

SECOND REGULAR SESSION

SENATE BILL NO. 838

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RICHARD.

Read 1st time February 27, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

6012S.011

AN ACT

To repeal section 260.573, RSMo, and to enact in lieu thereof two new sections relating to remediation of property in municipal areas.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 260.573, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as section 260.573 and 319.134, to read as
3 follows:

260.573. 1. If the provisions set forth in sections 260.565 to 260.575 and
2 any rules promulgated thereunder are met, and the applicant has remitted all
3 applicable participation fees, the department shall issue, to the applicant, a letter
4 stating that no further action need be taken at the site related to any
5 contamination identified in the environmental assessments and for which
6 remedial action has been taken in accordance with the approved remedial action
7 plan. Such letter, however, shall provide that the department of natural
8 resources may require the person to conduct additional environmental site
9 assessments or remedial actions in the event that any monitoring conducted at
10 or near the real property or other circumstances indicate that additional
11 contamination is present which was not identified by the environmental site
12 assessments or for which remedial action was not taken according to the remedial
13 action plan.

14 2. For sites entered into the remediation tax credit program
15 under subsection 3 of section 447.708, if requested by the applicant, the
16 department shall issue a letter to the department of economic
17 development stating that no further remediation is required for a
18 portion of the site, for site improvements or portions of site
19 improvements or for specific impacted media such as soil or

20 groundwater, provided that the applicant has met any applicable
21 provisions under sections 260.565 to 260.575 and has remitted all
22 applicable fees and the department has determined that all remedial
23 actions for the portion of the site, improvements, or media for which
24 partial closure has been requested, have been taken in accordance with
25 the approved remedial action plan.

319.134. Notwithstanding any other provision in sections 319.100
2 to 319.137 to the contrary, moneys from the fund may be used for
3 cleanup of petroleum contamination at a site where ownership is
4 transferred involuntarily through the tax foreclosure process to
5 organizations created by the authority of section 92.875 regardless of
6 when the storage tanks were in use or when the site was registered
7 with the department of natural resources.

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Bill

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