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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 45. HAZARDOUS SUBSTANCE RESPONSE [78000 - 81050]** ( *Division 45 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**PART 2. HAZARDOUS SUBSTANCE ACCOUNT [78000 - 81050]** ( *Part 2 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**CHAPTER 5. Cleanup of Hazardous Substance Releases [78850 - 79400]** ( *Chapter 5 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**ARTICLE 7. Orders to Potentially Responsible Parties [79020 - 79035]** ( *Article 7 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**79020.** In exercising its authority at a hazardous substance release site pursuant to Section 78870 or 79055, the department shall issue orders to the largest manageable number of potentially responsible parties after considering all of the following:

- (a) The adequacy of the evidence of each potentially responsible party's liability.
- (b) The financial viability of each potentially responsible party.
- (c) The relationship or contribution of each potentially responsible party to the release, or threat of release, of hazardous substances at the site.
- (d) The resources available to the department.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)

**79025.** The department shall schedule a meeting pursuant to Section 25269.5 and notify all identified potentially responsible parties of the date, time, and location of the meeting.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)

**79030.** (a) A person issued an order pursuant to Section 78870 or 79055 may identify additional potentially responsible parties for the site to which the order is applicable and may request the department to issue an order to those parties. The request shall include, with appropriate documentation, the factual and legal basis for identifying those parties as potentially responsible parties for the site.

(b) The department shall review the request and accompanying information and, within a reasonable period of time, determine if there is a factual and legal basis for identifying other persons as potentially responsible parties, and notify the person that made the request of the action the department will take in response to the request.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)

**79035.** Any determination made by the department regarding the largest manageable number of potentially responsible parties or the identification of other persons as potentially responsible parties pursuant to this article is not subject to judicial review. This section does not affect the rights of any potentially responsible party or the department under any other provision of this part.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)