

SENATE BILL 2528
By Ramsey

AN ACT to amend Tennessee Code Annotated, Section 58-2-604(b)(1)(A), relative to the removal or abatement of hazardous substance discharges, and to define the term "costs".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 58-2-604(b)(1)(A), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1)(A) "Costs" means those necessary and reasonable costs incurred by the county legislative body or emergency management agency or its authorized agents in connection with removing or abating hazardous substance discharges, which shall include, but not be limited to: expendable equipment or material, fire, police or emergency medical responder personnel costs, or damage to durable equipment, machinery or vehicles resulting from the hazardous substance; provided, that to the extent criteria and methods for response actions prescribed under 40 CFR 300, as amended, may be applied to the type of material involved and the conditions of the spill, release or discharge, such costs shall only apply if those criteria were employed in the county's response.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.