

SECOND REGULAR SESSION

HOUSE BILL NO. 2479

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PIETZMAN.

6378H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 640.016, RSMo, and to enact in lieu thereof one new section relating to department of natural resources permits.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 640.016, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 640.016, to read as follows:

640.016. 1. The department of natural resources shall not place in any permit any requirement, provision, stipulation, or any other restriction which is not prescribed or authorized by regulation or statute, unless the requirement, provision, stipulation, or other restriction is pursuant to the authority addressed in statute.

2. Prior to submitting a permit to public comment the department of natural resources shall deliver such permit to the permit applicant at the contact address on the permit application for final review. In the interest of expediting permit issuance, permit applicants may waive the opportunity to review draft permits prior to public notice. The permit applicant shall have ten days to review the permit for errors. Upon receipt of the applicant's review of the permit, the department of natural resources shall correct the permit where nonsubstantive drafting errors exist. The department of natural resources shall make such changes within ten days and submit the permit for public comment. If the permit applicant is not provided the opportunity to review permits prior to submission for public comment, the permit applicant shall have the authority to correct drafting errors in **[their] the applicant's** permits after they are issued without paying any fee for such changes or modifications.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **3. A permit applicant shall be allowed to utilize the least expensive design option**
17 **to meet any environmental standard if the permit applicant provides proof that the design**
18 **option meets all other permit requirements.**

19 **4.** In any matter where a permit is denied by the department of natural resources pursuant
20 to authorities granted in this chapter and chapters 260, 278, 319, 444, 643, and 644, the
21 hazardous waste management commission in chapter 260, the state soil and water districts
22 commission in chapter 278, the Missouri mining commission in chapter 444, the safe drinking
23 water commission in this chapter, the air conservation commission in chapter 643, and the clean
24 water commission in chapter 644, such denial shall clearly state the basis for such denial.

25 **[4.] 5.** Once a permit or action has been approved by the department, the department
26 shall not revoke or change, without written permission from the permittee, the decision for a
27 period of one year or unless the department determines that immediate action is necessary to
28 protect human health, public welfare, or the environment.

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