

HB 1286 -- RELATING TO EXPLOSIVES

SPONSOR: Engler

Currently, the authorized fee for explosives use cannot exceed \$2 per ton. This bill increases the limit to \$7.50 per ton. However, the fee established by rule cannot exceed the cost of administering the Missouri Blasting Safety Act. The bill clarifies that the fee does not apply to any person, company, or entity regulated by the Department of Natural Resources under the Surface Coal Mining Law and 10 CSR 40-3.160 (Section 319.318, RSMo).

This bill states that anyone regulated by the Missouri Blasting Safety Act cannot be liable for damages for public or private nuisance arising from noise, caused by the activities regulated by the Act, during ordinary business hours (Section 319.337).

This bill states that no action for private nuisance can be brought against an individual or company holding a permit issued by the Department of Natural Resources, the United States Environmental Protection Agency, or the United States Army Corps of Engineers for actions performed in accordance with such permit. However, this section shall not apply to permits issued under Chapter 260 for nuclear or radioactive waste or for sanitary landfills (Section 537.535).

This bill is the same as HB 571 (2017).