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May 17, 2023

## RE: SB 38 - Battery energy storage facilities: emergency response and evacuation plans

To Dr. Aragon,

On behalf of the California Conference of Local Health Officers (CCLHO), representing the appointed physician health officers of California's 61 city and county jurisdictions, we would like to express our recommendation to **SUPPORT IF AMENDED SB 38.**

As California transitions to a zero-carbon future, and increases the volume of renewable energy, the ability to store this energy is crucial to our success. The development of battery storage facilities is vital, and these facilities must be equipped with emergency response and evacuation plans as has been proven by recent events. There have been three distinct and recent safety incidents at separately owned battery energy storage facilities located at the Moss Landing Harbor location in Monterey County which occupies one of the largest battery energy storage systems. Given California's growing reliance on lithium-ion battery storage systems and recent safety issues at one of the state's largest lithium-ion battery storage facilities, it is vital the facilities are equipped with emergency response and evacuation plans to ensure the safety of those within and near the facility. This bill would require each battery energy storage facility located in the state and subject to certain CPUC standards to have an emergency response plan and an evacuation plan that covers its premise, consistent with Sections 142.3 and 6401 of the Labor Code and any related regulations. SB 38 will ensure battery storage facilities are able to safely and rapidly respond in the event of an emergency as was experienced in the past year as described above.

For these reasons, CCLHO recommends a SUPPORT IF AMENDED position for SB 38 with the following amendment –

- 1) procedures for coordinating any emergency response and evacuation shall be inclusive with the relevant local authorities, including the Public Health Officer and Certified Unified Program Agency

CCLHO was established in statute in 1947 to advise the California Department of Public Health (CDPH), other departments, boards, commissions, and officials of federal, state and local agencies, the Legislature, and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Sincerely,

Anissa Davis, MD, MPH

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President, California Conference of Local Health Officers