

# SENATE COMMITTEE SUBSTITUTE SENATE BILL 40 (0155H.12C)

## Relating to Natural Resources

Section	Original Bill	Status As of 5/5/21	Description
253.387, 260.373, 260.380, 260.437, 260.475, 260.520, 640.095, 643.079, 643.310, 644.057, 644.079,	SCS SB 40	Emerging Issues	<p>This bill modifies provisions relating to the Department of Natural Resources.</p> <p>This bill authorizes the Department of Natural Resources to acquire by purchase or gift the Antioch Cemetery in Clinton, Missouri, to be operated and maintained by the Division of State Parks within the Department. The Department shall make adequate provisions for the proper care, maintenance, and safekeeping of the property. The Department is required to allow for burials to continue until all plots have been purchased. The Department shall charge no more than \$100 per burial to be credited to the "Antioch Cemetery Fund", established in the bill. The Department shall not be liable for additional costs associated with the burial (Section 253.387).</p> <p>Further, under the bill, the Hazardous Waste Management Commission shall not promulgate rules that are stricter than, apply prior to, or apply in any subject area not addressed by, certain federal regulations promulgated pursuant to the Resource Conservation and Recovery Act.</p> <p>The bill repeals the Commission's authority to retain, modify, or repeal rules relating to:</p> <ol style="list-style-type: none"> <li>1. Thresholds for determining whether a hazardous waste generator is a large quantity generator, small quantity generator, or conditionally exempt small quantity generator;</li> <li>2. Rules requiring hazardous waste generators to display hazard labels on containers and tanks during the time hazardous waste is stored on-site;</li> <li>3. The exclusion for hazardous secondary materials used to make zinc fertilizers; and</li> <li>4. The exclusions for hazardous secondary materials that are burned for fuel or that are recycled.</li> </ol> <p>The Commission shall promulgate 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 submittal of reporting data in any format on an annual basis by large quantity generators and treatment storage and disposal facilities.</p> <p>The bill also repeals a requirement that the Department identify certain rules relating to hazardous waste in the Missouri Code of State Regulations that are inconsistent with certain rules promulgated by the Commission.</p> <p>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 promulgated by the Commission shall be null and void to the extent that such rule is inconsistent, and the least stringent rule</p>

		<p>shall control. Any rule that applies in any subject area not addressed by the requirements of certain federal regulations promulgated pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended, shall be null and void.</p> <p>The Commission shall not promulgate rules that are stricter than, apply prior to, 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. The Commission shall 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 bill or applies in any subject area not addressed by the federal regulations shall be null and void.</p> <p>The Director of the Department of Natural Resources shall not promulgate rules that are stricter than, apply prior to, 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. The Director shall 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 bill or applies in any subject area not addressed by the federal regulations shall be null and void. (Sections 260.373, 260.437, 260.520)</p> <p>Currently, the authority of the Hazardous Waste Management Commission, the Air Conservation Commission, and the Clean Water Commission to revise certain fee structures set forth in statute expires on August 28, 2024. This bill changes the expiration date to August 28, 2021. (Sections 260.380, 260.475, 643.079, 644.057)</p> <p>In instances where the Department of Natural Resources has authority to issue fines or penalties and determines that a fine or penalty should be levied, the Department is required to provide information as set forth in the bill to the alleged violator in order for the alleged violator to understand the basis for the fine or penalty. Any statement provided by the Department in compliance with this provision shall be treated as confidential information and shall not be disclosed to any party except the alleged violator (Section 640.095).</p> <p>For violations of the Missouri Clean Water Law, any administrative penalty sought to resolve violations through conference, conciliation, and persuasion shall be communicated to the alleged violator in writing together with any penalty calculation prepared in accordance with any Clean Water Commission administrative penalty rule. Rules and regulations promulgated by the Clean Water Commission for the assessment of administrative penalties shall require the Department of Natural Resources to document how any administrative penalty sought to resolve the violations through conference, conciliation, and persuasion was calculated and provide such calculation and justification in writing to the alleged violator. Any statement provided by the Department in compliance with these provisions shall be treated as confidential information and shall not be disclosed to any party except the alleged violator (Section 644.079).</p> <p>The bill exempts St. Charles County, Franklin County, and Jefferson County from the motor vehicle</p>
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			emissions inspection program established by the Air Conservation Commission (Section 643.310).
	HCA 1 Griesheimer		Removed Section from SCS SB 40
643.050, 643.079, 643.245, 266.355	HCA 3 Hicks  SB 37 Perfected		<p>This bill repeals provisions of law that give the Department of Agriculture oversight over standards relating to anhydrous ammonia.</p> <p>Additionally, under the bill the Air Conservation Commission shall have the power to adopt, promulgate, amend, and repeal rules and regulations for covered processes at agricultural stationary sources that use, store, or sell anhydrous ammonia, and regulations necessary to implement and enforce the risk management plans under the federal Clean Air Act.</p> <p>Each retail agricultural facility that uses, stores, or sells anhydrous ammonia that is an air contaminant source subject to a risk management plan under the federal Clean Air Act shall pay an annual registration of \$200. The bill establishes an annual tonnage fee for anhydrous ammonia of \$1.25 per ton used or sold.</p> <p>Each distributor or terminal agricultural facility that uses, stores, or sells anhydrous ammonia that is an air contaminant source subject to a risk management plan program three under federal regulations relating to chemical accident prevention shall pay an annual registration of \$5,000 and shall not pay a tonnage fee.</p> <p>Finally, the bill creates the Anhydrous Ammonia Risk Management Plan Subaccount within the Natural Resources Protection Fund which shall consist of fees required under the bill.</p>
204.569	HCA 5 Hicks  SB 558		Under current law, when an unincorporated sewer subdistrict of a common sewer district has been formed, the board of trustees of the common sewer district shall have the power to issue bonds, and the issuance of such bonds shall require the assent of 4/7 of the voters of the subdistrict on the question. This bill states that as an alternative to such vote, if the subdistrict is a part of a common sewer district located in whole or in part in certain counties, bonds may be issued for such subdistrict if the question receives the written assent of 3/4 of the customers, as defined in the bill, of the subdistrict.
386.895	HCA 6 Hicks		Relating to gas corporations offering voluntary renewable natural gas programs.
	HCA 7 Hicks		Changed the title to “natural resources”.