

HB 130 -- Environmental Audits

Sponsor: Bivins

This bill specifies the conditions under which noncompliance with environmental regulations by an entity subject to environmental law will be protected from administrative, civil, and criminal penalties and prosecution and public disclosure pursuant to Chapter 610, RSMo.

The principal conditions include:

- (1) Discovery of the noncompliance through a voluntary, as opposed to a legally mandated, internal environmental audit or compliance management system;
- (2) Full and timely disclosure of the noncompliance to the Department of Natural Resources;
- (3) Discovery and disclosure of the noncompliance prior to any governmental inspection or investigation, third-party complaint, whistle-blower employee report, or imminent discovery by any regulatory department or agency;
- (4) Time limits for correcting the noncompliance;
- (5) Written agreements to take necessary steps to prevent recurrence;
- (6) Absence of occurrence of the identical noncompliance by the facility within the previous three years or within the previous five years at facilities owned or operated by the same entity; and
- (7) The entity's cooperation with the department to determine the applicability of the protections afforded by the bill.