

FIRST REGULAR SESSION

HOUSE BILL NO. 446

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHWADRON.

1272H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 260.243, RSMo, and to enact in lieu thereof one new section relating to solid waste management.

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

Section A. Section 260.243, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.243, to read as follows:

260.243. The department of natural resources shall not issue a permit to an applicant for a commercial solid waste processing facility ~~[designed to incinerate solid waste]~~ in any county unless such facility meets the conditions established in this section. For the purposes of this section, a commercial solid waste processing facility is a facility ~~[designed to incinerate waste which accepts solid waste for a fee regardless of where such waste is generated]~~ **as defined in subdivision (52) of subsection 1 of section 260.200.** Any commercial solid waste processing facility ~~[which incinerates solid waste]~~ shall be located so as to provide a health and safety buffer zone to protect citizens living or working nearby. The size of the buffer zone shall be determined by the department but shall extend at least fifty feet from a facility located in a nonresidential area in a city not within a county or at least ~~[three]~~ **five** hundred feet from a facility located elsewhere. The department shall consider the proximity of schools, businesses and houses, the prevailing winds and other factors which it deems relevant when establishing the buffer zone. Any facility located within a city not within a county shall be required to strictly adhere to the terms, conditions and provisions of its permit.

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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.