

# SB 1066: A Game-Changer for Marine Safety and Environmental Protection

[thealog.com/news-departments/sb-1066-a-game-changer-for-marine-safety-and-environmental-protection](https://thealog.com/news-departments/sb-1066-a-game-changer-for-marine-safety-and-environmental-protection)



California's boating community will see purposeful change with the imminent passage of Senate Bill 1066, a bill designed to address the environmental, safety, and logistical challenges associated with pyrotechnic marine flare disposal. This legislation, which has garnered near-unanimous support in both legislative houses, is now awaiting Governor Gavin Newsom's signature. SB 1066 promises to bring reform to the end-of-life management of hazardous marine flares, setting a new standard for environmental responsibility in the marine industry.

Marine flares, one of several safety device options for boaters, are used to signal distress in emergency situations. However, once expired or unwanted, these pyrotechnic devices become hazardous waste. Up until December 2022, most recreational marine flares contained perchlorate, a chemical compound that poses significant environmental risks. Perchlorate can contaminate water supplies and disrupt ecosystems, particularly affecting thyroid function in humans and animals.

According to the National Stewardship Action Council (NSAC), California boaters have expressed the inconvenience of expired flares, with only one County with the proper equipment and permits to actively accepting unwanted flares from its residents on a permanent basis. As a result, boaters have reported improperly disposing of flares in the environment, where they can cause pollution, or in the trash or recycling, posing fire and safety hazards and environmental threats. This issue has been a concern for environmental groups, the boaters, and local governments, who have struggled to manage the growing stockpile of expired flares properly.

SB 1066, introduced by California State Senator Catherine Blakespear, seeks to address this problem through the creation of a manufacturer responsibility program specifically for marine flares. This legislation places the onus on manufacturers to develop and implement plans for the safe and proper management of these explosives. The bill defines "covered products" to include certain pyrotechnic devices that qualify as household hazardous waste and are used in recreational activities.

The bill outlines a comprehensive framework for the management of marine flares:

1. **Manufacturer Responsibility Plan:** Manufacturers of marine flares will be required to create and implement a plan that addresses the collection, transportation, and disposal of their brand of expired or unused flares. This plan must comply with the Department of Toxic Substances Control (DTSC) guidelines and be designed to ensure environmental safety.
2. **Approval Process:** The DTSC will review and approve, disapprove, or conditionally approve these plans. The approved plans will be published on the DTSC's website, allowing for public transparency while protecting certain proprietary data from public inspection.
3. **Annual Reporting:** Manufacturers will be required to submit annual reports to the DTSC detailing their activities related to the management of marine flares. These reports must also include an application for the renewal of their responsibility plans. The transparency and accountability built into this process are crucial for ensuring that manufacturers are consistently meeting their obligations.
4. **Prohibition on Perchlorate:** The bill includes a prohibition on the sale, distribution, or importation of marine flares containing perchlorate in California. This is a significant step forward in reducing the environmental impact of these devices.
5. **Funding and Enforcement:** To support the implementation of this program, SB 1066 establishes the Marine Flare Recovery Fund. Manufacturers will be required to cover the costs incurred by the DTSC in reviewing plans and reports, ensuring that taxpayers are not burdened with the financial responsibility of enforcing this new law.

The passage of SB 1066 is set to bring about significant changes in the marine industry, particularly for manufacturers and boaters. Manufacturers will need to fund and operate flare collection and disposal, which may increase costs. However, the long-term benefits, including reduced environmental liability and enhanced brand reputation, are likely to outweigh these expenses.

For boaters, SB 1066 offers a solution to the problem of expired flare disposal. Rather than facing the uncertainty and potential hazards of improper disposal, boaters will have access to manufacturer-supported collection and disposal options. This will not only enhance safety but also contribute to cleaner waterways and reduced environmental risks.

The environmental benefits of SB 1066 cannot be overstated. By ensuring the proper disposal of hazardous marine flares, this legislation will help prevent the contamination of water supplies and protect marine ecosystems. The prohibition on perchlorate further reduces the risk of harmful chemicals entering the environment.

SB 1066 sets an international precedent for how hazardous waste in the marine industry can be managed responsibly. By placing the responsibility of disposal on manufacturers, the bill encourages innovation in product design and waste management, potentially leading to the development of convenient and cost-effective disposal and more environmentally friendly alternatives to traditional marine flares.

This legislation also serves as a model for other states and industries grappling with similar hazardous waste challenges. The comprehensive approach outlined in SB 1066—combining manufacturer responsibility, regulatory oversight, and public transparency—provides a roadmap for future efforts to address environmental issues through legislative action.

As SB 1066 heads to Governor Newsom’s desk, the marine industry, environmental advocates, and local governments alike are watching closely. The near-unanimous support the bill has received in the legislature reflects broad recognition of the need for reform in how marine flares are managed and ending the socialization of costs by all ratepayers. If signed into law, SB 1066 will mark a significant victory for environmental protection in California and set a new standard for the marine industry nationwide.

As of Sept. 5, the bill is currently in the “engrossing and enrolling” stage to ensure the legislation’s accuracy. It will then head to Governor Newsom’s desk where and he will have 30 days to either sign the bill, veto it, or let it become law without a signature.

For more information, or to follow along with the bill’s progress, please visit [https://digitaldemocracy.calmatters.org/bills/ca\\_202320240sb1066](https://digitaldemocracy.calmatters.org/bills/ca_202320240sb1066).