

House Finance, Ways and Means Committee Amendment No. 1

Amendment No. 4 to HB1916

**Kisber
Signature of Sponsor**

AMEND Senate Bill No. 1889

House Bill No. 1916*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting the section immediately preceding the last section of the bill as amended by House Judiciary Committee Amendment Nos. 1 (HA0210) and 2 (HA0211) and by substituting instead the following language:

SECTION _____. The provisions of this section shall be subject to the applicable provisions of Title VI of the 1964 Civil Rights Act.

AND FURTHER AMEND by deleting from the amendatory Section 68-212-224(a) in Section 3(a)(1) of the bill as amended by House Judiciary Committee Amendment Nos. 1 (HA0210) and 2 (HA0211) the following language:

A person entering into a voluntary agreement or consent order shall submit to the commissioner any currently existing environmental investigations, studies, reports or documents in its control or currently existing environmental investigations, studies, reports or documents that could reasonably be obtained through a due diligence search concerning the site’s regulatory history and environmental condition.

And by substituting instead the following language:

A person entering into a voluntary agreement or consent order shall submit to the commissioner a summary description of known existing environmental information, including investigations, studies, reports or documents concerning the site’s environmental condition. Such summary description shall include, but shall not be limited to: the date of the information; its author; any actions taken in response to the information including further sampling or monitoring; and, any other aspect of the information which could reasonably be relevant to the terms and conditions of a voluntary agreement or consent order.

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AND FURTHER AMEND by deleting the language in Section 8(a) of the bill as amended by House Judiciary Committee Amendment Nos. 1 (HA0210) and 2 (HA0211) and by substituting instead the following language:

Upon a determination by the commissioner that land use restrictions are the appropriate remedial action at any remediation, contamination, cleanup, closure or Brownfield project, the commissioner shall either:

AND FURTHER AMEND by deleting the language of the fourth sentence in Section 8(e) of the bill as amended by House Judiciary Committee Amendment Nos. 1 (HA0210) and 2 (HA0211) and by substituting instead the following language:

If the commissioner determines that the restrictive land use controls can be made less stringent or cancelled, then the commissioner shall send to the register of deeds of each county where the notice is recorded a statement that the hazards have changed or been eliminated.

AND FURTHER AMEND by adding a new section as follows:

SECTION _____. Tennessee Code Annotated Section 68-211-104 is amended by deleting the current definition of “Solid waste processing” and substituting in its place the following language:

(10) “Solid waste processing” means any process that modifies the characteristics or properties of solid waste, including but not limited to treatment, incineration, composting, separation, grinding, shredding, and volume reduction provided, that it does not include the grinding or shredding of landscaping or land clearing wastes or unpainted, unstained, and untreated wood into mulch or other useful products.

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