

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE (BMC) SECTION 15.12.040 TO ADD SUBSECTION I AND AMENDING BMC SECTION 15.12.050 TO ADD SUBSECTION C.7, REGARDING MANUFACTURED NANOPARTICLE HEALTH AND SAFETY DISCLOSURE

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 15.12.040 is amended to add Subsection I to read as follows:

**15.12.040 Filing of disclosure information.**

I. All facilities that manufacture or use manufactured nanoparticles shall submit a separate written disclosure of the current toxicology of the materials reported, to the extent known, and how the facility will safely handle, monitor, contain, dispose, track inventory, prevent releases and mitigate such materials.

Section 2. That Berkeley Municipal Code Section 15.12.050 is amended to add Subsection C.7 to read as follows:

**15.12.050 Quantities requiring disclosure.**

C. The following disclosure requirements shall apply in addition to those in subsections A and B of this section:

7. All manufactured nanoparticles, defined as a particle with one axis less than 100 nanometers in length, shall be reported in the disclosure plan.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

