

HB 2355 -- HAZARDOUS WASTE

SPONSOR: Ross

This bill prohibits the Hazardous Waste Management Commission from establishing rules that are stricter than or apply in any subject area not addressed by certain federal regulations established to implement the Resource Conservation and Recovery Act.

The bill also repeals the Commission's authority to retain, modify, or repeal rules relating to:

(1) Thresholds for determining whether a hazardous waste generator is a large quantity generator, small quantity generator, or conditionally exempt small quantity generator;

(2) Rules requiring hazardous waste generators to display hazard labels on containers and tanks during the time hazardous waste is stored on-site;

(3) The exclusion for hazardous secondary materials used to make zinc fertilizers; and

(4) The exclusions for hazardous secondary materials that are burned for fuel or that are recycled.

The commission must establish rules for the reporting of hazardous waste activities to the Department of Natural Resources, effective beginning with the reporting period July 1, 2017-June 30, 2018, that allow for the submission of reporting data in any format on an annual basis by large quantity generators and treatment storage and disposal facilities.

On December 31, 2017, any rule relating to hazardous waste, resource recovery, or used oil contained in the Missouri Code of State Regulations that remains inconsistent with certain rules established by the commission are null and void to the extent that such rule is inconsistent, and the least stringent rule shall control. Any rule that applies in any subject area not addressed by the requirements of certain federal regulations established under Subtitle C of the Resource Conservation and Recovery Act, as amended, is null and void.

Neither the commission or the director of the department may establish rules that are stricter than or apply in any subject area not addressed by the requirements of certain federal regulations promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended and must file with the Missouri Secretary of State any amendments necessary to ensure that

rules are not inconsistent with the provisions of the bill. Any rule that is inconsistent with provisions of the act or applies in any subject area not addressed by the federal regulations is null and void.

This bill is the same as HB 2350 and similar to SB 892 (2020).