

SECOND REGULAR SESSION

HOUSE BILL NO. 2512

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CLEMENS.

5005H.011

DANA RADEMAN MILLER, Chief Clerk

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 more than one million 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 shall 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, 2023, 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 with an interest in the historic landfill. The

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

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

29 4. (1) Before issuing any land use permit, the county shall hold public hearings
30 and public meetings that allow for public comments by such residents and stakeholders.
31 At such public hearings and public meetings, residents shall be provided ample
32 opportunity to present in person any statement, testimony, or evidence regarding the
33 resident's concerns about the following:

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

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

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

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

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

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

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

47 (3) The county shall use all information presented under this subsection in
48 determining whether to conduct additional site testing for contaminants beyond any
49 other required site testing before issuing a land use permit.

50 (4) If the county determines that additional testing is necessary based on the
51 records gathered at the public hearings and public meetings, the county shall require
52 the additional necessary testing. If the additional testing determines that any

53 reclamation or remediation was inadequate or that additional reclamation or
54 remediation is necessary, the county shall require any reclamation or remediation of
55 the historic landfill be completed before the county issues any land use permit.

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