

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1046 (Blakespear) – As Amended April 9, 2026

Policy Committee: Labor and Employment

Vote: 7 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill requires the Division of Occupational Safety and Health (Cal/OSHA) to propose a standard to the Occupational Safety and Health Standards Board (OSHSB) to protect employees with high or prolonged exposure to transboundary pollution.

Specifically, this bill:

- 1) Requires Cal/OSHA, by January 1, 2030, to propose to OSHSB for review and adoption a standard that includes certain requirements and protects the health and safety of lifeguards, park rangers, and other employees who risk high or prolonged exposure to transboundary pollution in outdoor occupational environments.
- 2) Defines “transboundary pollution” to mean environmental pollutants or toxins contaminating state water or air that originate from Baja California and threaten the health and safety of the public or environment.
- 3) Requires OSHSB to consider identifying in the standard an exposure threshold for hydrogen sulfide at which acute or chronic health effects occur and authorizes OSHSB to consider exposure thresholds for other relevant pollutants.
- 4) Authorizes OSHSB to develop the standard in consultation with lifeguards, park rangers, labor unions, employers, academic institutions, local government agencies, and certain state agencies, including the Office of Environmental Health Hazard Assessment (OEHHA).
- 5) Authorizes OSHSB to adopt emergency regulations to implement these provisions.

**FISCAL EFFECT:**

- 1) Costs of approximately \$1.2 million in the first year and \$1.1 million each additional year of the rulemaking project to the Department of Industrial Relations (DIR), as well as one-time costs of \$100,000 if DIR must conduct a Standardized Regulatory Impact Assessment as part of the process (Occupational Safety and Health Fund). Additionally, Cal/OSHA will likely incur costs of an unknown amount for enforcement once the standard is enacted.
- 2) One-time costs of approximately \$250,000 to OEHHA for an external contract to support identification of the hydrogen sulfide exposure threshold, to study the long-term health effects of hydrogen sulfide exposure, and work with Cal/OSHA and OSHSB to incorporate

these findings into the standard (General Fund). OEHHA also estimates absorbable costs to provide public information and engage with interested parties related to this work.

- 3) Likely minor and absorbable costs to other named state agencies (Department of Parks and Recreation, Air Resources Board (ARB), and State Water Resources Control Board) to consult with OSHSB to develop the standard.

#### COMMENTS:

- 1) **Purpose.** According to the author:

Research shows that pollutants from the Tijuana River's contaminated water aerosolize, entering the air and causing health impacts in nearby communities. SB 1046 directs Cal/OSHA to develop workplace standards for minimizing exposure to transboundary pollution, including adopting requirements for personal protective equipment [PPE], hazard communication, incident reporting and trainings.

This bill is sponsored by SEIU California and supported by another labor organization and an environmental group.

- 2) **Background. *Transboundary Pollution.*** According to the State Lands Commission:

Transboundary flows from Mexico into the United States occur regularly due to inadequate water infrastructure that becomes overwhelmed with wastewater, debris, and heavy precipitation. Ideally, wastewater from the City of Tijuana is supposed to be diverted before entering the Tijuana River Valley in California, treated, and discharged 5 miles south of the border into the Pacific Ocean. However, the water diversion infrastructure in Mexico and in the United States is frequently overwhelmed, especially during wet weather events causing untreated wastewater overflow to enter the Tijuana River Valley and Estuary and flow into the Pacific Ocean south of the city of Imperial Beach.

**OSHSB.** OSHSB is a seven-member board tasked with adopting reasonable and enforceable standards that are at least as effective as federal safety and health standards. OSHSB also grants or denies applications for variances from adopted standards and responds to petitions for new or revised standards. Over the years, numerous laws have directed Cal/OSHA and OSHSB to work together to propose and adopt or modify specified standards to protect workers from various hazards. This bill requires Cal/OSHA to propose to OSHSB a standard to protect certain employees with high or prolonged exposure to transboundary pollution in outdoor occupational environments.

- 3) **Related Legislation.** SB 58 (Padilla) requires the ARB to consult with certain state and local agencies and other entities to develop a response framework for addressing fugitive and natural sources of hydrogen sulfide gas. SB 58 is pending hearing in this committee.