

UNFINISHED BUSINESS

Bill No: SB 811
Author: Caballero (D), et al.
Amended: 8/13/26
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-0, 1/13/26

AYES: Blakespear, Valladares, Dahle, Pérez, Reyes

NO VOTE RECORDED: Gonzalez, Hurtado, Menjivar

SENATE APPROPRIATIONS COMMITTEE: 7-0, 1/22/26

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 40-0, 1/27/26

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 42-6, 8/28/26 - See last page for vote

SUBJECT: Hazardous materials: metal shredding facilities

SOURCE: California Metal Recyclers Coalition

DIGEST: This bill requires the owner or operator of a metal shredding facility to obtain a permit from the Department of Toxic Substances Control (DTSC). Prohibits a metal shredding facility from operating in the state without a permit. Includes within the permit: requirements for managing various wastes within and leaving the facility, measures to prevent fires, and measures to reduce impacts to communities near the facility. Provides that local and state regulators retain enforcement authority with respect to metal shredding facilities, as that authority exists under current law.

Assembly Amendments require DTSC to consider the size and nature of small metal shredding facilities, require the Board of Environmental Safety to hear from stakeholders, and stipulate fees on metal shredding facilities.

ANALYSIS:

Existing law:

- 1) Defines a “metal shredding facility” as an operation that uses a shredding technique to process end-of-life vehicles, appliances, and other forms of scrap metal to help separate and sort ferrous metals, nonferrous metals, and other recyclable materials from non-recyclable materials.
- 2) Allows DTSC in consultation with the Department of Resources Recycling and Recovery (CalRecycle), the State Water Resources Control Board (SWRCB), and local air districts to adopt regulations to set management standards for metal shredding facilities. These standards are used to regulate these facilities in lieu of standards set out in the Hazardous Waste Control Law (HWCL).
- 3) Precludes DTSC from adopting management standards that are less stringent than standards set by federal law.
- 4) Allows waste from a metal shredder (known as metal shredder residue or MSR) to be classified and managed as nonhazardous waste, provided certain standards are met. Such nonhazardous waste can be used as alternative daily cover or for beneficial reuse, or it may be disposed of if it complies with regulations in the Water Code.
- 5) Allows DTSC to assess a fee on metal shredding facilities to cover the cost of the program.
- 6) Deems treated MSR managed under the standards set in law as solid waste when it is accepted by a solid waste landfill or other authorized location for disposal or for use as alternative daily cover or other beneficial use.

This bill:

- 1) Clarifies that this bill does not limit the authority of a local air pollution control district, air quality management district, Unified Program Agency, or a local environmental health department that is not a Unified Program Agency.

- 2) Requires DTSC to determine, on the basis of substantial evidence, that operation of the facility does not pose a significant threat to public health or the environment and will not cause disproportionate and potentially discriminatory impacts on local communities, before approving or denying a permit under this bill.
- 3) Requires DTSC to impose any additional facility-specific conditions that are necessary to ensure compliance with this bill and for the protection of human health and the environment.
- 4) Requires the metal shredding facility, before they submit a permit application to DTSC, to hold at least one public meeting, approved by DTSC, to inform the community about the metal shredding facility and any potential impacts to nearby communities.
- 5) Clarifies that metal shredder aggregate, including light fibrous material, that is either released into the environment during transportation, or released beyond the property boundaries of the metal shredding facility, shall be subject to regulation as hazardous waste under the state's Hazardous Waste Control Law (HWCL).
- 6) Requires the metal shredding facility to establish an effective means of providing public notice to members of the surrounding community upon the occurrence of a fire or other incident that poses a threat to human health or the environment outside of the facility.
- 7) Clarifies that DTSC can use any authority it has under the HWCL to enforce the provisions of this bill.
- 8) Authorizes DTSC to order the temporary shutdown of shredding operations or prohibit the receipt of shredder feedstock under certain circumstances.
- 9) Authorizes DTSC to deny, revoke, or suspend a permit authorizing the operation of a metal shredding facility based on at least one of the following:
 - a) Noncompliance with a condition of the applicable permit that results in a significant threat to human health or the environment;
 - b) An owner or operator's failure in the application or during the approval process to disclose fully all relevant facts or a misrepresentation of any relevant fact at any time;

- c) A determination, supported by substantial evidence, that the permitted activity poses a danger to human health or the environment that can only be addressed by permit denial, modification, suspension, or revocation; or,
 - d) Any cause specified in Health and Safety Code Section 25186 under the HWCL. (in short: this means a permit could be denied, suspended, etc., if the facility violates any one of the state and federal environmental laws and regulations listed in this referenced code section).
- 10) Clarifies that an approval of an application for an existing or new metal shredding facility is subject to the provisions of the California Environmental Quality Act.

Background

- 1) *Metal shredder facilities.* California law defines a "metal shredding facility" as an operation that uses a shredding technique to process end-of-life vehicles, appliances, and other forms of scrap metal to facilitate the separation and sorting of ferrous metals, nonferrous metals, and other recyclable materials from non-recyclable materials. A "metal shredding facility" does not include a feeder yard, a metal crusher, or a metal baler, if that facility does not otherwise conduct metal shredding operations. As such, most scrap metal recycling facilities would not be subject to any proposed regulations meant to manage the waste generated from metal shredding facilities.

Currently, there are ten metal shredding facilities operating in California. Seven of these are larger facilities, and 3 of them process a much smaller amount of metal. These facilities are located in the following cities: Anaheim, Bakersfield, Colton, Lancaster, Los Angeles, Oakland, Redwood City, Stockton, Sun Valley, and Vallejo.

- 2) *Metal shredder waste.* The shredding of scrap metal (e.g., end-of-life vehicles) results in a mixture of recyclable materials (e.g., ferrous metals and nonferrous metals) and non-recyclable material (i.e., metal shredder waste). Aggregate is generated after the initial separation of ferrous metals and consists of nonferrous metals that can be further recovered and metal shredder waste. Metal shredder waste consists mainly of glass, fiber, rubber, automobile fluids, dirt, and plastics in automobiles and household appliances that remain after the recyclable metals have been removed. Because scrap metal contains regulated hazardous constituents, it can contaminate and ultimately cause metal shredder waste to exhibit a characteristic of hazardous waste for toxicity. In a 2002 draft report on auto shredder waste, DTSC showed that metal shredder waste often

exceeded the soluble threshold limit concentrations for lead, cadmium, and zinc.

- 3) *Legislation to address impacts of metal shredding facilities.* In 2014, Senator Jerry Hill introduced SB 1249 (Chapter 756), based in part on concerns about metal shredder safety due to recent fires at metal shredding facilities in his district, but also in response to historic concerns about metal shredding facilities and their potential impact on the environment. The intent of the bill was that the conditional nonhazardous waste classifications, as documented through the historical "f letters," be revoked and that metal shredding facilities be thoroughly evaluated and regulated to ensure adequate protection of human health and the environment. SB 1249 was signed by the Governor and authorized DTSC to develop alternative management standards (different from a hazardous waste facility permit) if, after a comprehensive evaluation of metal shredding facilities, DTSC determined that alternative management standards were warranted. DTSC completed the evaluation of metal shredding facilities; however DTSC did not develop alternative management standards for metal shredding facilities.

Comments

- 1) *Author's statement.* According to the author, "Metal shredding facilities recycle millions of end-of-life vehicles, household appliances, and other metallic items produced, used, and discarded annually in California. Unless recycled, these metal materials would rapidly overwhelm all available landfill capacity, creating a massive accumulation of damaged and abandoned cars, appliances, and other items.

"Metal shredding poses environmental concerns to surrounding communities because the shredding process has the potential to release particulate materials and has a risk of causing fire. The current framework for hazardous waste does not include metal shredding facilities and therefore the facilities are not required to obtain a permit and are not regulated by the California Department of Toxics and Substance Control (DTSC). Without a comprehensive regulatory framework, DTSC on their own has begun to regulate the industry on a facility-by-facility basis using a hazardous waste enforcement framework, creating an uncertain and inconsistent legal environment, which has resulted in litigation.

"SB 811 will resolve this uncertainty, end the litigation, and ensure comprehensive and robust oversight and enforcement of metal shredding facilities under DTSC's authority. This bill will ensure that California remains

a sustainability leader in "reducing, reusing and recycling" by fostering the recycling of scrap metal into new metal products, while at the same time protecting adjoining communities from environmental pollution.

"SB 811 includes provisions to address the governor's veto message on SB 404."

- 2) *Recent legislation dealing with metal shredding facilities*: In 2025, SB 404 (Caballero), which is nearly identical to SB 811, was vetoed by the Governor. In his veto message the Governor stated:

"I support the author's intent to create a uniform structure for permitting metal shredding facilities in California. However, this bill lacks clear definitions regarding the materials processed at these facilities, including what "hazardous waste" requirements are applicable. Without this clarity, this bill is not as protective, places a significant burden on DTSC, and cannot be successfully implemented. I encourage the author to work closely with DTSC and interested parties to remedy this issue, as well as ensure that any future legislation requires metal shredding facilities operate, and be permitted to operate, in a health-protective manner."

According to the author of SB 811 and the sponsors of the bill, they did have conversations with DTSC and as a result have amended SB 811 to incorporate both technical changes and changes to further clarify that DTSC can exercise its enforcement authority under the HWCL for specific violations of SB 811.

SB 811 creates a regulatory structure in state law for metal shredding facilities. There are currently ten metal shredding facilities in the state, some operating under regulatory authorization from the 1980s and 1990s. These facilities are an important piece of the metal recycling infrastructure in California. However, having one clear regulatory structure for all metal shredding facilities in the state makes sense. Having clear rules will be helpful for state and local regulators and metal shredding facilities, and will help set the regulatory standard for future metal shredding facilities in the state.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee, if this bill were to be enacted, DTSC estimates ongoing costs of \$1.6 million and six positions to cover its oversight, regulatory, and anticipated litigation costs. SB 811 requires all of DTSC's costs to be reimbursed by an annual fee imposed on metal shredding

facilities, as well as via a reimbursement agreement to cover the department's direct costs related to processing permit applications.

SUPPORT: (Verified 8/26/26)

California Metal Recyclers Coalition (source)
Beacon House Association of San Pedro
Boys & Girls Clubs of the Los Angeles Harbor
California Council for Environmental & Economic Balance
California Hispanic Chambers of Commerce
California State Association of Electrical Workers
California State Pipe Trades Council
Central City Association of Los Angeles
City of Los Angeles Councilmember Tim Mcosker
Colton Chamber of Commerce
Councilmember John Echavarria
Ecology Recycling Services
Garden Grove Chamber of Commerce
Grand Vision Foundation
Harbor Association of Industry and Commerce
Kern County Hispanic Chamber of Commerce
Latino Caucus of California Counties
Metal Recycling Coalition
Port of Los Angeles
Recology
Redondo Beach Chamber of Commerce
Republic Services
Resource Recovery Coalition of California
San Joaquin County District Attorney's Office
San Joaquin County Sheriff - Public Administrator Patrick Withrow
Sharefest Community Development
South Bay Association of Chambers of Commerce
South Colton Diversity Committee
State of California Auto Dismantlers Association,
Strength Based Community Change
Thousand Palms Chamber of Commerce
Western States Council Sheet Metal, Air, Rail and Transportation

OPPOSITION: (Verified 8/26/26)

1000 Grandmothers for Future Generations
350 Bay Area Action
350 Humboldt
Action Now
Active San Gabriel Valley
Alameda County District Attorney's Office
Alameda County Office of Education
Alameda; County of
Av Edge (antelope Valley Economic Development & Growth Enterprise)
Bay Area System Change Not Climate Change
Bizfed Central Valley
California Coastkeeper Alliance
California Communities Against Toxics
California Environmental Voters
California Safe Schools
Center for Race, Poverty, and the Environment
Clean Air Coalition of North Whittier and Avocado Heights
Clean Water Action
Cleaneearth4kids.org
C & M Metals INC
Coalition for Clean Air
Comite Civico Del Valle
Comite Pro Uno
Communities for a Better Environment
County of San Mateo Board of Supervisors
Del Amo Action Committee
Earthjustice
East Yard Communities for Environmental Justice
Facts: Families Advocating for Chemical & Toxics Safety
Fresnans Against Fracking
Greenaction for Health and Environmental Justice
Health Officers Association of California
Lincoln Heights Community Coalition
Los Angeles Unified School District
National Resources Defense Council
Natural Resources Defense Council
Natural Resources Defense Council
Oakland Athletics
Oakland Unified School District
Oakland; City of

Phillipine Action Group for the Environment
Placer Earth Care Action
Resource Renewal Institute
Richmond Shoreline Alliance
San Francisco Baykeeper
Sierra Club California
Valley Industry and Commerce Association
West Berkeley Alliance for Clean Air and Safe Jobs
West Oakland Environmental Indicators Project

ASSEMBLY FLOOR: 42-6, 8/28/26

AYES: Addis, Aguiar-Curry, Ahrens, Ávila Farías, Bains, Boerner, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Elhawary, Flora, Fong, Gipson, Mark González, Hadwick, Harabedian, Hoover, Irwin, Jackson, Kalra, Krell, Lowenthal, Ortega, Pacheco, Papan, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Michelle Rodriguez, Blanca Rubio, Solache, Soria, Stefani, Valencia, Wallis, Wicks, Wilson, Rivas

NOES: Castillo, DeMaio, Ellis, Johnson, Muratsuchi, Sanchez

NO VOTE RECORDED: Alanis, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Dixon, Gabriel, Garcia, Jeff Gonzalez, Haney, Hart, Lackey, Lee, Macedo, McKinnor, Nguyen, Patel, Pellerin, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Ta, Tangipa, Ward, Zbur

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9/22/26 9:25:05

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