

HCS SS#2 SCS SB 225 -- HAZARDOUS WASTE

SPONSOR: Cauthorn (Hobbs)

COMMITTEE ACTION: Voted "do pass" by the Committee on Conservation and Natural Resources by a vote of 12 to 0.

Currently, each operator of a solid waste sanitary landfill or a transfer station in Missouri collects a charge of \$1.50 per ton, and each operator of the solid waste demolition landfill collects \$1 per ton for deposit into the Solid Waste Management Fund. These charges are adjusted annually by the same percentage as the increase in the federal Consumer Price Index (CPI). This substitute requires that no annual adjustment be made to the charges imposed during October 1, 2005, to October 1, 2009, except those needed to fund the operating costs of the Department of Natural Resources. During this time, no annual increase will exceed the percentage increase measured by the CPI. The substitute decreases the percentage dedicated to the elimination of illegal solid waste disposal from 42% to 39% and increases the percentage that will be allocated through grants to participating cities, counties, and districts from 58% to 61%. Of the 61%, 40% must be allocated based on the population of each district, and 60% will be allocated based on the amount of revenue generated within each district. The minimum a district may receive is increased from \$45,000 to \$95,000.

The substitute eliminates the requirement that generators located outside the state must register with the department. Missouri treatment, storage, and disposal facilities are required to pay a fee equal to \$5 per ton or a portion thereof, not to exceed \$52,000 but not less than \$150 per site per year, for all hazardous waste received from outside the state. Payment for any other expenditures which are not covered under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 will be received by the Hazardous Waste Fund. Currently, 40% of all moneys collected by the department pursuant to hazardous waste regulation is deposited into the Hazardous Waste Remedial Fund and 60% deposited into the Hazardous Waste Fund. The substitute allows for all moneys collected to be deposited into the Hazardous Waste Fund and eliminates the Hazardous Waste Remedial Fund.

The waste tire fee expired on January 1, 2004. The substitute reimposes the fee until January 1, 2010. The department must give preference to contract bids for waste tire cleanups from vendors that are Missouri residents, employ Missouri workers, or use the tires for fuel or to manufacture a useful product. The department may consider prior performance in the awarding of the contract. A vendor will not be given a preference for a bid to

fill a landfill with waste tires, waste tire chips, or waste tire shreds, including landfill cover.

The substitute extends the operation of the Dry Cleaning Emergency Response Fund to 2012 and exempts dry cleaners who use non-chlorinated solvents from the program.

A fee of 50 cents will be imposed on each lead-acid battery sold. This fee is to be administered, collected, and enforced by the Department of Revenue.

The substitute contains an emergency clause.

FISCAL NOTE: Estimated Effect on General Revenue Fund of a Cost of \$89,088 to \$2,334,760 in FY 2006, a Cost of \$34,992 to \$503,500 in FY 2007, and a Cost of \$35,870 to an Income of Unknown in FY 2008. Estimated Effect on Other State Funds of a Cost of \$225,768 to an Income of Unknown in FY 2006, a Cost of \$1,356,568 to an Income of Unknown in FY 2007, and a Cost of \$1,356,568 to an Income of Unknown in FY 2008.

PROPOSERS: Supporters say that the hazardous waste fee is currently not applied on an equitable basis. Missouri owned and operated cement kilns are at a disadvantage and cannot compete with kilns in surrounding states. The bill, while increasing fees paid per ton, will distribute the fees more equitably and equally; therefore, creating a system where Missouri corporations paying into the Hazardous Waste Fund are receiving a dollar for dollar benefit.

Testifying for the bill were Senator Cauthorn; and Continental Cement.

OPPOSERS: There was no opposition voiced to the committee.

Kristina Jenkins, Legislative Analyst