

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 334**

**90TH GENERAL ASSEMBLY**

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Reported from the Committee on Commerce and Environment, March 9, 1999, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

S1453.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal section 260.565, RSMo 1994, relating to voluntary remediation, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 260.565, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 260.565, to read as follows:

260.565. As used in sections 260.565 to 260.575, the following terms mean:

(1) "Hazardous substance", any hazardous substance specified in the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. sections 9601(14) (A)-(F), as amended, **petroleum and petroleum products, except where such petroleum and petroleum products were released to the environment from tanks subject to regulation by the department of natural resources**, and any hazardous waste as defined in section 260.360 or any rules promulgated under sections 260.350 to 260.480;

(2) "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust estate, political subdivision or any agency, board, department or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

(3) "Phase I environmental site assessment", a noninvasive physical assessment of the real property and a records review conducted by a technical consultant who is familiar with the nature of the operations and activities that have occurred on the real property;

(4) "Real property", any **residential or** nonresidential real property;

(5) "Remediation" or "remedial action", all appropriate actions taken to clean up contaminated real property, including but not limited to removal, remedial actions, and response actions as such terms are defined by the federal Comprehensive Environmental Response,



Unofficial

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