

MEMORANDUM 2026-19

**Recodification of Toxic Substances Statutes:
Next Portion (Formation of Department of Toxic Substances Control)**

The Commission¹ has been preparing a nonsubstantive recodification of Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code, pursuant to a directive to the Commission to “study, report on, and prepare recommended legislation to revise Chapter 6.5 (commencing with Section 25100) and Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, and related provisions, to improve the organization and expression of the law.”²

This memorandum presents a staff draft recodification of Health and Safety Code Division 38, which was part of the 1991 Governor's Reorganization Plan No. 1.

Consistent with prior presented drafts, this draft again includes proposed Commission Comments corresponding to each recodified section, Staff Notes explaining the recodification process and identifying issues seeking public comment, and disposition and derivation tables corresponding to the recodified provisions.

If the Commission provisionally approves the content of the presented draft, it will be incorporated and presented to the Commission at a future Commission meeting in a continually updated cumulative draft of a proposed recodification of Chapter 6.5.³

Unless otherwise indicated, all references in this memorandum to “proposed” statutory provisions are to provisions in the proposed recodification, and all statutory references without that designation are to provisions of the existing Health and Safety Code, or other existing codes.

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 [2024 Cal. Stat. res. ch. 138](#) (ACR 169, Kalra). Commission recommendations recodifying former Chapter 6.8 of Division 20 were submitted to and thereafter enacted by the Legislature. [Hazardous Substance Account Recodification Act](#) (Preprint – Dec. 2021), [2022 Cal. Stat. ch. 257](#) (AB 2293, Committee on Environmental Safety and Toxic Materials); [Hazardous Substance Account Recodification Act: Conforming Revisions](#) (Preprint – Dec. 2021), [2022 Cal. Stat. ch. 258](#) (AB 2327, Committee on Environmental Safety and Toxic Materials).

³ See e.g., Memorandum [2026-7](#).

Commissioner comments on any aspect of the attached draft,⁴ including suggestions that a substantive issue raised by a proposed revision should be considered for future study,⁵ are welcome.

GENERAL DRAFTING APPROACH

Consistent with prior draft legislation proposed in this study, the staff continues to take a conservative approach to drafting proposed recodified provisions.⁶ Except as described below, existing statutory text is repeated verbatim in the proposed recodification of the provision.

In accordance with the Commission’s prior decisions in the study, certain minor changes to existing statutory text continue to be made as a matter of course.⁷ However, other than those changes necessarily made to implement the recodification,⁸ these minor changes are still shown in the draft in strikeout and underscore.

On occasion, the staff may determine that a provision could be nonsubstantively clarified in a manner that does not allow the improvement to be easily presented using only strikeout and underscore. In those instances, a “clean” revision of the provision is proposed in the draft without strikeout or underscore, but with the original text of the provision presented in a boxed Staff Note following the proposed provision, soliciting public comment on the proposed revision.⁹

Finally, if the staff identifies an interpretation issue or substantive question presented by the text of an existing section, the issue or question is also raised in a boxed Staff Note following the proposed provision to solicit public comment.

⁴ Written comments should be sent to scohen@clrc.ca.gov. Comments may also be presented orally at any Commission meeting at which this study is on the meeting agenda. The Commission’s meeting agendas can be viewed on the Commission [website](#).

⁵ This study also directs the Commission to include in its final report to the Legislature “a list of substantive issues that the commission identifies in the course of its work, for possible future study.” [2024 Cal. Stat. res. Ch. 138](#) (ACR 169, Kalra).

⁶ Memorandum [2020-13](#), p. 3.

⁷ See Memorandum [2020-13](#), pp. 3-4, [Minutes](#) (May 2020), p. 4; Memorandum [2021-19](#), pp. 3-4.

⁸ For example, renumbering and/or redesignating statutory parts, chapters, articles, sections, and components of sections, including cross-references within provisions.

⁹ See e.g., EX 16 (Staff Note following proposed § 84265).

Does the Commission provisionally approve the proposed recodification in the attached draft, for inclusion in a future tentative recommendation?

Respectfully submitted,

Steve Cohen
Attorney

PROPOSED CHAPTER 1 OF PART 2 OF DIVISION 46
OF THE HEALTH & SAFETY CODE

Staff Note. The content of this draft, proposing recodification of existing Division 38 of the Health & Safety Code in a new Division 46 of the Health & Safety Code, is a work in progress, and subject to change. For the current provisional outline of the entire proposed organization of new Division 46, see the draft attached as an exhibit to Memorandum [2026-7](#).

All proposed changes to existing statutory text in this draft other than technical changes are either shown in strikeout and underscore or described in a Staff Note following the section in which the change is proposed.

Comments. A draft of an official Commission “Comment” follows each proposed code section in the recodification. Comments, which are included in a final Commission recommendation, are phrased as if the corresponding code section had been repealed and replaced with the proposed section. Thus, in Comments, existing code provisions are referred to as “former” provisions.

Comments indicate the source of each recodified code provision and describe how the recodified provision compares with any predecessor provision. Courts have routinely held that Commission Comments are evidence of legislative intent with regard to any legislation that implements a Commission recommendation.

Staff Notes. Some provisions in this draft are followed by one or more “Staff Notes.” Staff Notes are intended to be temporary and normally will not be included in a Commission final recommendation. Unlike Comments, Staff Notes reflect the current state of the law. Thus, in Staff Notes, code provisions are referred to as “existing” and “proposed” provisions.

Staff Notes flag issues requiring special attention or treatment. When a Staff Note in a draft solicits public comment, it will typically be continued in the Commission’s tentative recommendation as a “Note” calling for that same comment. However, if a Staff Note asks for public comment on a proposed revision and the Commission thereafter decides not to propose the revision, the Staff Note will typically not appear in the tentative recommendation.

Cross-references. In many instances the provisions proposed for recodification in this draft cross-refer to other provisions contained in Chapter 6.5. Where that cross-referenced provision has not yet been included in a recodification draft, the section number in the cross-reference is left unchanged, but shown in bold text. Bracketed text designates cross-references that have been updated in form, but may still require further updating to reflect proposed recodification.

Each of these cross-references will be updated as the draft of the recodification progresses.

Tables. A “disposition table” at the end of this draft identifies in tabular form the disposition of every provision of existing Chapter 6.5 that is included in the draft. Following that table is a “derivation table” identifying the statutory derivation of every new provision in the draft.

Substantive Issues for Possible Future Study. Part of the Legislature’s assignment to the Commission in this study was to “include a list of substantive issues that the commission identifies in the course of its work, for possible future study.” To the extent a recodified provision in this draft raises such an issue, it will appear in a list following the disposition and derivation tables.

Public comment. The Commission welcomes public comment at any time, on any issue relating to the content of this draft or on any other aspect of this study. Comments should be directed to Steve Cohen (scohen@clrc.ca.gov).

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DRAFT LEGISLATION

1 **Health & Safety Code §§ 83000-[XXXXX] (added). Toxics Reduction and Management**
2 SEC. ____ . Division 46 (commencing with Section 83000) is added to the Health
3 and Safety Code, to read:

4 DIVISION 46. HAZARDOUS SUBSTANCES AND WASTE
5 MANAGEMENT

6 . . .

7 PART 2. DEPARTMENT OF TOXIC SUBSTANCES
8 CONTROL

9 CHAPTER 1. GENERAL POWERS AND DUTIES

10 Article 1. Preliminary Provisions

11 **§ 83410. Establishment of department**

12 83410. ~~There is, in the California Environmental Protection Agency, the~~ The
13 Department of Toxic Substances Control is in the California Environmental
14 Protection Agency.

15 **Comment.** Section 83410 continues former uncodified Section 58000 without substantive
16 change.

17 **§ 83412. Continuation of State Department of Health Services**

18 83412. The department succeeds to, and is vested with, all the duties, powers,
19 purposes, responsibilities, and jurisdiction of the Toxic Substances Control Program
20 of the State Department of Health Services, including, but not limited to, those
21 powers and duties specified in the following chapters, parts, or divisions of the
22 Health and Safety Code:

23 ~~Chapter 6.5 (commencing with Section 25100), Chapter 6.7 (commencing with~~
24 ~~Section 25280),~~

25 (a) Chapter 6.75 (commencing with section 25299.10), ~~Chapter 6.8 (commencing~~
26 ~~with Section 25300), of Division 20.~~

27 (b) Chapter 6.91 (commencing with Section 25410), of Division 20.

28 ~~Chapter 6.92 (commencing with Section 25420),~~

29 (c) Chapter 6.95 (commencing with Section 25500), and of Division 20.

30 (d) Chapter 6.97 (commencing with Section 25550) of Division 20.

31 **Comment.** Section 83412 continues former uncodified Section 58004 without substantive
32 change.

33 See Section 83160 (“department”).

1 **§ 83414. Use of unexpended funds related to State Department of Health Services**

2 83414. The department may use the unexpended balance of funds available for
3 use in connection with the performance of the functions of the State Department of
4 Health Services to which the department succeeds, pursuant to Section **58004**.

5 **Comment.** Section 83414 continues former uncodified Section 58005 without substantive
6 change.

7 See Section 83160 (“department”).

8 **Staff Note. Public comment is welcome on whether existing Section 58005, which would be**
9 **continued by proposed Section 83414, is obsolete and may be discontinued upon enactment**
10 **of this recodification by the Legislature.**

11 **§ 83416. Transfer of officers and employees of State Department of Health Services**

12 83416. (a) All officers and employees of the State Department of Health Services
13 who, on the effective date of this section, July 17, 1991, are performing any duty,
14 power, purpose, responsibility, or jurisdiction to which the department ~~of~~^t succeeds,
15 who are serving in the state civil service, other than as temporary employees, and
16 engaged in the performance of a function vested in the department by Section
17 **58004**, shall be transferred to the department.

18 (b) The status, positions, and rights of those persons shall not be affected by the
19 transfer and shall be retained by those persons as officers and employees of the
20 department, pursuant to the State Civil Service Act (Part 2 (commencing with
21 Section 18500) of Division 5 of Title 2 of the Government Code), except as to
22 positions exempted from civil service.

23 **Comment.** Section 83416 continues former uncodified Section 58006 without substantive
24 change.

25 See Section 83160 (“department”).

26 **Staff Note. Public comment is welcome on whether existing Section 58006, which would be**
27 **continued by proposed Section 83416, is obsolete and may be discontinued upon enactment**
28 **of this recodification by the Legislature.**

29 **§ 83418. Transfer of all material from State Department of Health Services**

30 83418. The department shall have possession and control of all records, papers,
31 offices, equipment, supplies, moneys, funds, appropriations, licenses, permits,
32 agreements, contracts, claims, judgments, land, and other property, real or personal,
33 connected with the administration of, or held for the benefit or use of, the State
34 Department of Health Services for the performance of the functions transferred to
35 the department by Section **58004**.

36 **Comment.** Section 83418 continues former uncodified Section 58007 without substantive
37 change.

38 See Sections 83160 (“department”), 83235 (“license”), 83288 (“permit”).

39 **Staff Note. Public comment is welcome on whether existing Section 58007, which would be**
40 **continued by proposed Section 83418, is obsolete and may be discontinued upon enactment**
41 **of this recodification by the Legislature.**

1 § 83420. Department obligations

2 83420. The department in performing its duties under this ~~chapter~~ division shall
3 do all of the following:

4 (a) Coordinate research and development regarding methods of hazardous waste
5 handling, storage, use, processing, and disposal ~~and may conduct appropriate~~
6 ~~studies relating to hazardous wastes.~~

7 (b) Maintain a technical reference center on hazardous waste management
8 practices, including, but not limited to, hazardous waste disposal, recycling
9 practices, and related information for public and private use.

10 (c) Establish and maintain a toll-free Toxic Substances Hotline, operating during
11 the regular working hours of the department, to provide information on hazardous
12 waste or appropriate referrals on other toxic substances to the regulated community
13 and the public.

14 ~~(d) The department shall coordinate~~ Coordinate the Toxic Substances Hotline
15 program with other programs that provide information on hazardous wastes and
16 other toxic substances, including, but not limited to, the technical reference center
17 established pursuant to subdivision (b).

18 ~~(d)~~ (e) Provide statewide planning for hazardous waste facility site identification
19 and assessment and render technical assistance to state and local agencies in the
20 planning and operation of hazardous waste programs.

21 ~~(e)~~ (f) Provide for appropriate surveillance of hazardous waste processing, use,
22 handling, storage, and disposal practices in the state.

23 ~~(f)~~ (g) Coordinate research and study in the technical and managerial aspects of
24 management and use of hazardous wastes, and recycling and recovery of resources
25 from hazardous wastes.

26 ~~(g)~~ (h) Determine existing and expected rates of ~~production~~ of hazardous waste
27 production.

28 ~~(h)~~ (i) Investigate market potential and feasibility of use of hazardous wastes and
29 recovery of resources from hazardous wastes.

30 ~~(i)~~ (j) Promote recycling and recovery of resources from hazardous wastes.

31 ~~(j)~~ (k) Conduct studies for the purpose of improving departmental operations.

32 ~~(k)~~ (l) Encourage the reduction or exchange, or both, of hazardous waste,
33 including, but not limited to, by publishing and distributing both of the following:

34 (1) Lists of hazardous wastes for the purpose of enabling persons to match the
35 constituents of hazardous waste streams with needs for hazardous materials
36 resources.

37 (2) Directories of known and permitted commercial hazardous waste recyclers in
38 the state.

39 (m) Establish and maintain an information clearinghouse identifying wastes that
40 may be recyclable, with the information made available in a manner that protects
41 the trade secrets of the hazardous waste producer.

42 (1) Each producer shall supply the department with information for the
43 clearinghouse.

1 (2) Each producer shall only be required to supply the information required by the
2 manifests as described in Section 25160.

3 ~~(m)~~ (n) Conduct pilot projects, as appropriate, to document the technical
4 performance of emerging technologies that offer potential for ameliorating
5 California’s hazardous waste disposal problems.

6 ~~(n)~~ (o) Develop and implement an industry education program ~~which shall~~
7 ~~emphasize that emphasizes~~ small business education ~~and shall include, but not be~~
8 ~~including, but not limited to~~, all of the following elements:

9 (1) Preparation of a A synopsis of laws and regulations relating to hazardous
10 waste, which the department shall publish by January 1 of each year.

11 (2) ~~Publication of educational~~ Educational pamphlets for selected types of
12 business explaining selected areas of the law, regulations, or programs concerning
13 hazardous waste.

14 (3) Audio-visual training programs, as needed.

15 (4) An annual California Hazardous Waste Management Symposium.

16 **Comment.** Section 83420 restates former Section 25170 without substantive change.

17 See Sections 60095 (“business”), 60160 (“department”), 60175 (“disposal”), 60205
18 (“handling”), 60210 (“hazardous waste”), 60215 (“hazardous waste facility”), 60220 (“hazardous
19 waste management” or “management”), 60250 (“manifest”), 60295 (“person”), 60300
20 (“processing”), 60305 (“producer”), 60325 (“recycling”), 60350 (“storage”), 60390 (“waste”).

21 **Staff Notes. (1)** Existing Section 25170(l) cross-refers to existing Section 25160 for the purpose
22 of identifying the required contents of manifests under that section. The definitions contained in
23 Section 25160 have been proposed for recodification in this draft, but the substantive provisions in
24 Section 25160 have not yet been proposed for recodification.

25 **This cross-reference will be updated when the remainder of Section 25160 is proposed for**
26 **recodification.**

27 (2) Existing Section 25170(k)(1), which would be recodified as Section 83420(l)(1), refers to
28 “[l]ists of hazardous wastes for the purpose of enabling persons to match the constituents of
29 hazardous waste streams with needs for hazardous materials resources.”

30 **Public comment is welcome on the meaning of the phrase “needs for hazardous materials**
31 **resources.”**

32 (3) Proposed Section 83420(m) would restate existing Section 25170(l), which presently reads
33 as follows:

34 “(l) Establish and maintain an information clearinghouse, which shall consist of a record of
35 wastes which may be recyclable. Every producer of hazardous waste shall supply the department
36 with information for the clearinghouse. Each producer shall not be required to supply any more
37 information than is required by the manifests provided for in Section 25160. The department shall
38 make this information available to persons who desire to recycle the wastes. The information shall
39 be made available in such a way that the trade secrets of the producer are protected.

40 **Public comment is welcome as to whether the restatement of this text in proposed Section**
41 **84320(m) would substantively change the meaning of any aspect of existing Section 25170(l).**

42 (4) The second and third sentences of existing Section 25170(l), proposed to be recodified as
43 paragraphs (2) and (3) of subdivision (m), read as follows: “Every producer of hazardous waste
44 shall supply the department with information for the clearinghouse. Each producer shall not be

1 required to supply any more information than is required by the manifests provided for in Section
2 25160.”

3 These two sentences do not address any obligations of the department, but rather impose an
4 obligation on producers of hazardous waste, and therefore seemingly should not be recodified in
5 an article addressing department responsibilities.

6 **Public comment is welcome on whether the substance of these two sentences are already**
7 **adequately set forth in a subsequently enacted code section in existing Chapter 6.5, if so in**
8 **which code section(s), and if not, where in this recodification these two sentences would be**
9 **best recodified.**

10 Article 2. Personnel of Department

11 **§ 83430. Appointment of director**

12 83430. The ~~Department of Toxic Substances Control~~ department is under the
13 control of ~~an executive officer known as~~ the Director of Toxic Substances Control,
14 who shall be appointed by the Governor, subject to confirmation by the Senate, and
15 hold office at the pleasure of the Governor.

16 **Comment.** Section 83430 continues former uncodified Section 58002 without substantive
17 change.

18 See Section 83160 (“department”).

19 **§ 83432. Appointment of deputy director**

20 83432. (a) The Governor may appoint a deputy to the director.

21 (b) The deputy director shall hold office at the pleasure of the director, and shall
22 receive a salary fixed by the director with the approval of the ~~Department of~~
23 ~~Personnel Administration~~ California Department of Human Resources.

24 **Comment.** Section 83432 continues former uncodified Section 58002.5 without substantive
25 change.

26 See Section 83165 (“director”).

27 **§ 83434. Authority of director**

28 83434. The director ~~of~~ shall have the powers of a head of a department pursuant
29 to Chapter 2 (commencing with Section 11150) of Part 1 of Division 3 of Title 2 of
30 the Government Code.

31 **Comment.** Section 83434 continues former uncodified Section 58003 without substantive
32 change.

33 See Sections 83160 (“department”), 83165 (“director”).

34 **§ 83436. Appointment of employees by director**

35 83436. All officers or employees of the department employed after ~~the effective~~
36 ~~date of this section~~ July 17, 1991, shall be appointed by the director.

37 **Comment.** Section 83436 continues former uncodified Section 58008 without substantive
38 change.

39 See Sections 83160 (“department”), 83165 (“director”).

1 **Staff Note. Public comment is welcome on whether former Section 58008, which would be**
2 **continued by proposed Section 83436, is still necessary.**

3 Article 3. Department Authority

4 **§ 83445. Commencement of actions and proceedings**

5 83445. (a) The department may commence and maintain all proper and necessary
6 actions and proceedings for any or all of the following purposes:

7 ~~(a)~~ (1) To enforce its rules and regulations.

8 ~~(b)~~ (2) To enjoin and abate nuisances related to matters within its jurisdiction
9 which are dangerous to health.

10 ~~(c)~~ (3) To compel the performance of any act specifically enjoined upon any
11 person, officer, or board, by any law of this state relating to matters within its
12 jurisdiction.

13 ~~(d)~~ (4) On matters within its jurisdiction, to protect and preserve the public health.

14 (b) The department may defend all actions and proceedings involving its powers
15 and duties.

16 (c) In all actions and proceedings, the department shall sue and be sued under the
17 name of the Department of Toxic Substances Control.

18 **Comment.** Section 83445 continues former uncodified Section 58009 without substantive
19 change.

20 See Section 83160 (“department”).

21 **§ 83448. Abatement of public nuisances**

22 83448. The department may abate public nuisances related to matters within its
23 jurisdiction.

24 **Comment.** Section 83448 continues former uncodified Section 58010 without substantive
25 change.

26 See Section 83160 (“department”).

27 **§ 83451. Advising on and regulating public health matters**

28 83451. (a) The department may advise all local health authorities. ~~and, when in~~
29 ~~its judgment the public health is menaced by matters within its department’s~~
30 ~~jurisdiction~~

31 (b) The department shall control and regulate ~~their actions~~ the actions of local
32 health authorities when, in the department’s judgment, the public health is menaced
33 by matters within the department’s jurisdiction.

34 **Comment.** Section 83451 restates former uncodified Section 58011 without substantive change.
35 See Section 83160 (“department”).

36 **Staff Note. Public comment is welcome on whether the restatement of existing Section**
37 **58011 in proposed Section 83451 in any manner substantively changes the meaning of the**
38 **existing section.**

1 § 83454. Enforcement of rules and regulations

2 83454. (a) The department may adopt and enforce rules and regulations to execute
3 its duties.

4 (b) All regulations previously adopted by the State Department of Health Services
5 or its predecessors relating to functions performed by the Toxic Substances Control
6 Program of the State Department of Health Services, and in effect immediately
7 preceding ~~the effective date of this section~~ July 17, 1991, shall remain in effect and
8 shall be fully enforceable unless and until readopted, amended, or repealed by the
9 director.

10 **Comment.** Section 83454 continues former uncodified Section 58012 without substantive
11 change.

12 See Sections 83160 (“department”), 83165 (“director”).

13 **Staff Note. Public comment is welcome on whether former Section 58012(b), which would**
14 **be continued by proposed Section 83454(b), is still needed to be retained.**

15 § 83457. Submission of proposed rules and regulations to California Conference of Local
16 Health Officers

17 83457. (a) Notwithstanding any other provision of law, the department shall
18 submit all ~~of its proposed~~ proposed rules and regulations on matters related to statutory
19 responsibilities delegated to or enforced by local health departments, except
20 emergency rules and regulations, to the California Conference of Local Health
21 Officers for review and comment prior to adoption.

22 (b) If the department determines it appropriate to implement any proposed rule or
23 regulation or parts thereof that is contrary to a recommendation of the California
24 Conference of Local Health Officers to the recommendations of the conference, the
25 department shall make a public finding summarizing its reasons.

26 **Comment.** Section 83457 restates former uncodified Section 58013 without substantive change.
27 See Section 83160 (“department”).

28 **Staff Note. Public comment is welcome on whether the restatement of existing Section**
29 **58013 in proposed Section 83457 in any manner substantively changes the meaning of the**
30 **existing section.**

31 § 83460. Interpretation and enforcement of rules and regulations

32 83460. (a) A request for clarification or interpretation may be submitted to the
33 department by a party to the dispute when a dispute arises as to the interpretation or
34 enforcement of the department’s ~~the adopted rules and regulations~~ rule or regulation
35 being enforced by a city, city and county, county, or district.

36 (b) The department shall determine the proper interpretation and enforcement
37 ~~thereof~~ of the rule or regulation when so requested.

38 (c) In making its determination, the department may conduct a hearing, at which
39 time all interested parties may present comments or arguments relative to the
40 dispute.

1 (d) The department’s determinations made pursuant to this section shall be
2 transmitted to the concerned local agency and the involved party within 60 days
3 after ~~the receipt of the~~ a request to make a determination pursuant to this section.

4 (e) The department’s determination shall be binding upon the local agency and
5 the party subject to the ~~rules and regulations of the department~~ rule or regulation at
6 issue, except insofar as the matter may be subject to judicial review.

7 **Comment.** Section 83460 restates former uncodified Section 58014 without substantive change.
8 See Section 83160 (“department”).

9 **Staff Note. Public comment is welcome on whether the restatement of existing Section**
10 **58014 in proposed Section 83460 in any manner substantively changes the meaning of the**
11 **existing section.**

12 **§ 83463. Compilation and publishing of laws relating to hazardous materials**

13 83463. (a) The department shall annually compile and publish the laws relating to
14 the following:

15 (1) The use, handling, transportation, storage, and disposal of hazardous materials,
16 including, but not limited to, hazardous wastes, flammable materials, corrosives,
17 explosives, pesticides, and radioactive materials, ~~together with laws~~

18 (2) Laws relating to administration, enforcement, and emergency response.

19 (b) The compilation shall reflect the amendments, additions, and deletions enacted
20 each year.

21 (c) The department may contract with the Legislative Counsel to prepare the
22 compilation of laws required by subdivision (a) and with the Department of General
23 Services to print and distribute the compilation.

24 (d) Copies of the compilation required by subdivision (a) shall be distributed at
25 cost.

26 (c) It is the intent of the Legislature to appropriate revenues received from the
27 distribution of the compilation to the department for carrying out the purposes of
28 this section.

29 **Comment.** Section 83463 continues former uncodified Section 58015 without substantive
30 change.

31 See Sections 83160 (“department”), 83175 (“disposal”), 83210 (“hazardous waste”), 83355
32 (“storage”).

33 **§ 83466. Acceptance of grants and gifts**

34 83466. With the approval of the Department of Finance, and for use in ~~the~~
35 ~~furtherance of~~ furthering the work of the Department of Toxic Substances Control,
36 the director may accept the following:

37 (a) Grants of interest in real property.

38 (b) Gifts of money from public agencies or from organizations or associations
39 organized for scientific, educational, or charitable purposes.

40 **Comment.** Section 83466 continues former uncodified Section 58016 without substantive
41 change.

42 See Section 83165 (“director”).

1 § 83469. Authorized activities of department

2 83469. (a) The department may perform any of the following activities relating to
3 the protection, preservation, and advancement of public health:

4 (1) Studies, including but not limited to appropriate studies relating to hazardous
5 wastes.

6 (2) Demonstrations of innovative methods.

7 (3) Evaluations of existing projects.

8 (4) Provision of training programs.

9 (5) Dissemination of information.

10 (b) In performing an activity specified in subdivision (a), the department may do
11 any of the following:

12 (1) Perform the activity directly.

13 (2) Enter into contracts, cooperative agreements, or other agreements for the
14 performance of the activity.

15 (3) Apply for and receive grants for the performance of the activity.

16 (4) Award grants for the performance of the activity.

17 **Comment.** Section 83469 continues former uncodified Section 58017 without substantive
18 change.

19 See Section 83160 (“department”).

20 **Staff Note. Public comment is welcome on whether the indicated addition of text to existing**
21 **Section 58017 in proposed Section 83469(a) would substantively change the meaning of the**
22 **existing section.**

23 § 83472. Issuance and renewal of licenses and registrations

24 83472. (a) Notwithstanding any other provision of law, the department, by rule or
25 regulation, may provide for the issuance and renewal, on a two-year basis, of
26 licenses, certificates of registration, or other indicia of authority issued pursuant to
27 Division 20 (commencing with Section ~~25000~~ 24000) by the department or any
28 agency in the department.

29 (b) The department may, by rule or regulation, set the fee for the two-year license,
30 certificate of registration, or other indicia, not to exceed twice the annual fee for
31 issuance or renewal set by statute.

32 **Comment.** Section 83472 continues former uncodified Section 58018 without substantive
33 change.

34 See Section 83160 (“department”).

35 **Staff Note.** Existing Section 58018, which would be continued by proposed Section 83472, was
36 enacted with an effective date of July 17, 1991. Since that date, the contents of Division 20 of the
37 Health and Safety Code has dramatically changed, with many code sections both added to and
38 relocated from that Division.

39 **Public comment is therefore sought on how the cross-reference to Department 20 in**
40 **proposed Section 83472 would be best recodified.**

DISPOSITION OF EXISTING LAW

Note. This table shows the proposed disposition, as reflected in this staff draft, of provisions in Chapter 6.5 of Division 20 of the Health and Safety Code (§§ 25100-25259), and/or Division 38 of that code, as the law existed on January 1, 2026. Unless otherwise indicated, all statutory references are to the Health and Safety Code.

Existing Provision	Proposed New Provision
25170.....	83420
58000.....	83400
58002.....	83430
58002.5.....	83432
58003.....	83434
58004.....	83412
58005.....	83414
58006.....	83416
58007.....	83418
58008.....	83436
58009.....	83445
58010.....	83448
58011.....	83451
58012.....	83454
58013.....	83457
58014.....	83460
58015.....	83463
58016.....	83466
58017.....	83469
58018.....	83472

DERIVATION OF NEW LAW

Note. This table shows the derivation of each provision in proposed Division 46 reflected in this staff draft. Unless otherwise indicated, all statutory references are to the Health and Safety Code.

Proposed New Provision	Existing Provision
83410	58000
83412	58004
83414	58005
83416	58006
83418	58007
83420	25170
83430	58002
83432	58002.5
83434	58003
83436	58008
83445	58009
83448	58010
83451	58011
83454	58012
83457	58013
83460	58014
83463	58015
83466	58016
83469	58017
83472	58018