

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1673
102ND GENERAL ASSEMBLY

4328H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 260.558, RSMo, and to enact in lieu thereof one new section relating to the radioactive waste investigation fund.

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

Section A. Section 260.558, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.558, to read as follows:

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

2. **(1)** The department of natural resources shall use moneys in the radioactive waste investigation fund to develop and conduct an investigation, using sound scientific methods, for the specified area of concern. ~~[The request by a local governing body shall include a specified area of concern and any supporting documentation related to the concern. The department shall prioritize requests in the order in which they are received, except that the department]~~ **The selection and priority of sites shall be determined by the department.**

The department may give priority to requests that are in close proximity to federally designated sites where radioactive contaminants are known or reasonably expected to exist.

(2) The department may use information received from local jurisdictions or individuals as to where investigations may be needed. The department may also decide

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 based on historical data or other information sources where an investigation may be
19 needed.

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

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

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

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

52 [~~2-~~] 6. The transfer to the fund from the hazardous waste fund shall not exceed [~~one~~
53 ~~hundred fifty thousand~~] one million dollars per fiscal year. Investigation costs expended
54 from this fund shall not exceed [~~one hundred fifty thousand~~] one million dollars from the

55 **hazardous waste fund and any additional general revenue funds appropriated** per fiscal
56 year. Any moneys remaining in the fund at the end of the biennium shall revert to the credit
57 of the hazardous waste fund.

58 ~~[3.]~~ 7. The state treasurer shall invest moneys in the fund in the same manner as other
59 funds are invested. Any interest and moneys earned on such investments shall be credited to
60 the fund.

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