

HCS SCS SB 328 -- ENVIRONMENTAL REGULATIONS

SPONSOR: Engler (Robb)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Energy and Environment by a vote of 8 to 4.

This substitute changes the laws regarding environmental regulations. In its main provisions, the substitute:

(1) Allows yard waste to be disposed of in a municipal waste disposal area when the Department of Natural Resources approves the operation of the disposal area as a bioreactor and when the landfill gas is used for electricity generation;

(2) Adds qualified bio-mass to Missouri agricultural products used in the production of fuel ethanol by Missouri qualified fuel ethanol producers. Beginning January 1, 2008, through December 31, 2018, Missouri producers making use of qualified bio-mass will be eligible to receive grants from the Department of Agriculture. The total amount of the grants cannot exceed \$10 million per year;

(3) Removes the instate or Missouri agricultural product origin requirement of at least 51% Missouri ownership for a renewable fuel production facility to be eligible for biodiesel incentive producer grants. The grants will no longer be based on gallons of diesel produced from Missouri agricultural products;

(4) Increase the penalty for the crime of disposition of demolition waste from a class A misdemeanor to a class D felony. Any person who knowingly disposes or causes demolition waste to be disposed on any state property that is not a solid waste processing facility or a disposal area operating under a permit from the Department of Natural Resources will be guilty of this crime. If a person disposes of construction or demolition waste on his or her own property, he or she will be guilty of a class C misdemeanor. A person who knows or should have known that his or her agent or employee has committed criminal disposition of demolition waste will be guilty of conspiracy to commit disposition of demolition waste;

(5) Abolishes the crime of criminal disposition of demolition waste in the second degree;

(6) Increases civil penalties for violations of solid waste management provisions; and

(7) Allows the use of plasma arc technology to process waste. Any facility designated as a waste to energy facility that

generates electricity fueled from solid waste may use plasma arc technology.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$0 in FY 2008, \$0 in FY 2009, and \$2,625,000 in FY 2010. Estimated Income on Other State Funds of \$0 in FY 2008, \$20,678 in FY 2009, and \$20,678 in FY 2010.

PROPOSERS: Supporters say that the bill will allow yard waste to be deposited in landfills for the purpose of energy production. Approval from the Department of Natural Resources will be required to verify the operation of a bioreactor.

Testifying for the bill were Senator Engler; Representative Robb; and Department of Natural Resources.

OPPOSERS: There was no opposition voiced to the committee.