114TH CONGRESS
1ST SESSION

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To require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

IN THE SENATE OF THE UNITED STATES

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Mr. BLUNT (for himself and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on | | | | | | | | | |

A BILL

To require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF OVERSIGHT AUTHORITY FROM EPA TO CORPS OF ENGINEERS.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(2) SITE.—The term ''site'' means the West Lake Landfill located in Bridgeton, Missouri.

(b) TRANSFER.—Notwithstanding any other provision of law, as soon as practicable after the date of enactment of this Act, the Secretary shall—

(1) under the Formerly Utilized Sites Remedial Action Program, undertake the functions and activities described in section 611 of the Energy and Water Development Appropriations Act, 2000 (10 U.S.C. 2701 note; 113 Stat. 502) as the lead agency responding to radioactive contamination at the site; and

(2) carry out remediation activities at the site in accordance with that section.

(c) COST RECOVERY.—The Secretary, in coordination with the Administrator of the Environmental Protection Agency and the Attorney General, shall—

(1) seek to recover any response costs incurred by the Secretary in carrying out this section in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) return any funds that are recovered under paragraph (1) to be used to carry out the Formerly

Utilized Sites Remedial Action Program of the Corps of Engineers.

(d) FUNDING.—The Secretary shall use amounts made available to the Secretary to carry out the Formerly Utilized Sites Remedial Action Program to carry out this section.

(e) SAVINGS PROVISIONS.—

(1) NO LIABILITY.—Nothing in subsection (b) creates liability for—

(A) the Secretary for—

(i) contamination at the site; or

(ii) any actions or failures to act by any past, current, or future licensees, owners, operators, or users of the site; or

(B) any other party involved with the site.

(2) NO EFFECT ON LIABILITY UNDER OTHER LAW.—Nothing in subsection (b) alters the liability of any party relating to the site under any other provision of law.

(3) NO EFFECT ON SUPERFUND STATUS; NATIONAL PRIORITIES LIST DESIGNATION.—Nothing in this Act affects the designation of the site as a Superfund site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the listing of

1 the site on the national priorities list under section
2 105 of that Act (42 U.S.C. 9605).