

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 862, Page 33,
2 Section 211.326, Line 20, by inserting after all of said section and line the following:

3
4 "260.558. 1. There is hereby created in the state treasury the "Radioactive Waste
5 Investigation Fund". The state treasurer shall be custodian of the fund. In accordance with sections
6 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated
7 fund and, upon appropriation, moneys in the fund shall be used solely by the department of natural
8 resources to investigate concerns of exposure to radioactive waste. [~~Upon written request by a local
9 governing body expressing concerns of radioactive waste contamination in a specified area within
10 its jurisdiction,~~]

11 2. (1) The department of natural resources shall use moneys in the radioactive waste
12 investigation fund to develop and conduct an investigation, using sound scientific methods, for the
13 specified area of concern. [The request by a local governing body shall include a specified area of
14 concern and any supporting documentation related to the concern. The department shall prioritize
15 requests in the order in which they are received, except that the department] The selection and
16 priority of sites shall be determined by the department. The department may give priority to
17 requests that are in close proximity to federally designated sites where radioactive contaminants are
18 known or reasonably expected to exist.

19 (2) The department may use information received from local jurisdictions or individuals as
20 to where investigations may be needed. The department may also decide based on historical data or
21 other information sources where an investigation may be needed.

22 (3) The department shall organize and prioritize the information from all sources to develop
23 a plan as to how any investigation may proceed. The department may hold public meetings related
24 to the organization and data collection. All meetings related to the prioritization of investigations
25 shall be held during a public meeting. All plans related to any investigation shall be considered
26 public information. Preliminary investigation and work product may be public at the department's
27 discretion. All final reports, including any supporting documentation and test results, shall be public
28 following a public comment period of not less than ninety days. During the public comment period,
29 the department shall accept comments from the public on the preliminary report. During the public

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1 comment period, the preliminary report and all supporting documentation and test results shall be
 2 available on the department's website.

3 3. The investigation shall be performed by applicable federal or state agencies or by a
 4 qualified contractor selected by the department through a competitive bidding process. In
 5 conducting an investigation under this section, the department shall work with the applicable
 6 government agency or approved contractor, as well as local officials, to develop a sampling and
 7 analysis plan to determine if radioactive contaminants in the area of concern exceed federal
 8 standards set by the United States Environmental Protection Agency for remedial action due to
 9 contamination. The investigation may include the collection of soil, dust, and water samples from
 10 the specified area. Within a residential area, this plan may include [~~dust~~] samples collected inside
 11 residential homes only after obtaining permission from the homeowners. The samples shall be
 12 analyzed for the isotopes necessary to correlate the samples with the suspected contamination, as
 13 described in the sampling and analysis plan.

14 4. If the department has evidence or reasonably suspects that radioactive contaminants are
 15 located on property owned by a governmental agency, regardless of whether the property is
 16 accessible to the public, or a private entity that will not grant access to collect samples, the
 17 department shall seek a warrant to access the property to collect any samples authorized under
 18 subsection 4 of this section.

19 5. Within forty-five days of receiving the final sampling results, the department shall report
 20 the results to the attorney general [~~and the local governing body that requested the investigation~~] and
 21 make the finalized report and testing results publicly available on the department's website.

22 [~~2-~~] 6. The transfer to the fund from the hazardous waste fund shall not exceed [~~one hundred~~
 23 ~~fifty thousand~~] one million dollars per fiscal year. Investigation costs expended from this fund shall
 24 not exceed [~~one hundred fifty thousand~~] one million dollars from the hazardous waste fund and any
 25 additional general revenue funds appropriated per fiscal year. Any moneys remaining in the fund at
 26 the end of the biennium shall revert to the credit of the hazardous waste fund.

27 [~~3-~~] 7. The state treasurer shall invest moneys in the fund in the same manner as other funds
 28 are invested. Any interest and moneys earned on such investments shall be credited to the fund.";
 29 and

30
 31 Further amend said bill by amending the title, enacting clause, and intersectional references
 32 accordingly.