

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 109, Page 3, Section 256.710, Line 51, by
2 inserting after all of said section and line the following:

3
4 "319.032. 1. Upon receiving a notice of intent to excavate from an excavator, the
5 notification center shall promptly transmit all details of such notice submitted under section 319.026
6 to the department of natural resources. The department shall immediately make the following
7 determinations and notify the excavator of such determinations:

8 (1) Determine whether the excavation location is within a site:

9 (a) On which the department is overseeing any environmental remediation at the time of the
10 proposed excavation;

11 (b) That requires a remedial response, as such site is described by the department or in a
12 United States Environmental Protection Agency record of decision; or

13 (c) For which environmental remediation has been completed; or

14 (2) Determine whether the excavation location is within a site that is:

15 (a) Under environmental investigation by the department; or

16 (b) Listed on the department's registry of abandoned or uncontrolled hazardous waste sites.

17 2. (1) If the excavation location is within a site described in subdivision (1) of subsection 1
18 of this section at the time of the proposed excavation, the department shall notify all persons having
19 control over a hazardous substance, as defined in section 260.500, responsible for contaminating the
20 site, require a test by such persons of the soil at the excavation location to ensure the safety of the
21 excavators working at such site, and notify the excavators of the test results.

22 (2) If the excavation location is within a site described in subdivision (2) of subsection 1 of
23 this section at the time of the proposed excavation, the department shall test the soil at the
24 excavation location to ensure the safety of the excavators working at such site and notify the
25 excavators of the test results."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.

Action Taken _____ Date _____