

AB 1330: ENVIRONMENTAL JUSTICE ACT

Speaker of the Assembly John A. Pérez



The Chevron refinery explodes in August 2011, sending approximately 15,000 people to the hospital. Photo on left courtesy of APEN.

THE PROBLEM

Low-income communities and communities of color have been bearing the burden of pollution for too long:

- Throughout California, 7.8 million people live in overburdened communities - zip codes that face the most burden from a range of pollution source and are most vulnerable to its effects. 64% are Latino, when Latinos represent 38% of the total population of California, and 10% are African American, when they only represent 7% of the total population. **This means that 1 in 3 Latinos and 1 in 3 African Americans live in highly polluted areas.**
- This pollution causes a severe public health epidemic. The California Air Resources Board estimates that air pollution exposure alone is responsible for 19,000 annual premature deaths per year, 280,000 annual cases of asthma symptoms, and 1.9 million annual lost work days per year.

THE SOLUTION: AB 1330

When we improve conditions for our most vulnerable communities, we improve conditions for all of California. AB 1330 includes a range of policy measures that will help transform toxic hotspots into healthy, thriving communities. AB 1330 will:

Identify overburdened communities:

- Using a cumulative impact screening tool, the California Environmental Protection Agency will create a designated list of areas that are disproportionately burdened by pollution. This list creates a framework for future environmental justice efforts, and these communities will be eligible for a range of benefits specified in the bill.

Increase environmental enforcement in highly impacted areas

- Create stronger penalties for major environmental violations in environmental justice communities. Our communities already bear the burden of too much pollution and we need to limit the burden of pollution.
- Prioritize enforcement efforts within the California Environmental Protection Agency in overburdened communities. There is an already existing program – the Cross-Media Enforcement Unit - at CalEPA that was created to look at pollution across programs and work collaboratively to address multi-source contamination, and 1330 will require the unit to focus efforts on environmental justice communities.

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Protect the right of public participation for all Californians, regardless of language:

- Clarify that any time used for interpretation for non-English speakers during public comment does not detract from the person's overall allotted time at public hearings.

Increase resources in overburdened areas

- For any fine that is doubled because it is placed on facility in an environmental justice community, that money should go into a Green Zones Trust Fund that supports community projects in environmental justice communities. The Trust Fund shall be overseen and administered by the California Environmental Protection Agency
- Ensure the environmental grant programs preference projects in environmental justice areas through their application process.
- Increase the maximum allowable grant size for EJ Small Grants, an already existing state grant program, from 20,000 to 50,000.

Ensure public transparency of environmental compliance and efforts to achieve environmental justice

- Create an online database of that outlines whether facilities have complied or not with state environmental laws, and includes any pending enforcement actions.
- Requires a report from the California Environmental Protection Agency on progress to achieving environmental justice and the major barriers to doing so.

Ensure California has an equitable, sustainable plan for reducing and managing hazardous waste

- Requires the Department of Toxic Substance Control to develop a plan for reducing the generation and disposal of hazardous waste, including strategies to reduce the use of hazardous materials and strategies to reduce the risk of exposure to communities near contaminated sites and hazardous material releases. Creates a public advisory committee to help develop the plan.

