

963201316

HOUSE BILL NO. 1211

Offered January 22, 1996

A *BILL to amend the Code of Virginia by adding in Chapter 14 of Title 10.1 an article numbered 4.2, consisting of a section numbered 10.1-1429.4, relating to limitations on liability at certain remediated properties.*

Patrons—Katzen; Senator: Potts

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 14 of Title 10.1 an article numbered 4.2, consisting of section numbered 10.1-1429.4 as follows:

*Article 4.2.**Remediated Property Fresh Start Program.**10.1-1429.4. Limitations on liability at remediated properties on National Priority List sites.*

A. Any nonprofit organization established to encourage potential redevelopment and reuse of property located in the Commonwealth listed on the National Priority List under the Comprehensive Environmental Response and Liability Act (42 U.S.C. § 9601 et seq.) and that has been remediated to the satisfaction of the Director of the Department of Environmental Quality and of the United States Environmental Protection Agency, shall not be subject to enforcement or remediation action under this chapter, the State Water Control Law (§ 62.1-44.2 et seq.), Chapter 13 of Title 10.1 (§ 10.1-1300) or other applicable law, or to private civil suit, related to contamination existing at the property prior to the organization, purchasing, accepting, having a security interest in, or developing any rights or title to such property. The Director shall issue a written statement indicating that the property has been remediated to his satisfaction when appropriate.

B. Any person who accepts or purchases property from an organization described in subsection A shall not be subject to enforcement or remediation actions or private civil suits to the same extent as the organization as provided in subsection A.

INTRODUCED

HB1211