

Date of Hearing: June 29, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 883 (Umberg) – As Amended June 18, 2026

**SENATE VOTE:** 37-0

**SUBJECT:** Reactive chemicals: facilities: methyl methacrylate

**SUMMARY:** Establishes conditions that must be met prior to approving a building permit for a new reactive chemical storage facility with the potential for an explosion due to thermal runaway reaction; requires Cal OES to post a map of these facilities; requires annual inspections of these facilities; and requires related information sharing with state partners, as specified. This bill also expands the definition of “regulated substance,” in the Department of Toxic Substances Control (DTSC) California Accidental Release Prevention Program (CalARP), to include methyl methacrylate (MMA) and exempts settlements related to the 2026 Garden Grove Chemical Plant Incident from state income tax. Specifically, **this bill:**

- 1) Prohibits a city or county from approving a building permit for a new reactive chemical storage facility with the potential for an explosion due to thermal runaway reaction that may cause injury or death to any person outside the proposed facility’s property boundary, unless all of the following conditions are met:
  - a. The proposed facility has a backup cooling system for the reactive chemical storage.
  - b. The application for the building permit demonstrates that the proposed facility is not adjacent to a home or other building that may contain people such as a school or business.
  - c. The city council or county board of supervisors provides the public with notice and the opportunity to comment on the proposed facility.
- 2) Specifies if an explosion due to thermal runaway reaction occurs, the fire department or fire authority has primary jurisdiction to mitigate the crisis, as specified.
- 3) Requires the city or county to notify the California Office of Emergency Services (Cal OES) and the Office of Environmental Health Hazard Assessment (OEHHA), upon approving a building permit for a new reactive chemical storage facility, as specified.
- 4) Prohibits the above building permit from being eligible for the advance manufacturing exemption from the California Environmental Quality Act, as specified.
- 5) Requires Cal OES, by January 1, 2028, to develop and post a map identifying all existing reactive chemical storage facilities with the potential for an explosion due to thermal runaway reaction and to update the map when a new facility is approved for a building permit.
- 6) Requires OEHHA to consider these facilities as a factor in determining pollution burden as part of the California Communities Environmental Health Screening that is used to identify disadvantaged communities, as specified.

- 7) Requires the certified unified program agency (CUPA) in each jurisdiction to conduct an inspection of each reactive chemical storage facility in its jurisdiction at least once annually, and to report the results of the inspection to the California Environmental Protection Agency (CalEPA), the Office of the State Fire Marshal (OFSM), and the Cal OES.
- 8) Expands the definition of “regulated substance” under the federal accidental release prevention program, under the responsibility of CalEPA, to include methyl methacrylate (MMA), and specifies stationary sources that store or use MMA are not eligible from exemption of this program.
- 9) For taxable years beginning on or after January 1, 2026, exclude from gross income any amount received by a qualified taxpayer, as specified, in settlement for claims relating to the May 2026 chemical incident at the GKN Aerospace manufacturing facility, as specified.

**EXISTING LAW:**

- 1) Enacts the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, which was created to help communities plan for chemical emergencies. EPCRA requires industry to report on the storage, use, and releases of hazardous substances to federal, state, and local governments. It also requires state and local governments, and Indian tribes to use this information to prepare their community for potential risks. (42 United States Code § 11001, et seq.)
- 2) Defines "Certified Unified Program Agency" or "CUPA" as the agency certified by the Secretary of the California Environmental Protection Agency (CalEPA) to implement the unified program within a jurisdiction. (HSC § 25404(a)(1)(A))
- 3) Defines "Unified Program Agency" or "UPA" as the CUPA to implement or enforce a particular Unified Program element. UPAs have the responsibility and authority to implement and enforce the unified program requirements and implementing regulations. (HSC § 25404(a)(1)(C))
- 4) Requires the Secretary of CalEPA to adopt implementing regulations and implement a unified hazardous waste and hazardous materials management regulatory program, known as the unified program. (HSC § 25404(b))
- 5) Requires a business to establish and implement a Business Plan of a hazardous material if the business meets specified criteria. (HSC § 25507(a))
- 6) Establishes the California Office of Emergency Services (Cal OES) within the office of the Governor and makes Cal OES responsible for the state’s emergency and disaster response services for natural, technological, or manmade disasters and emergencies. (Government (Gov.) Code § 8550)
- 7) Authorizes the Governor to proclaim a state of emergency and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or

the appropriate local government to exercise certain powers in response to that emergency. (Gov. Code § 8558)

- 8) Defines “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. (Gov. Code § 8558)
- 9) Under the California Disaster Assistance Act, requires the Director of Cal OES to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. (Gov. Code § 8680)

**FISCAL EFFECT:** A fiscal committee has not yet analyzed this version of the bill.

**COMMENTS:**

Author Statement: “As a legislator it is my duty to protect the safety and wellbeing of not only my constituents, but all Californians, and the incident that occurred in my district cannot happen again. The potential for destruction was very high, and we are lucky that no property or lives were lost.

SB 883 fills significant gaps in existing legislation by raising transparency surrounding high-risk facilities, tightening emergency planning standards, improving cooperation during chemical emergencies, and giving communities better access to information about possible risks. This bill will also improve California's capacity to identify facilities that hold chemicals that might cause thermal runaway reactions and ensure that enough safety precautions are in place to limit the possibility of catastrophic accidents.

As California’s energy storage, chemical production, and industrial processing facilities expand, state policies must keep up with the growing safety challenges these industries present. Communities need to be informed about potential risks in their areas, and first responders must have the tools, training, and knowledge necessary to protect the public. SB 883 provides a balanced and realistic approach to protecting Californians while still encouraging economic growth. This bill, which improves monitoring, planning, and openness, will help prevent future incidents and more effectively protect citizens throughout California.”

This Bill: This bill is divided into three major components:

- 1) Establishes building permit, inspection, mapping, and notification requirements for reactive chemical storage facilities with the potential for an explosion due to thermal runaway reaction;
- 2) Adds MMA to the definition of “regulated substance,” in CalARP; and
- 3) Exempts settlements related to the 2026 Garden Grove Chemical Plant Incident from state income tax.

Given the wide scope of this bill, these components span issue areas beyond the scope of this Committee. Most apparent is the third component. For information on this component, consider reviewing the Senate Committee on Revenue and Taxation's analysis of AB 760 (Ta, 2026), which is substantially similar to the third component of this bill.

Gut and Amend: The previous version of this bill was completely unrelated to this topic. This is the first Committee hearing the new text of this bill. Given the condensed timeline to hear the deadline, any amendments to this bill would need to be taken in future committees.

Background: On May 21, 2026, a chemical storage tank containing approximately 7,000 gallons of methyl methacrylate (MMA), a volatile and highly flammable liquid, began overheating and releasing toxic vapors at the GKN Aerospace facility in Garden Grove, Orange County. The Orange County Fire Authority (OCFA) responded to the scene, and Orange County activated its Emergency Operations Center (EOC) in response to the incident. Approximately 50,000 residents were placed under evacuation orders or warnings due to the risk of a catastrophic explosion or major hazardous materials release. OCFA continuously applied water to cool the tank and reduce its temperature. Conditions initially appeared to improve, leading officials to lift the evacuation orders.

However, in the early morning of May 22, 2026, evacuation orders were reinstated after efforts to fully stabilize the tank proved unsuccessful and responders were unable to safely drain or stabilize the MMA. Incident commanders initially concluded that two outcomes remained: either a hazardous materials release of more than 6,000 gallons of MMA or a thermal runaway event resulting in a catastrophic explosion. Although unmanned aerial systems equipped with thermal sensors showed the exterior of the tank was cooling due to the continued application of water, officials determined that the temperature and pressure inside the tank continued to increase.

On May 23, 2026, Governor Newsom proclaimed a state of emergency. The proclamation directed Cal OES and other relevant state agencies to assist in responding to the emergency and activated additional emergency authorities and resources, including making state-owned properties and fairgrounds available to shelter evacuated residents. Subsequently, Governor Newsom requested a federal Emergency Declaration from the President to obtain additional federal resources and specialized assistance. That night, incident personnel identified a crack in the tank, which relieved internal pressure and allowed the tank to gradually cool over the following days.

By May 25, 2026, the threat of a catastrophic explosion caused by thermal runaway had largely subsided, while OCFA continued to mitigate the risk of a hazardous materials release or a smaller explosion. President Trump approved the federal Emergency Declaration on May 25, 2026, authorizing the Federal Emergency Management Agency (FEMA) to provide direct federal assistance, including personnel, equipment, and other specialized resources.

On May 26, 2026, all remaining risks of an explosion or hazardous materials release were mitigated, and evacuation orders were lifted.

Over the course of the response, California mobilized over 785 state and local first responders and emergency personnel, including firefighters, law enforcement officers, hazardous materials experts, public health officials, transportation crews, environmental scientists, and emergency coordinators.

Following the incident, multiple lawsuits were filed against GKN Aerospace.

Methyl Methacrylate: Methyl methacrylate (MMA) is a clear, highly reactive chemical used to manufacture acrylic products such as Plexiglass, acrylic nails, dental materials, bone cement for orthopedic procedures and various coatings, resins, and adhesives. Unless solidified, MMA is flammable and toxic at high concentrations. MMA is usually stored in specialized enclosed tanks that are designed to prevent explosions and liquid form of MMA from easily evaporating to a vapor. If a vapor leak occurs, MMA can be smelled at concentrations that are not harmful to human health. MMA generally breaks down within hours when exposed to air or water.

As of 2024, MMA was stored at 14 facilities throughout California. Four of those facilities stored equal or greater amounts of MMA than GKN Aerospace.<sup>1</sup> MMA is not currently considered a regulated substance under CalARP.

California's Unified Program: CalEPA oversees California's Unified Program. The program protects Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies properly apply statewide standards when they issue permits, conduct inspections and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs, including Certified Unified Program Agencies (CUPAs), which are the local agencies certified by CalEPA to implement the Unified Program.

The Unified Program consolidates the administration, permit, inspection, and enforcement activities of six Unified Program elements:

- Hazardous Materials Release Response Plan and Inventory (Business Plan or HMBP)
- Hazardous Materials Management Plan/Hazardous Materials Inventory Statement
- Underground Storage Tanks
- Hazardous Waste Generator and Hazardous Waste Treatment
- Aboveground Petroleum Storage Act
- California Accidental Release Prevention

State agency partners involved with implementing the Unified Program include CalEPA, DTSC, CAL FIRE, and the State Water Board. They are collectively responsible for setting program element standards, working with CalEPA to ensure program consistency and providing technical assistance to CUPAs and public agencies.

Department of Toxic Substances Control (DTSC) Emergency Response Unit: DTSC's Emergency Response Unit provides statewide response to releases, or potential releases, of hazardous substances that pose an acute threat to public health and the environment. This unit works with state, federal, and local agencies, as applicable, to carry out their emergency response efforts.

This unit responds to a wide variety of hazardous materials incidents statewide, including illegal drug labs, spilled or abandoned hazardous materials, train derailments, floods, fires, earthquakes, and other disasters. During the response, they authorize the expenditure of state funds; dispatch,

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<sup>1</sup> [Where methyl methacrylate is stored in California](https://calmatters.org/environment/2026/06/toxic-chemical-storage-facilities-california/) <https://calmatters.org/environment/2026/06/toxic-chemical-storage-facilities-california/>

assign the scope of work, and provide direct oversight of hazardous materials contractors to perform assessment, stabilization, removal, and disposal as needed; and coordinate emergency response activities with various federal, state and local agencies including US EPA, Cal OES, California Department of Fish and Wildlife, California Department of Justice, and local fire, health, and law enforcement agencies.

Office of Environmental Health Hazard Assessment: The Office of Environmental Health Hazard Assessment (OEHHA) is a specialized department within CalEPA. OEHHA is the lead state agency for the assessment of health risks posed by environmental contaminants. OEHHA evaluates harmful chemicals and other environmental hazards to understand interconnected environmental health burdens faced by individuals and communities in California. OEHHA's Division of Scientific Programs is comprised of four branches: Air and Site Assessment and Climate Indicators; Community and Environmental Epidemiology Research; Reproductive and Cancer Hazard Assessment; and Pesticides and Environmental Toxicology.

Federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA): EPCRA mandates that certain chemicals that are stored, used, or released, to be reported to federal, state, and local governments as well as requires that the reports are utilized for preparation and protection efforts related to the risks these chemicals pose to the surrounding community.

The EPCRA program is implemented and administered in California by Cal OES, a State Emergency Response Commission (SERC), six Local Emergency Planning Committees (LEPCs), and the CUPAs. Cal OES provides staff support to the SERC and the LEPCs.

State Emergency Response Commission: The SERC Mission is to coordinate and supervise implementation of EPCRA within California including federal programs to prevent, mitigate, and enhance response to hazardous material emergencies and ensure public availability of appropriate chemical information as prescribed by law. The California SERC oversees implementation of EPCRA in California by establishing emergency planning districts; appointing an LEPC for each of the six planning districts; supervising and coordinating LEPC activities; establishing procedures for receiving and processing requests from the public for hazardous materials information; receiving disclosure notification from facilities handling hazardous materials; notifying the U.S. EPA Administrator of facilities subject to EPCRA requirements; reviewing emergency response plans and making recommendations necessary to ensure coordination with emergency response plans of other emergency planning jurisdictions. Many of these responsibilities are administered through Cal OES or the Unified Program Agencies.

Local Emergency Planning Committees: The SERC established six Emergency Planning Districts. These districts align with the boundaries of California's six Mutual Aid Regions. The LEPCs fulfill EPCRA requirements at the local level. They provide a forum for emergency management agencies, responders, industry and the public to work together to evaluate, understand, train about, coordinate and communicate chemical hazards in the community. Additionally, they develop hazmat emergency plans, which provide information about chemicals in the community to citizens, government agencies and emergency responders. Plans are developed with stakeholder participation.

Hazardous Materials Business Plan: The Hazardous Materials Business Plan (HMBP) aims to prevent or minimize harm to public health and safety and the environment from a release or

threatened release of a hazardous material. This is accomplished by providing emergency responders with the necessary information to effectively protect the public. CalEPA oversees the implementation of the HMBP program while CUPAs and participating agencies, implement the HMBP program at the local level. The participating agencies are responsible for enforcement and administration

A HMBP must include the following:

- An inventory of hazardous materials at a facility.
- Emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material.
- Requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material, including onboarding for new employees and annual refresher courses for existing employees.
- A site map that depicts north orientation, loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment.

HMBP Area Plan: Within the HMBP, is the Area Plan. The Area Plan is a requirement for local government agencies and used to respond to a release or threatened release of a hazardous material as well as minimize any associated impact. The CUPAs are responsible for developing the Area Plan in coordination with local emergency response agencies.

The Area Plan must identify hazardous materials that pose a threat to the community; develop procedures for emergency response; provide for notification and coordination of emergency response personnel; provide for public safety, including notification and evacuation; establish training for emergency response personnel; identify emergency response supplies and equipment; and provide for feedback and follow-up after a major incident.

California Accidental Release Prevention (CalARP) Program: The goal of the CalARP program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. CalARP requires businesses that produce, handle, process, distribute, or store certain chemicals over a threshold quantity to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the RMP to their CUPA. An RMP is a detailed engineering analysis of the potential accidental factors present at a business, and the mitigation measures that can be implemented to reduce this accident potential. The RMP contains safety information, a hazard review, operating procedures, training requirements, maintenance requirements, compliance audits, and incident investigation procedures. The RMP must also consider proximity to sensitive populations such as children or seniors and external factors such as seismic activity. The RMP is a significantly more involved and robust plan compared to the HMBP.

Arguments in Support: According to Sierra Club California, California Environmental Voters, and others:

“Recent chemical storage events, such as the near disaster at the Garden Grove chemical facility in 2026, have highlighted the considerable risks presented by facilities that store reactive chemicals that can cause thermal runaway. These incidents can include fires, explosions, toxic discharges, evacuations, property destruction, and large financial costs for local populations. California must take aggressive measures to mitigate these dangers and strengthen community preparedness. SB 883 fills significant gaps in existing legislation by raising transparency surrounding high-risk facilities, tightening emergency planning standards, improving cooperation during chemical emergencies, and giving communities better access to information about possible risks. This bill will also improve California's capacity to identify facilities that hold chemicals that might cause thermal runaway reactions and ensure that enough safety precautions are in place to limit the possibility of catastrophic accidents.

As California’s energy storage, chemical production, and industrial processing facilities expand, state policies must keep up with the growing safety challenges these industries present. Communities need to be informed about potential risks in their areas, and first responders must have the tools, training, and knowledge necessary to protect the public.”

Arguments in Opposition: According to American Chemistry Council, Aerospace and Defense Alliance of CA, Western States Petroleum Association:

“Given the bill was only recently amended, we are continuing to seek input from potentially impacted industry sectors and will provide additional feedback once it becomes available. However, we have identified some initial concerns that we feel warrant further discussion as the bill moves through the process.

- Some terms and provisions are currently undefined (e.g. reactive chemical storage facility) that raise concerns as to the broad scope of potentially impacted industry sectors. Chemical, pharmaceutical, and semiconductor manufacturing, water treatment depots, mining supply facilities and industrial gas distributors are just a few of the industry sectors that could be subject to these new requirements.
- The bill requires certain measures to be in place (e.g. backup cooling system for reactive chemical storage) before a new building permit for a new reactive chemical storage facility is approved. While this type of safety measure may be appropriate for some types of reactive chemical hazards, other safety measures may be more appropriate for others. We are concerned with imposing such a singular requirement in statute. It may be more appropriate to see the results of any investigation into the incident before identifying specific remedies or requirements that may or may not be focused on addressing the root cause.

Other issues that we believe warrant further discussion include how this bill and these requirements may or may not intersect with existing hazardous materials management programs, including the Hazardous Materials Business Plan program and the California Accidental Release Prevention (CalARP) program; the necessity of the newly proposed CalEnviroScreen provision; and the blanket prohibition of these types of facilities being eligible for the advanced manufacturing CEQA exemption.”

Related Legislation: AB 760 (Ta, 2026) Enacts Personal Income and Corporation Tax exclusions for settlement payments made in connection with the 2026 Garden Grove chemical leak. (Pending in Senate Appropriations)

Policy Considerations: The author may wish to consider:

- 1) Further expanding the definition of “regulated substance” under CalARP to include additional chemicals or chemical classes that present risk profiles comparable to or greater than MMA and are not adequately captured under the existing regulatory definition. Expanding the definition to include additional substances with a high risk profile would, among other things, improve risk management planning.
- 2) Applying the requirements imposed on chemical storage facilities to manufacturing facilities and any other facilities that manufacture, process, or handle above applicable threshold quantities. For example, GKN Aerospace is considered a manufacturing facility and thus the current provisions of the bill may not apply to that business. Additionally, the author may wish to consider placing these requirements on facilities that may cause injury or death to any person outside the proposed facility’s property boundary, and thus an associated emergency, due to other hazards such as non-thermal runaway explosions and gas or vapor release that causes severe inhalation toxicity.
- 3) Removing the requirement for Cal OES to develop and publicly post a map identifying all the reactive chemical storage facilities with potential for explosion due to thermal runaway reactions, as specified, and instead, align any mapping, disclosure, or facility identification requirements with the existing CalARP regulatory framework and associated disclosure mechanisms.

Double Referral: If approved by this Committee, this bill will be heard in the Assembly Committee on Environmental Safety and Toxic Materials.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

7th Generation Advisors  
Ahri for Justice  
Apen Action  
California Environmental Voters  
Center for Biological Diversity  
Center on Race, Poverty & the Environment  
Coalition for Clean Air  
Harbor Institute for Immigrant and Economic Justice  
Leadership Counsel for Justice & Accountability  
Natural Resources Defense Council  
Pesticide Action & Agroecology Network  
Physicians for Social Responsibility - Los Angeles  
Physicians for Social Responsibility - San Francisco Bay  
San Francisco Baykeeper  
Sierra Club

**Opposition**

Aerospace and Defense Alliance of California  
American Chemistry Council  
California Council for Environmental & Economic Balance (CCEEB)  
California Manufacturers & Technology Association  
Chemical Industry Council of California  
Western States Petroleum Association

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