

HAZARDOUS SUBSTANCE ON OR FROM THE SITE;

(V) A CORPORATE FIDUCIARY WHICH HAS LEGAL TITLE TO A SITE CONTAINING A HAZARDOUS SUBSTANCE OR TO PROPERTY LOCATED ON THE SITE CONTAINING A HAZARDOUS SUBSTANCE FOR PURPOSE OF ADMINISTERING AN ESTATE OR TRUST OF WHICH THE SITE OR PROPERTY LOCATED ON THE SITE IS A PART UNLESS THE CORPORATE FIDUCIARY:

1. PARTICIPATES IN THE DAY-TO-DAY MANAGEMENT OF THE SITE OR PROPERTY; OR

2. DIRECTLY CAUSES THE DISCHARGE OF A HAZARDOUS SUBSTANCE ON OR FROM THE SITE;

(VI) A HOLDER OF A MORTGAGE OR DEED OF TRUST WHO ACQUIRES TITLE TO A SITE CONTAINING A HAZARDOUS SUBSTANCE THROUGH FORECLOSURE OR DEED IN LIEU OF FORECLOSURE WHO:

1. DOES NOT PARTICIPATE IN THE DAY-TO-DAY MANAGEMENT OF THE SITE; AND

2. DOES NOT DIRECTLY CAUSE THE DISCHARGE OF A HAZARDOUS SUBSTANCE ON OR FROM THE SITE; OR

(VII) EXCEPT IN THE CASE OF GROSS NEGLIGENCE OR WILLFUL MISCONDUCT, AN OWNER OR OPERATOR WHO IS:

1. A STATE, COUNTY, OR MUNICIPAL GOVERNMENT;

2. ANY OTHER POLITICAL SUBDIVISION OF THE STATE; OR

3. ANY UNIT OF A STATE, COUNTY, OR MUNICIPAL GOVERNMENT OR ANY OTHER POLITICAL SUBDIVISION.

(3) (I) PARAGRAPH (2)(I) OF THIS SUBSECTION DOES NOT AFFECT THE LIABILITY OF A PREVIOUS OWNER OR PREVIOUS OPERATOR OF A SITE CONTAINING A HAZARDOUS SUBSTANCE IF THE PREVIOUS OWNER OR PREVIOUS OPERATOR IS A RESPONSIBLE PERSON UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

(II) NOTWITHSTANDING PARAGRAPH (2)(I) OF THIS SUBSECTION, A PERSON SHALL BE TREATED AS A RESPONSIBLE PERSON IF THE PERSON:

1. OBTAINED ACTUAL KNOWLEDGE OF THE RELEASE OR THREATENED RELEASE OF A HAZARDOUS SUBSTANCE AT A SITE WHEN THE PERSON OWNED THE REAL PROPERTY; AND

2. TRANSFERRED OWNERSHIP OF THE PROPERTY AFTER JUNE 30, 1991 WITHOUT DISCLOSING THIS KNOWLEDGE TO THE