



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code:  Section:

[Up^](#) [Add To My Favorites](#)

**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 8. Cost Recovery [79650 - 79955]** ( *Chapter 8 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**ARTICLE 12. Settlement [79920- 79920.]** ( *Article 12 added by Stats. 2022, Ch. 257, Sec. 2.*  )

**79920.** (a) The department shall, if it determines that it is practicable and in the public interest, propose a final administrative or judicial expedited settlement with potentially responsible parties if the settlement involves only a minor portion of the response costs at a site and, if in the judgment of the department, either of the following conditions are met:

(1) The amount of hazardous substances and the toxic or other hazardous effects of the hazardous substances contributed by the potentially responsible party to the site are minimal in comparison to the amount and effects of other hazardous substances at the site.

(2) The potentially responsible party is the owner of the real property on or in which the site is located, did not conduct or permit the generation, transportation, storage, treatment, or disposal of any hazardous substance at the site, and did not contribute to the release or threat of release of a hazardous substance at the site through any act or omission. This paragraph does not apply if the potentially responsible party, at the time of the purchase of the real property, knew or should have known that the property was used for the generation, transportation, storage, treatment, or disposal of any hazardous substance.

(b) A party who has resolved its liability to the state under this section shall not be liable for claims for contribution regarding matters addressed in the settlement. A settlement under this section does not discharge any of the other potentially responsible parties unless its terms so provide, but it reduces the potential liability of the others by the amount of the settlement.

(c) Any person who enters into a settlement under this section shall provide any information relevant to the administration of this part that is requested by the department. In order to obtain the contribution protection provided by subdivision (b), a potentially responsible party participating in a de minimis settlement shall certify that it has responded fully and accurately to all of the department's requests for information, and that it has provided all of the relevant documents pertaining to the site to the department.

(d) Nothing in this section shall be construed to affect the authority of the department or regional board to reach settlements with other potentially responsible parties under 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.*)