

104TH CONGRESS
1ST SESSION

H. R. 795

To impose a moratorium on enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund) against certain persons and on the authority under that Act for contribution actions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1995

Mr. CANADY 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

FEBRUARY 24, 1995

Additional sponsors: Mr. GIBBONS, Mr. NORWOOD, Mr. HUTCHINSON, Mr. MILLER of Florida, Mr. GALLEGLY, Mr. BALLENGER, Mrs. CHENOWETH, and Mr. SMITH of Texas

A BILL

To impose a moratorium on enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund) against certain persons and on the authority under that Act for contribution actions.

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

1 **SECTION 1. MORATORIUM ON SUPERFUND ENFORCEMENT**
2 **ACTIONS AND ON AUTHORITY FOR CON-**
3 **TRIBUTION ACTIONS.**

4 (a) MORATORIUM ON ENFORCEMENT ACTIONS.—(1)
5 The Administrator of the Environmental Protection Agen-
6 cy shall not continue or begin to conduct any enforcement
7 action against any person described in paragraph (3) or
8 (4) of section 107(a) of the Comprehensive Environmental
9 Response, Compensation, and Liability Act of 1980 (42
10 U.S.C. 9607(a)) if the person did not directly cause the
11 release or threat of release of the hazardous substance
12 concerned and did not have knowledge of the release or
13 threat of release.

14 (2) For purposes of paragraph (1), an enforcement
15 action is any administrative or judicial enforcement action
16 conducted by the Administrator of the Environmental Pro-
17 tection Agency under section 107(a) or section 106 of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980.

20 (3) This subsection shall take effect on the date of
21 the enactment of this Act.

22 (b) MORATORIUM ON AUTHORITY FOR CONTRIBU-
23 TION ACTIONS.—(1) The authority provided by para-
24 graphs (1) and (3)(B) of section 113(f) of the Comprehen-
25 sive Environmental Response, Compensation, and Liabil-
26 ity Act of 1980 (42 U.S.C. 9613(f)) for a person to seek

1 contribution from any other person shall not be in effect
2 beginning on the date of the enactment of this Act.

3 (2) Paragraph (1) applies with respect to—

4 (A) any judicial action initiated by a person be-
5 fore the date of the enactment of this Act and pend-
6 ing on such date; and

7 (B) any judicial action initiated by a person on
8 or after the date of the enactment of this Act.

9 (c) SUSPENSION OF LIMITATIONS PERIODS.—Any
10 limitation period provided for in section 113(g) of the
11 Comprehensive Environmental Response, Compensation,
12 and Liability Act of 1980 (42 U.S.C. 9613(g)) shall be
13 tolled for the period that a moratorium imposed by sub-
14 section (a) or (b) is in effect.

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