

HB 440 -- ANHYDROUS AMMONIA

SPONSOR: Knight

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Agriculture Policy by a vote of 14 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 10 to 0.

This bill repeals provisions of law that give the Department of Agriculture oversight over standards relating to anhydrous ammonia and authorizes the Air Conservation Commission 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.

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 must pay an annual registration of \$200. The bill also establishes an annual tonnage fee for anhydrous ammonia of \$1.25 per ton used or sold.

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 3 under federal regulations relating to chemical accident prevention must pay an annual registration of \$5,000 and does not pay a tonnage fee.

The bill creates the "Anhydrous Ammonia Risk Management Plan Subaccount" within the Natural Resources Protection Fund which shall consist of fees required in these provisions.

This bill is similar to HB 2573 (2020).

PROPONENTS: Supporters say that this bill would reduce regulations on retailers of anhydrous ammonia by consolidating all regulations within the Department of Natural Resources, the agency with expertise to implement the new program. Those testifying also said that the industry supports the fees included in the bill in order to ensure proper funding for a successful program.

Testifying for the bill were Representative Knight; Missouri Farm Bureau; Missouri Corn Growers Association; Missouri Soybean Association; Liz Hobart, Growmark FS, Incorporated; and Missouri Agribusiness.

Additional written testimony was submitted in support of the bill.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say although the Department of Agriculture currently has authority for safety inspections, but the Department of Natural Resources has the expertise for the risk management plans and will be creating the new Environmental Protection Agency anhydrous ammonia program.

Testifying on the bill were Missouri Department of Agriculture; and Missouri Department of Natural Resources.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.