

105TH CONGRESS
1ST SESSION

H. R. 1878

To impose an indefinite moratorium on enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 against certain de minimis parties.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 1997

Mr. CANADY of Florida (for himself, Mr. FOLEY, Mr. MILLER of Florida, and Mr. DAVIS of Florida) introduced the following bill; which was referred to the Committee on 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

A BILL

To impose an indefinite moratorium on enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 against certain de minimis parties.

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. INDEFINITE MORATORIUM ON CERTAIN**
4 **SUPERFUND ENFORCEMENT ACTIONS AND**
5 **ON CONTRIBUTION ACTIONS.**

6 (a) DEFINITIONS.—In this section:

1 (1) DE MINIMIS PARTY.—The term “de minimis
2 party” means a person that qualifies as a de
3 minimis party under section 122(g)(1)(A) of the
4 Comprehensive Environmental Response, Compensa-
5 tion, and Liability Act of 1980 (42 U.S.C.
6 9622(g)(1)(A)).

7 (2) ENFORCEMENT ACTION.—The term “en-
8 forcement action” means an administrative or judi-
9 cial enforcement action conducted by the Adminis-
10 trator of the Environmental Protection Agency
11 under section 106 or 107(a) of the Comprehensive
12 Environmental Response, Compensation, and Liabil-
13 ity Act of 1980 (42 U.S.C. 9606, 9607(a)).

14 (b) INDEFINITE MORATORIUM.—The Administrator
15 of the Environmental Protection Agency shall not continue
16 or begin to conduct any enforcement action against a de
17 minimis party under the Comprehensive Environmental
18 Response, Compensation, and Liability Act of 1980 (42
19 U.S.C. 9601 et seq.) against a de minimis party that—

20 (1) did not cause the release or threat of re-
21 lease of a hazardous substance; and

22 (2) had no knowledge of the release or threat
23 of release until after it occurred.

24 (c) SUSPENSION OF LIMITATIONS PERIODS.—The
25 periods of limitation provided in section 113(g) of the

1 Comprehensive Environmental Response, Compensation,
2 and Liability Act of 1980 (42 U.S.C. 9613(g)) shall be
3 tolled with respect to an enforcement action described in
4 subsection (b) for the period during which the moratorium
5 under subsection (b) is in effect.

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