

**AMENDMENT TO H.R. 2218, AS REPORTED
OFFERED BY MR. HASTINGS OF FLORIDA**

Page 48, after line 23, insert the following new sub-section:

1 “(k) LIABILITY FOR RELEASES.—

2 “(1) IN GENERAL.—In addition to any other li-
3 ability or requirement under Federal or State law,
4 an owner or operator of a structure that releases
5 coal combustion residuals shall be responsible for—

6 “(A) the costs of cleanup and restoration
7 pursuant to plans prepared by the Adminis-
8 trator and other appropriate Federal officials
9 under the Comprehensive Environmental Re-
10 sponse, Compensation, and Liability Act of
11 1980 and other applicable Federal laws;

12 “(B) reimbursement to Federal agencies
13 for the costs of actions required by the release,
14 including reviewing and approving restoration
15 plans; and

16 “(C) in addition to amounts under sub-
17 paragraph (A), payment of double the costs of
18 cleanup and restoration, which amounts shall be
19 divided among local jurisdictions affected by the

1 release for area enhancement and other related
2 purposes.

3 “(2) EXCEPTION.—If the costs of cleanup and
4 restoration exceed \$5,000,000, the Administrator
5 and the Attorney General jointly may reduce the
6 total liability of an owner or operator under this
7 subsection to the extent they consider appropriate”.

