

HCS HB 1162 -- HAZARDOUS WASTE COMMISSION

SPONSOR: Fitzwater (49)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Conservation and Natural Resources by a vote of 10 to 0.

This bill requires the Missouri Hazardous Waste Commission to draft rules by December 31, 2017, and to promulgate such rules by June 1, 2018, regulating coal combustion residual units in lieu of federal solid waste regulations. Such regulations promulgated by the Hazardous Waste Commission may not be in the form of a permit program. Further, such regulations must include certain technical standards and procedures as specified in the bill, such as procedures for the closure of coal combustion residual surface impoundments, location restriction requirements for coal combustion residual landfills, a process for an owner of a coal combustion residual unit to seek approval of certain alternate groundwater effluent limitations, and standards for closure criteria that are applied to coal combustion residual units on a statewide basis. The bill does not restrict the authority of the Department of Natural Resources to issue guidance or enter into agreements with owners of coal combustion residual units not subject to federal solid waste regulations, or to develop a closure plan for an interim system of prior approval for any coal combustion residual unit, as may be allowed under federal law.

The bill allows the department to enter into an agreement with the owner or operator of a unit to recover the reasonable cost associated with the review of plans or reports in support of the closure of any such unit.

This bill is similar to SB 489 (2017).

PROPONENTS: Supporters say that this bill would allow the Department of Natural Resources to develop and implement a program to manage coal combustion residual units rather than the U.S. Environmental Protection Agency. The department would use a Missouri-specific risk-based approach that would be more protective of Missouri's diverse geology.

Testifying for the bill were Representative Fitzwater; Ameren Missouri; Brent Ross, Associated Electric Cooperative; Kansas City Power & Light; and Associated Industries of Missouri.

OPPONENTS: Those who oppose the bill say that the approach allowed in the bill would have potential negative health and environmental impacts on the state. It would not require groundwater monitoring

at coal ash pond and would allow utility companies to put land use restrictions on land rather than completely cleaning up environmental damage.

Testifying against the bill was Dan Reed, Sierra Club.