

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 40, Page
2 1, Section A, Line 5, by inserting after all of said line the following:

3
4 "66.671. 1. As used in this section, the following terms mean:

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

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

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

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

13 3. (1) Before July 1, 2022, each county shall establish a procedure to determine whether
14 any reclamation or remediation of a historic landfill has been accomplished safely before issuing
15 any land use permit for such property.

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

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

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

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

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

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1 (d) Whether further testing should be required before the county issues a land use permit;
2 (e) Whether the resident believes the county followed all procedures required under this
3 section for issuing a land use permit; and

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

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

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

11 (4) If the county determines that additional testing is necessary based on the records
12 gathered at the public hearings and public meetings, the county shall require the additional
13 necessary testing. If the additional testing determines that any reclamation or remediation was
14 inadequate or that additional reclamation or remediation is necessary, the county shall require any
15 reclamation or remediation of the historic landfill be completed before the county issues any land
16 use permit."; and

17
18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.