

HB 200 -- ENVIRONMENTAL PROTECTION (Falkner)

COMMITTEE OF ORIGIN: Standing Committee on Local Government

This bill modifies several provisions relating to environmental protection.

COUNTY SALES TAXES FOR PARK PURPOSES (Section 67.1754)

This bill allows sales taxes collected by a county for the purpose of funding a metropolitan park or recreation district to be used by the county for storm water management projects that are confined to the deployment and augmentation of natural infrastructure or features that would otherwise add to the benefits of the park to the community.

This provision is the same as HCS HB 1271.

LATERAL SEWER SERVICE LINE REPAIR FEE (Section 249.422)

Currently, upon voter approval, certain cities can, by ordinance, levy and impose annually, for the repair of lateral sewer service lines on or connecting residential property, a fee not to exceed \$50 per year. This bill authorizes those cities to impose a fee not to exceed \$100 per year for the repair of lateral sewer service lines.

This provision is the same as HB 1306.

RADIOACTIVE WASTE INVESTIGATION FUND (Section 260.558)

Currently, the Department of Natural Resources must use the Radioactive Waste Investigation Fund to investigate concerns of waste exposure submitted by a local governing body. Under this bill, requests for investigations can be submitted in writing by any local governing body, community groups, or individual in the jurisdiction of an area of concern. The bill allows the Fund to accept gifts, bequests, and other devises of funds without limitation. This bill prevents the use of the fund for any costs related to clean up efforts.

This bill specifies that the investigation can include collection of soil, dust, and water samples from the specified area. If the Department suspects that radioactive contaminants are on a property owned by a governmental agency that will not grant access for the investigation, the Department can seek a warrant to access the property. If the suspected contaminants are on private property, the Department must have the owner's permission to enter and test.

Currently, there is a \$150,000 cap on expenditures for investigation costs. This bill eliminates the cap and requires the Department to seek reimbursement from the Federal government for radioactive waste cleanup costs.

These provisions are similar to HB 516.

FEES COLLECTED BY EMERGENCY RESPONSE COMMISSION (Section 292.606)

This bill extends the authority of the Missouri Emergency Response Commission to collect fees from August 28, 2024, to August 28, 2031. It authorizes a one-time fee to be assessed, which is to be calculated based on filings due March 1, 2025, and is to be paid by November 1, 2025.

This provision is the same as HB 70.

WIND ENERGY CONVERSION SYSTEMS (Section 393.2600)

This bill prohibits a new "Wind Energy Conversion System", as defined in the bill, to begin commercial operations after August 28, 2025, unless that developer, owner, or operator applies to the Federal Aviation Administration (FAA) for installation of a light-mitigating technology system. If the installation is approved by the FAA, the developer, owner, or operator of such wind energy conversion system must install the light-mitigating technology system on approved turbines within 24-months of receipt of approval.

Before August 28, 2033, any developer, owner, or operator of a commercial wind energy conversion system without a light-mitigating technology system must apply to the FAA for installation and operation of a system. If the installation is approved by the FAA, the developer, owner, or operator must install the system on approved turbines within 24-months of approval.

Any vendor selected for installation of a light-mitigating technology system must provide to the Department of Natural Resources notice of the progress of the installation of the system. If the installation is delayed beyond the 24-month requirement, the vendor must provide notice to the Department at least every three months, with an update on the reasons for the delay and current status of installation. Any costs associated with the installation, implementation, operation, and maintenance of the system must be the responsibility of the developer, owner, or operator of the wind energy conversion system.

Any developer, owner, or operator that is approved to install a light-mitigating system but does not, is liable for a fine of \$5,000 per day, per turbine, until the system is installed.

These provisions are similar to HCS HB 1263 and 1124.

SEWAGE DISPOSAL (Sections 701.040 and 701.046)

Currently, a State standard for the location, size of sewage tanks, and length of lateral lines is based partially on the percolation or permeability rate of the soil, as well as other specified factors. This bill modifies this provision to state that the standard is based partially on soil properties.

Currently, soil tests are to be performed by persons who are qualified to perform the percolation tests. This bill instead authorizes on-site soil evaluators registered by the Department of Health and Senior Services to conduct soil morphology evaluations. The bill repeals a provision allowing contractors to be taught and perform percolation tests.

The bill creates a mandatory registration program requiring continuing education until January 1, 2026, for on-site wastewater treatment system professionals qualified to perform percolation tests in accordance with the state standard. The administrative authority can accept a percolation test at its own discretion until January 1, 2026, if a soil morphology evaluation cannot be reasonably obtained.

Any person who intends to construct or make major modifications or repairs to an on-site sewage disposal system must submit an application fee and obtain a construction permit. This bill repeals the provision stating that the fee for on-site sewage modification and repair can be no greater than necessary to cover the cost to implement the state standard for on-site sewage disposal systems and the registration of contractors.

Currently, the Department must establish the fee for on-site sewage disposal system modification and repair by rule at an amount no greater than \$90 and can charge an additional fee as necessary to cover the expenses of training contractors to perform the percolation tests. The bill allows that the Department instead can promulgate regulations establishing the conditions and requirements for the construction permit application including the collection of reasonable fees set at a level to produce revenue not exceeding the cost and expense of administering the program.

These provisions are the same as HB 200.