

114TH CONGRESS  
1ST SESSION

# H. R. 4100

To require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2015

Mr. CLAY (for himself and Mrs. WAGNER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TRANSFER OF OVERSIGHT AUTHORITY FROM**

4 **EPA TO CORPS OF ENGINEERS.**

5 (a) DEFINITIONS.—In this section:

1           (1) SECRETARY.—The term “Secretary” means  
2           the Secretary of the Army, acting through the Chief  
3           of Engineers.

4           (2) SITE.—The term “site” means the West  
5           Lake Landfill located in Bridgeton, Missouri.

6           (b) TRANSFER.—Notwithstanding any other provi-  
7           sion of law, as soon as practicable after the date of enact-  
8           ment of this Act, the Secretary shall—

9           (1) under the Formerly Utilized Sites Remedial  
10          Action Program, undertake the functions and activi-  
11          ties described in section 611 of the Energy and  
12          Water Development Appropriations Act, 2000 (10  
13          U.S.C. 2701 note; 113 Stat. 502) as the lead agency  
14          responding to radioactive contamination at the site;  
15          and

16          (2) carry out remediation activities at the site  
17          in accordance with that section.

18          (c) COST RECOVERY.—The Secretary, in coordina-  
19          tion with the Administrator of the Environmental Protec-  
20          tion Agency and the Attorney General, shall—

21          (1) seek to recover any response costs incurred  
22          by the Secretary in carrying out this section in ac-  
23          cordance with the Comprehensive Environmental Re-  
24          sponse, Compensation, and Liability Act of 1980 (42  
25          U.S.C. 9601 et seq.); and

1           (2) return any funds that are recovered under  
2 paragraph (1) to be used to carry out the Formerly  
3 Utilized Sites Remedial Action Program of the  
4 Corps of Engineers.

5           (d) FUNDING.—The Secretary shall use amounts  
6 made available to the Secretary to carry out the Formerly  
7 Utilized Sites Remedial Action Program to carry out this  
8 section.

9           (e) SAVINGS PROVISIONS.—

10           (1) NO LIABILITY.—Nothing in subsection (b)  
11 creates liability for—

12                   (A) the Secretary for—

13                           (i) contamination at the site; or

14                           (ii) any actions or failures to act by  
15 any past, current, or future licensees, own-  
16 ers, operators, or users of the site; or

17                   (B) any other party involved with the site.

18           (2) NO EFFECT ON LIABILITY UNDER OTHER  
19 LAW.—Nothing in subsection (b) alters the liability  
20 of any party relating to the site under any other  
21 provision of law.

22           (3) NO EFFECT ON SUPERFUND STATUS; NA-  
23 TIONAL PRIORITIES LIST DESIGNATION.—Nothing in  
24 this Act affects the designation of the site as a  
25 Superfund site under the Comprehensive Environ-

1        mental Response, Compensation, and Liability Act  
2        of 1980 (42 U.S.C. 9601 et seq.) or the listing of  
3        the site on the national priorities list under section  
4        105 of that Act (42 U.S.C. 9605).

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