

Date of Hearing: April 29, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2776 (Committee on Environmental Safety and Toxic Materials) – As Amended March 26, 2026

Policy Committee: Environmental Safety and Toxic Materials Vote: 7 - 0

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

SUMMARY:

This bill makes various technical changes to the unified hazardous waste and hazardous materials management regulatory programs overseen by the Certified Unified Program Agencies (CUPAs).

Specifically, this bill, among other things:

- 1) Clarifies that the compaction of hazardous waste, including non-liquid hazardous waste (for example, used personal protective equipment, absorbent pads, and wipes), is not considered “treatment,” provided the waste meets specified conditions.
- 2) Exempts from the definition of “aboveground storage tank” (a) oil-filled electrical equipment if the single piece of equipment meets specified conditions and (b) the piping and ancillary equipment of a tank in an underground area that has the capacity to store less than 55 gallons of petroleum.
- 3) Requires the permit holder of an underground storage tank (UST) to return to compliance within 30 days after receiving a compliance report or a special inspection report from a CUPA and authorizes a CUPA to approve a plan to return the UST to compliance in longer than 30 days as long as the permit holder of a UST returns the compliance plan to the CUPA within 30 days of receiving the compliance report or special inspection report.
- 4) Clarifies that vacuum, pressure, or hydrostatic (VPH) monitoring of a UST applies only to UST components beneath the surface of the ground.

FISCAL EFFECT:

Minor and absorbable costs to the California Environmental Protection Agency (CalEPA), the Department of Toxic Substances Control (DTSC), and the State Water Resources Control Board (State Water Board).

COMMENTS:

- 1) **Purpose.** According to the Assembly Environmental Safety and Toxic Materials (ESTM) Committee, CUPAs meet routinely to discuss implementation of the six statewide programs they oversee and occasionally discover inconsistencies in interpretation of the law. To maintain a unified program, the CUPAs bring potential inconsistencies to state regulators

(CalEPA, DTSC, and the State Water Board) and to the regulated community. The ESTM Committee notes this bill reflects suggestions brought forward from these stakeholder discussions.

- 2) **Background. *Certified Unified Program Agencies.*** CUPAs are local agencies certified by the Secretary of CalEPA to implement and enforce six unified hazardous waste and hazardous materials management regulatory programs. There are 81 CUPAs in California tasked with implementing and enforcing these programs.

Underground Storage Tank Program (UST Program). The statewide UST Program is intended to protect public health and safety and the environment from releases of petroleum and other hazardous substances from USTs. A UST is defined in state law as "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and is substantially or totally beneath the surface of the ground." CUPAs enforce UST regulations within their jurisdiction.

Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs. State and federal law and regulations require businesses to manage their hazardous waste from the point of generation until proper disposal or recycling. This includes labeling and storage requirements and ensuring the waste is properly transported to an authorized facility. Current law also includes requirements for entities that treat their hazardous waste on-site. CUPAs enforce hazardous waste generator requirements as well as on-site hazardous waste treatment requirements within their jurisdiction.

Aboveground Petroleum Storage Tank Act (APSA). APSA regulates tank facilities that are subject to federal regulation or tank facilities with an aggregate storage capacity of 1,320 gallons or more of petroleum in aboveground storage containers or tanks with a shell capacity equal to or greater than 55 gallons. APSA also regulates tank facilities with less than 1,320 gallons of petroleum if they have one or more stationary tanks in an underground area. CUPAs enforce APSA within their jurisdiction.

This bill makes technical changes to the On-site Hazardous Waste Treatment Program, the UST Program, and APSA.

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