have been detected, is known as "Dumpsite-2." In the 1980s, it was discovered that Montrose Chemical Corporation contracted with California Salvage to dispose of acid waste from the DDT manufacturing process by dumping it off the coast of California. Records indicate hundreds of thousands of barrels containing waste laced with DDT were dumped at a deep sea site located between the California coast and Santa Catalina Island between 1947 and 1961. In April 2021, researchers at the Scripps Institution of Oceanography and the National Oceanic and Atmospheric Administration (NOAA) conducted a survey to map the dump site. They found more than 27,000 barrels of what potentially could be DDT on the ocean floor between the Palos Verdes Peninsula and Catalina Island.

The survey, conducted from March 10 to 24, 2021, mapped more than 36,000 acres of seafloor at depths of up to 3,000 feet, and about 12 miles offshore from the Palos Verdes Peninsula and eight miles from Catalina in an area where scientists had previously discovered an accumulation of DDT. But, the mapping sonars cannot determine the contents of the barrels, which remains unknown.

DDT has been shown to cause liver cancer in laboratory animals. It is stored in fatty tissues which results in biomagnification, meaning DDT levels in animals increase in concentration farther up the food chain. DDT is highly acutely toxic to fish and aquatic invertebrates.

The rediscovered DDT waste dumping site off the north coast of Santa Catalina Island represents a significant threat to the health of marine life and animals in the food chain dependent on that marine life. DDT is highly persistent and moves from contaminated sediments into the water.

Since 1985, fish consumption advisories and health warnings have been posted in Southern California because of elevated DDT and other contaminant levels. Bottom-feeding fish are particularly at risk for high levels of contamination.

The high DDT levels in fish are reflected in predators that eat fish as well, including dolphins and birds of prey. A 2015 study by researchers from San Diego State University found high levels of DDT and other human-made chemicals in the blubber of Bottlenose Dolphins that died of natural causes. The Institute for Wildlife Studies, a conservation organization on Catalina Island, is working to restore bald eagles on Santa Catalina Island Conservancy land since the late 1970s. Bald eagles had been common on the island until the 1960s, when it is believed that the effects of dumping DDT off the coast of Southern California made it impossible for eagles to

successfully hatch their young. Until as recently as 2007, bald eagles on the Island were unable to reproduce.

According to the author:

Mitigating the damage from chemical waste in the San Pedro Basin will be a complicated multi-year effort that will require coordination by scientists, activists, elected officials, and multiple government agencies. To properly perform this necessary work these various institutions need a way to collaborate and cooperate that allows for transparency and public input. AB 1553 will provide this by establishing the Southern Los Angeles Ocean Chemical Waste Community Oversight Council.

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