

411.460 Person who assists or advises in effort to mitigate effects of hazardous waste disposal or discharge immune from civil or criminal liability.

No person who provides assistance or advice in mitigating or attempting to mitigate the effects of an actual or threatened discharge or disposal of hazardous materials, or in preventing, cleaning up, or disposing of or in attempting to prevent, clean up or dispose of any such discharge, shall be subject to any civil or criminal liabilities or penalties. This immunity shall not apply to any person whose act or omission caused in whole or in part the actual or threatened discharge or disposal and who would otherwise be liable for the discharge or disposal. Also this immunity shall not apply to any person who provides assistance or advice for remuneration or with the expectation of remuneration, except that actual expenses directly incurred due to giving the assistance or advice may be recovered without losing the immunity.

Effective: April 9, 1984

History: Created 1984 Ky. Acts ch. 337, sec. 2, effective April 9, 1984.