

SECOND REGULAR SESSION

SENATE BILL NO. 1039

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Read 1st time February 24, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5552S.011

AN ACT

To amend chapter 66, RSMo, by adding thereto one new section relating to landfill properties in certain counties.

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

Section A. Chapter 66, RSMo, is amended by adding thereto one new section, to be known as section 66.671, to read as follows:

66.671. 1. As used in this section, the following terms mean:

(1) "County", any county with a charter form of government and with more than nine hundred fifty thousand inhabitants and with historic landfills located in such county;

(2) "Historic landfill", any real property for which a county issued an approval before January 1, 1973, for use as a landfill;

(3) "Land use permit", any permit required by a county before any action relating to any use of a plot of property containing a historic landfill may occur.

2. Each county shall compile and keep a list of all historic landfills in the county and shall make such list available to the public.

3. (1) Before July 1, 2021, each county shall establish a procedure to determine whether any reclamation or remediation of a historic landfill has been accomplished safely before issuing any land use permit for such property.

(2) The procedure shall ensure that protecting the health of any resident who lives and person who works near the historic landfill is a primary concern during all phases of a reclamation or remediation of the historic landfill.

(3) The procedure shall be developed in consultation with residents of the county and any stakeholder representing any entity

22 with an interest in the historic landfill. The development of the
23 procedure shall include public hearings and public meetings that allow
24 for public comments by such residents and stakeholders. At such
25 public hearings and public meetings, residents shall be provided ample
26 opportunity to present in person any statement, testimony, or evidence
27 regarding the resident's concerns about the steps that the county shall
28 include as part of the procedure for reviewing any reclamation or
29 remediation of a historic landfill before the county issues any land use
30 permit. All information presented at such public hearings and public
31 meetings shall be deemed an official record to be preserved by the
32 appropriate custodian of such records in the county.

33 (4) The county shall use all information presented under this
34 subsection in creating the procedure for reviewing a reclamation or
35 remediation of a historic landfill.

36 4. (1) Before issuing any land use permit, the county shall hold
37 public hearings and public meetings that allow for public comments by
38 such residents and stakeholders. At such public hearings and public
39 meetings, residents shall be provided ample opportunity to present in
40 person any statement, testimony, or evidence regarding the resident's
41 concerns about the following:

42 (a) Any reclamation or remediation that was performed on the
43 historic landfill;

44 (b) Any items, substances, or contaminants the resident believes
45 to be in the historic landfill;

46 (c) Whether any testing was performed on the historic landfill;

47 (d) Whether further testing should be required before the county
48 issues a land use permit;

49 (e) Whether the resident believes the county followed all
50 procedures required under this section for issuing a land use permit;
51 and

52 (f) Any other concern or comment the resident wishes to make
53 about the historic landfill and any related land use permit.

54 (2) All information presented at such public hearings and public
55 meetings shall be deemed an official record to be preserved by the
56 appropriate custodian of such records in the county.

57 (3) The county shall use all information presented under this
58 subsection in determining whether to conduct additional site testing

59 for contaminants beyond any other required site testing before issuing
60 a land use permit.

61 (4) If the county determines that additional testing is necessary
62 based on the records gathered at the public hearings and public
63 meetings, the county shall require the additional necessary testing. If
64 the additional testing determines that any reclamation or remediation
65 was inadequate or that additional reclamation or remediation is
66 necessary, the county shall require any reclamation or remediation of
67 the historic landfill be completed before the county issues any land use
68 permit.

Unofficial ✓

Bill

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