

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 642, Page 1, in the Title, Line 3, by
2 deleting the words "surface mining" and inserting in lieu thereof the words "natural resources"; and
3
4 Further amend said bill, Page 7, Section 444.773, Line 92, by inserting after all of said section and
5 line the following:

6
7 "643.055. 1. Other provisions of law notwithstanding, the Missouri air conservation
8 commission shall have the authority to promulgate rules and regulations, pursuant to chapter 536, to
9 establish standards and guidelines to ensure that the state of Missouri is in compliance with the
10 provisions of the federal Clean Air Act, as amended (42 U.S.C. Section 7401, et seq.). The
11 standards and guidelines so established shall not be any stricter than those required under the
12 provisions of the federal Clean Air Act, as amended; nor shall those standards and guidelines be
13 enforced in any area of the state prior to the time required by the federal Clean Air Act, as amended.
14 The restrictions of this section shall not apply to the parts of a state implementation plan developed
15 by the commission to bring a nonattainment area into compliance and to maintain compliance when
16 needed to have a United States Environmental Protection Agency approved state implementation
17 plan. The determination of which parts of a state implementation plan are not subject to the
18 restrictions of this section shall be based upon specific findings of fact by the air conservation
19 commission as to the rules, regulations and criteria that are needed to have a United States
20 Environmental Protection Agency approved plan.

21 2. The Missouri air conservation commission shall also have the authority to grant
22 exceptions and variances from the rules set under subsection 1 of this section when the person
23 applying for the exception or variance can show that compliance with such rules:

- 24 (1) Would cause economic hardship; or
- 25 (2) Is physically impossible; or
- 26 (3) Is more detrimental to the environment than the variance would be; or
- 27 (4) Is impractical or of insignificant value under the existing conditions.

28 3. The department shall not regulate the manufacture, performance, or use of residential
29 wood burning heaters or appliances through a state implementation plan or otherwise, unless first
30 specifically authorized to do so by the general assembly. No rule or regulation respecting the
31 establishment or the enforcement of performance standards for residential wood burning heaters or

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1 appliances shall become effective unless and until first approved by the joint committee on
2 administrative rules.

3 4. New rules or regulations shall not be applied to existing wood burning furnaces, stoves,
4 fireplaces, or heaters that individuals are currently using as their source of heat for their homes or
5 businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014
6 shall be not subject to any rules or regulations enacted after such date. No employee of the state or
7 state agency shall enforce any new rules or regulations against such existing wood burning furnaces,
8 stoves, fireplaces, and heaters."; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.