

SECOND REGULAR SESSION

HOUSE BILL NO. 2637

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HADEN.

5094H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 644.058, RSMo, and to enact in lieu thereof one new section relating to ammonia limitations on certain waters of the state.

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

Section A. Section 644.058, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.058, to read as follows:

644.058. **1.** Notwithstanding the provisions of section 644.026 to the contrary, in promulgating water quality standards, the commission shall only revise water quality standards upon the completion of an assessment by the department finding that there is an environmental need for such revision. As part of the implementation of any revised water quality standards modifications of twenty-five percent or more, the department shall conduct an evaluation which shall include the environmental and economic impacts of the revised water quality standards and criteria on a subbasin basis. This evaluation shall be conducted at the eight-digit hydrologic unit code level. The department shall document these evaluations and use them in making individual site-specific permit decisions.

2. (1) As used in this subsection, the term "state waters" means any waters of the state located north of the Missouri River.

(2) Before the department designates a presumptive use on any state waters under 33 U.S.C. Section 1251(a)(2), as amended, or under 40 C.F.R. Section 131.10, as amended, and such presumptive use establishes limitations on ammonia discharged from any point source, the department shall conduct a use attainability analysis on such state waters to justify the department's adoption of the use.

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.

17 **(3) If any such use is in effect on any such state waters on the effective date of this**
18 **section, the department shall conduct a use attainability analysis on such state waters to**
19 **justify the department's adoption of the use.**

20 **(4) No application for a permit or a renewal to discharge water contaminants by**
21 **a point source shall require any limitations on ammonia discharged by the point source**
22 **until the department has conducted a use attainability analysis on such state waters to**
23 **justify the department's adoption of the use requiring such limitations on ammonia**
24 **discharges from a point source.**

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