

EXECUTIVE ORDER  
92-9

APR 17 1992

*Roy D. Blunt*

SECRETARY OF STATE

WHEREAS, the former city of Times Beach, Missouri and several other eastern Missouri sites were contaminated with dioxin as a result of waste oil spraying activities conducted in the early 1970s; and

WHEREAS, based upon the extent of the contamination, the former city of Times Beach, Missouri was disincorporated; and

WHEREAS, the Federal Emergency Management Agency has acquired all real property situated within the former city of Times Beach, Missouri on behalf of the Trustee for the former city of Times Beach, Missouri; and

WHEREAS, the Environmental Protection Agency has issued a Record of Decision, as amended, for the clean-up of the former city of Times Beach, Missouri and the other eastern Missouri dioxin sites; and

WHEREAS, the State of Missouri, the Environmental Protection Agency, the Department of Justice, and Syntex have entered into a Consent Decree, which has been approved by the U.S. District Court for the Eastern District of Missouri, that provides for the clean-up of the former city of Times Beach, Missouri and the other eastern Missouri dioxin sites; and

WHEREAS, the Trustee for the former city of Times Beach, Missouri has conveyed all real property contained in the former city of Times Beach, Missouri to the State of Missouri Department of Natural Resources; and

WHEREAS, the State of Missouri is committed to an appropriate and thorough clean-up of these sites in such a manner that safeguards the public health and the environment and effectively removes the hazard of dioxin that had threatened these sites for several years.

NOW, THEREFORE, I JOHN ASHCROFT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby proclaim:

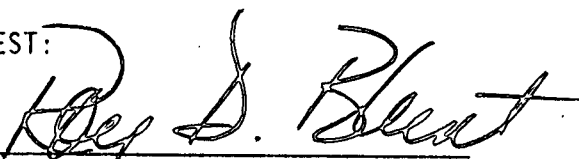
- (1) The treatment, storage or disposal of any dioxin contaminated soil or any other dioxin contaminated material at any facility located at or near the former city of Times Beach, Missouri is expressly limited to such contaminated soils or materials originating from the 27 eastern Missouri dioxin sites listed in Attachment A, List 1 to the Consent Decree.
- (2) The Department of Natural Resources will not issue any environmental permits to any person, corporation, or governmental entity to conduct any activities at or near the former city of Times Beach, Missouri involving any activity other than clean-up activities set forth in the Consent Decree or the associated work plans.
- (3) The Department of Natural Resources will not issue any environmental permits to any person, corporation, or governmental entity to conduct any clean-up activities at or near the former city of Times Beach, Missouri involving any site other than the 27 eastern Missouri dioxin sites listed in Attachment A, List 1 in the Consent Decree.

(4) Under my authority as Governor, I will convey pursuant to state law to appropriate parties, conservation easements for the property located in the former city of Times Beach, Missouri. These conservation easements will contain suitable restrictions that will afford a private right-of-action to enforce the terms of the conservation easements.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, this 17th day of April, 1992.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE