

HB 1752 -- Environmental Control Rules

Sponsor: Cauthorn

This bill authorizes the Hazardous Waste Commission to establish standards and guidelines through rules and regulations to ensure Missouri is in compliance with the federal Resource Conservation and Recovery Act (RCRA). The guidelines and standards cannot be any stricter than those required under RCRA nor can the commission enforce any provisions prior to the time required by the act. If RCRA is silent on a provision, the commission cannot create a rule or regulation relating to that provision.

The commission has the authority to grant exceptions or variances from the rules if the rule would cause economic hardship, is physically impossible, is more detrimental to the environment than the valiance, or is impractical or of insignificant value under existing conditions.

By July, 31, 2013, the Department of Natural Resources must identify rules in Title 10, Division 25 of the Code of State Regulations that establish standards or guidelines that are stricter than those required under RCRA and file amendments with the Secretary of State to eliminate those provisions. On July 31, 2014, any rule in Title 10, Division 25 that establishes standards that are stricter than required under RCRA will be null and void. The department is prohibited for selectively excluding any or part of a regulation from any authorization package submitted to the United States Environmental Protection Agency unless authorized by the commission.