



Filed: 4/28/2010

09600SB3320ham001

LRB096 19895 JDS 40572 a

1 AMENDMENT TO SENATE BILL 3320

2 AMENDMENT NO. _____. Amend Senate Bill 3320 on page 24,
3 immediately below line 19, by inserting the following:

4 "(4) The disposal of soil that does not exceed
5 industrial/commercial property remediation objectives, but
6 that does exceed residential property remediation
7 objectives, if industrial/commercial property remediation
8 objectives were used pursuant to subdivision (c)(3)(A)(ii)
9 of Section 57.7 of this Act and the owner or operator
10 demonstrates that (i) the contamination is the result of
11 the release for which the owner or operator is eligible to
12 seek payment from the Fund and (ii) disposal of the soil is
13 necessary as a result of construction activities conducted
14 after the issuance of a No Further Remediation Letter on
15 the site where the release occurred, including, but not
16 limited to, the following: tank, line, or canopy repair,
17 replacement, or removal; building upgrades; sign
18 installation; and water or sewer line replacement.

1 (5) The disposal of water exceeding groundwater
2 remediation objectives that is removed from an excavation
3 on the site where the release occurred if a groundwater
4 ordinance is used as an institutional control pursuant to
5 subdivision (c) (3) (A) (iii) of Section 57.7 of this Act, or
6 if an on-site groundwater use restriction is used as an
7 institutional control pursuant to subdivision
8 (c) (3) (A) (iv) of Section 57.7, and the owner or operator
9 demonstrates that (i) the excavation is located within the
10 measured or modeled extent of groundwater contamination
11 resulting from the release for which the owner or operator
12 is eligible to seek payment from the Fund and (ii) disposal
13 of the groundwater is necessary as a result of construction
14 activities conducted after the issuance of a No Further
15 Remediation Letter on the site where the release occurred,
16 including, but not limited to, the following: tank, line,
17 or canopy repair, replacement, or removal; building
18 upgrades; sign installation; and water or sewer line
19 replacement."