

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 516, 290 & 778
103RD GENERAL ASSEMBLY

0430H.03C

JOSEPH ENGLER, 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Section A. Section 260.558, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.558, to read as follows: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,]~~ **The fund shall not be used for any costs associated with clean up efforts. The fund may also accept, without limitation, funds from gifts, bequests, and devises.**

2. 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]~~ **Requests for investigation may be submitted in writing to the department by local governing bodies, local community groups, or individuals located within the jurisdiction of a specified area of concern. Requests** 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 may give priority to requests that are in

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 close proximity to federally designated sites where radioactive contaminants are known or
19 reasonably expected to exist.

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

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

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

41 ~~[2-]~~ **6.** The transfer to the fund **from the hazardous waste fund** shall not exceed one
42 hundred fifty thousand dollars per fiscal year. ~~[Investigation costs expended from this fund~~
43 ~~shall not exceed one hundred fifty thousand dollars per fiscal year.]~~ Any moneys
44 **transferred from the hazardous waste fund** remaining in the fund at the end of the
45 biennium shall revert to the credit of the hazardous waste fund. **Moneys received from**
46 **general revenue, gifts, bequests, devises, or any other source shall remain in the**
47 **radioactive waste investigation fund.**

48 ~~[3-]~~ **7.** The state treasurer shall invest moneys in the fund in the same manner as other
49 funds are invested. Any interest and moneys earned on such investments shall be credited to
50 the fund.

51 **8.** The department shall seek reimbursement of expenses incurred during
52 **radioactive waste clean up from any federal agency responsible for the site.**