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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### **AB 993 (Hadwick) - Hazardous materials management: Rural CUPA Reimbursement Account**

**Version:** May 23, 2025

**Urgency:** No

**Hearing Date:** August 18, 2025

**Policy Vote:** E.Q. 8 - 0

**Mandate:** No

**Consultant:** Ashley Ames

**Bill Summary:** This bill would expand eligibility for the Rural Certified Unified Program Agency (CUPA) Reimbursement Account to include all counties with populations of less than 150,000.

#### **Fiscal Impact:**

- Unknown but likely significant General Fund cost pressures, possibly in the high hundreds of thousands of dollars annually, to provide funding for expanded eligibility of the Rural CUPA Reimbursement Account.

#### **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 (Unified Program). Currently, there are 81 CUPAs in California tasked with implementation and enforcement of the following:

- a) Hazardous Materials Release Response Plans and Inventories (Business Plans);
- b) California Accidental Release Prevention (CalARP) Program;
- c) Underground Storage Tank Program (USTP);
- d) Aboveground Petroleum Storage Act (APSA);
- e) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs; and,
- f) California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements.

*Rural CUPA Reimbursement Program.* Beginning on January 1, 2002, the Rural CUPA Reimbursement Program was created for a county for which a CUPA was not certified on or before January 1, 2000, and the Unified Program was implemented afterward. At the time, only 13 out of 25 rural counties were considered eligible and the fund was intended to support the operations of those counties that did not join the Unified Program. A CUPA may apply for Rural CUPA Reimbursement if it has a population of less than 150,000, and the amount of funds allocated depends on the population size. No more than \$60,000 may be allocated for all CUPAs in an eligible county. No disbursement can be distributed until an applicant county is fully certified and has adopted a single fee system.

Each CUPA must institute a single fee system (HSC § 25404.5), to ensure that the revenues collected under the single fee system and the amount allocated are sufficient to cover the necessary costs incurred by the CUPA for implementation of the Unified Program. Each CUPA must determine the amount of the single fee to be paid by regulated persons/businesses by conducting a workload analysis that establishes direct and indirect costs incurred by the CUPA for implementation of the Unified Program. The Rural CUPA Reimbursement Program supplements the revenue from fees for those 13 rural counties.

**Proposed Law:** This bill would expand eligibility, upon appropriation by the Legislature, for an allocation from the Rural CUPA Reimbursement Account to every county that has a population of less than 150,000.

**Related Legislation:**

AB 1459 (ESTM Committee, 2025) would make various technical changes to the six unified hazardous waste and hazardous materials management regulatory programs that are overseen by the CUPAs.

AB 1716 (ESTM Committee, Chapter 207, Statutes of 2023) made various technical changes to the six unified hazardous waste and hazardous materials management regulatory programs that are overseen by the CUPAs.

AB 2059 (Carrillo, Chapter 278, Statutes of 2022) required specified suppliers of hazardous materials to maintain, for at least one year, records of sales and provisions of hazardous materials of specified quantities to a business in the state, and provide such records to a CUPA within five days of a request.

AB 1429 (Chen, Chapter 66, Statutes of 2019) authorized a business that handles hazardous materials to submit their Business Plan to CERS once every three years, instead of annually, if that business is not required to submit Tier II chemical inventory information under the federal EPCRA of 1986.

AB 1500 (Carrillo, 2019) would have authorized a CUPA or a local health officer to temporarily suspend a facility permit, including the shutdown of a facility, if conditions at the facility pose an imminent or substantial endangerment to public health and safety. This bill was held on the suspense file in the Senate Appropriations Committee.

AB 1689 (ESTM Committee, Chapter 159, Statutes of 2017) added combustible metals and metal alloys to the list of materials a business must include in its hazardous materials business plan.

**Staff Comments:** While some small, rural counties benefit from the Rural CUPA Reimbursement program, the 12 other counties that became certified while the CUPA program was being formed do not have access. These counties would also benefit from additional funding. Because funding for CUPAs is supplied through fees on local businesses, smaller counties face difficulties in generating sufficient revenue for services through the CUPA programs. This bill would expand eligibility to those counties, contingent on an appropriation. It is important that there is an appropriation

from the General Fund such that the current allocation is not split amongst additional counties and results in less funding.

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