

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 40, Page  
2 3, Section 253.387, Line 28, by inserting after all of said section and line the following:

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4 "260.243. 1. For facilities permitted before August 28, 2021, the department of natural  
5 resources shall not issue a permit to an applicant for a commercial solid waste processing facility  
6 designed to incinerate solid waste in any county unless such facility meets the conditions established  
7 in this section. For the purposes of this section, a commercial solid waste processing facility is a  
8 facility designed to incinerate waste which accepts solid waste for a fee regardless of where such  
9 waste is generated. Any commercial solid waste processing facility which incinerates solid waste  
10 shall be located so as to provide a health and safety buffer zone to protect citizens living or working  
11 nearby. The size of the buffer zone shall be determined by the department but shall extend at least  
12 fifty feet from a facility located in a nonresidential area in a city not within a county or at least three  
13 hundred feet from a facility located elsewhere. The department shall consider the proximity of  
14 schools, businesses and houses, the prevailing winds and other factors which it deems relevant when  
15 establishing the buffer zone. Any facility located within a city not within a county shall be required  
16 to strictly adhere to the terms, conditions and provisions of its permit.

17 2. (1) For any facility permitted on or after August 28, 2021, the department of natural  
18 resources shall not issue a permit to an applicant for a commercial solid waste processing facility in  
19 any county with a charter form of government unless such facility meets the conditions established  
20 in this subsection. Any commercial solid waste processing facility shall provide a buffer zone  
21 determined by the department that shall extend up to one thousand feet from a zoned residential  
22 area. The department shall consider the proximity of schools, businesses, and houses when  
23 establishing the buffer zone.

24 (2) This subdivision shall not apply to any permit renewal, modifications, or amendments to  
25 any facility originally permitted under subsection 1 of this section.

26 (3) For the purposes of this subsection, a "commercial solid waste processing facility"  
27 means the same as a solid waste processing facility as defined in subdivision (52) of subsection 1 of  
28 section 260.200."; and  
29

30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_