



# California Land Reuse and Revitalization Act of 2004

The major component of this act provides qualified innocent landowners, bona fide purchasers or contiguous property owners with immunity from liability for certain hazardous materials response costs or other damages.

## Eligibility Criteria:

In order to participate, the property and owner must meet all the following criteria:

- The owner can not be responsible for the contamination;
- The property is located in an *urban infill* area - a vacant or underutilized property in a populated area;
- The property is not a state or federal listed superfund site; and
- The property is not an underground storage tank (UST) site impacted by petroleum.

## Some of the highlights of this act are:

- Participants agree to assess and cleanup the property as necessary.
- Participants seeking to qualify for immunity must enter an agreement with an oversight agency.
- Immunities begin at the time an agreement is signed.
- Response actions must be as protective of public health, safety, and the environment as actions required under Health and Safety Code, Division 20, Chapter 6.8 and Division 7 of the Water Code.
- There are specific public participation requirements.
- Future property owners may also qualify for immunity provided they meet all the qualifying conditions and they comply with the terms of the Agreement.
- Chapter 6.82 will be repealed on January 1, 2010, but any immunities will continue after that date.
- A bona fide purchaser may consult with an oversight agency to facilitate the purchaser's decision to apply to the program.

## Statutory Authority:

CA Health and Safety Code,  
Division 20, Chapter 6.82  
(sections 25395.60-  
25395.105) and Chapter 6.83  
(sections 25395.110-  
25395.119)

**California Land Reuse  
and Revitalization Act**  
effective  
January 1, 2005

**Contacts:**  
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