

107TH CONGRESS
2D SESSION

S. 2107

To require the conveyance of the Sunflower Army Ammunition Plant, Kansas.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2002

Mr. ROBERTS introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To require the conveyance of the Sunflower Army
Ammunition Plant, Kansas.

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. LAND CONVEYANCE, SUNFLOWER ARMY AMMU-**
4 **NITION PLANT, KANSAS.**

5 (a) CONVEYANCE REQUIRED.—The Secretary of the
6 Army shall convey, without consideration, to the Johnson
7 County Park and Recreation District, Kansas (in this sec-
8 tion referred to as the “District”), all right, title, and in-
9 terest of the United States in and to a parcel of real prop-
10 erty, including any improvements thereon, in the State of
11 Kansas consisting of approximately 2,800 acres and con-

1 taining the Sunflower Army Ammunition Plant. The pur-
2 pose of the conveyance is to permit the District to use
3 the parcel for recreational purposes.

4 (b) ENVIRONMENTAL MATTERS.—(1) With respect to
5 the parcel conveyed under subsection (a), the Secretary
6 of the Army shall retain responsibility for carrying out,
7 to levels consistent with the intended use of the parcel by
8 the District—

9 (A) any response action that may be required
10 under the Comprehensive Environmental Response,
11 Compensation, and Liability Act of 1980 (42 U.S.C.
12 9601 et seq.) or other applicable provisions of law;
13 and

14 (B) any action required under any other statute
15 to remediate petroleum products (or their deriva-
16 tives) or propellants (or their derivatives).

17 (2) Any Federal department or agency that had or
18 has operations resulting in the release or threatened re-
19 lease of any hazardous substances, petroleum products (or
20 their derivatives) or propellants (or their derivatives) on,
21 under, or about the parcel conveyed under subsection (a),
22 and any Federal department or agency that owned the
23 parcel at the time of such release or threatened release,
24 shall pay the cost of any response action or other action
25 that may be necessary to remediate the parcel to levels

1 consistent with the intended use of the parcel by the Dis-
2 trict.

3 (3) In accepting the parcel conveyed under subsection
4 (a), the District—

5 (A) shall not be treated as a responsible party
6 under section 107(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act
8 of 1980 (42 U.S.C. 9607(a)), or any other applica-
9 ble provision of law, for performing, or paying the
10 cost of, any response action or other action that may
11 be necessary as the result of any release or threat-
12 ened release of hazardous substances, petroleum
13 products (or their derivatives) or propellants (or
14 their derivatives) on, under, or about the parcel as
15 a result of activities on the parcel before the date of
16 the conveyance; and

17 (B) shall not be subject to suit for contribution
18 for any cost described by subparagraph (A) under
19 section 113(f) of the Comprehensive Environmental
20 Response, Compensation, and Liability Act of 1980
21 (42 U.S.C. 9613(f)), or any other applicable provi-
22 sion of law.

23 (c) EXCEPTION FROM SCREENING REQUIREMENT.—
24 The Secretary shall make the conveyance under subsection
25 (a) without regard to the requirement under section 2696

1 of title 10, United States Code, that the property be
2 screened for further Federal use in accordance with the
3 Federal Property and Administrative Services Act of 1949
4 (40 U.S.C. 471 et seq.).

5 (d) DESCRIPTION OF PROPERTY.—(1) The exact
6 acreage and legal description of the real property to be
7 conveyed under subsection (a) shall be determined by a
8 survey satisfactory to the Secretary.

9 (2) The Secretary may use for the purpose of para-
10 graph (1) a survey prepared by the National Park Service
11 if the Secretary determines that the survey is appropriate
12 for that purpose.

13 (3) If the Secretary obtains for the purpose of para-
14 graph (1) a survey other than the survey described in
15 paragraph (2), the cost of such survey shall be borne by
16 the District.

17 (e) ADDITIONAL TERMS AND CONDITIONS.—The
18 Secretary may require such additional terms and condi-
19 tions in connection with the conveyance of real property
20 under subsection (a) as the Secretary considers appro-
21 priate to protect the interests of the United States.

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