

FIRST REGULAR SESSION

# SENATE BILL NO. 334

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MATHEWSON.

Read 1st time January 25, 1999, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S1453.011

## 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.

*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Section A. Section 260.565, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 260.565, to read as follows: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, 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, Compensation and Liability Act, as amended (42 U.S.C.



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