

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 50, Page 1, Section A, Line 2, by
2 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,]~~ The fund shall not be used for any costs associated with clean up efforts. The fund
11 may also accept, without limitation, funds from gifts, bequests, and devises.

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

21 3. The investigation shall be performed by applicable federal or state agencies or by a
22 qualified contractor selected by the department through a competitive bidding process. In
23 conducting an investigation under this section, the department shall work with the applicable
24 government agency or approved contractor, as well as local officials, to develop a sampling and
25 analysis plan to determine if radioactive contaminants in the area of concern exceed federal
26 standards set by the United States Environmental Protection Agency for remedial action due to
27 contamination. The investigation may include the collection of soil, dust, and water samples from
28 the specified area. Within a residential area, this plan may include [dust] samples collected [inside
29 residential homes] on private property only after obtaining permission from the homeowners. The

Action Taken _____ Date _____

1 samples shall be analyzed for the isotopes necessary to correlate the samples with the suspected
2 contamination, as described in the sampling and analysis plan.

3 4. If the department has evidence or reasonably suspects that radioactive contaminants are
4 located on property owned by a governmental agency, regardless of whether the property is
5 accessible to the public that will not grant access to collect samples, the department may seek a
6 warrant to access the property to collect any samples authorized under this section.

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

10 [2:] 6. The transfer to the fund from the hazardous waste fund shall not exceed one hundred
11 fifty thousand dollars per fiscal year. [Investigation costs expended from this fund shall not exceed
12 one hundred fifty thousand dollars per fiscal year.] Any moneys transferred from the hazardous
13 waste fund remaining in the fund at the end of the biennium shall revert to the credit of the
14 hazardous waste fund. Moneys received from general revenue, gifts, bequests, devises, or any other
15 source shall remain in the radioactive waste investigation fund.

16 [3:] 7. The state treasurer shall invest moneys in the fund in the same manner as other funds
17 are invested. Any interest and moneys earned on such investments shall be credited to the fund.

18 8. The department shall seek reimbursement of expenses incurred during radioactive waste
19 clean up from any federal agency responsible for the site."; and

20
21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.