

Memorandum 2020-47

**Recodification of Toxic Substance Statutes:
Hazardous Substance Account Recodification Act
(Comments on Tentative Recommendation)**

In this study, the Commission¹ is undertaking a nonsubstantive reorganization of Chapters 6.5 (commencing with Section 25100) and 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.² The Commission decided to proceed with the recodification of Chapter 6.8 first, then move to the recodification of Chapter 6.5.³

In January 2020, the Commission approved two tentative recommendations. The first proposes the recodification of Chapter 6.8. The second proposes technical “conforming revisions” to adjust existing law to the proposed recodification.⁴ The comment deadline for both tentative recommendations was July 24, 2020.

The Commission received written comments from the Department of Toxic Substances Control (“DTSC”) on the first tentative recommendation (i.e., the proposed recodification), as well as a comment by phone from Peter Weiner, an attorney in private practice.

Several points raised by DTSC need further clarification before they can be addressed. The staff has reached out to DTSC and is working with them to get a clearer understanding of their position. Once that is accomplished, we will prepare a memorandum that presents the comments on the recommendation.

Respectfully submitted,

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Staff Counsel

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

2. See 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)).

3. Minutes (Feb. 2019), p. 3.

4. Minutes (Jan. 2020), p. 3.