

HCS HB 1730 -- WATER POLLUTION

SPONSOR: Hobbs (Schlottach)

COMMITTEE ACTION: Voted "do pass" by the Committee on Conservation and Natural Resources by a vote of 12 to 0.

This substitute changes the laws regarding water pollution. In its main provisions, the substitute:

- (1) Increases the annual fee that the Department of Natural Resources may charge customers;
- (2) Revises the definition of "point source" to exclude any agricultural storm water discharges and return flows from agriculture;
- (3) Requires the Clean Water Commission to hold a public hearing before adopting any listing of impaired waters. The department must provide notice of the hearing to the public by posting a proposed list of impaired waters on their web site, publishing the list in at least six regional newspapers, and by mailing the list to those requesting the notice. The notice will be at least 90 days before the public hearing and will include the date, time, and place of the public hearing; identification of the water segment, the uses to be made of the waters, the uses impaired, and the pollutants causing or expected to cause violations of the applicable water quality standards; and a summary of the data relied upon to make the preliminary determination. After the public hearing and any written comments have been reviewed, the department will issue a revised list of impaired waters upon which the commission may adopt;
- (4) Requires those constructing temporary or permanent water treatment facilities using new kinds of wastewater treatment technology to post a bond as a condition for the issuance of a permit from the commission. Traditional and novel wastewater treatment facilities will be subject to the same permit requirements;
- (5) Extends the expiration date in Section 644.054, RSMo, from December 31, 2007, to December 31, 2009, for certain waste treatment and disposal fees authorized in Sections 644.052 and 644.053, collected by the commission;
- (6) Requires the President Pro Tem of the Senate and the Speaker of the House of Representatives to appoint members to a joint committee that will consider the restructuring of the water pollution control fees. The committee must submit a report by December 31, 2008, to the Governor, House of Representatives, and

Senate with recommendations on funding the state's Clean Water Program; and

(7) Permits the Board of Fund Commissioners to issue bonds for grants and loans equal to \$10 million for waste water pollution control, drinking water system improvements, storm water control, and rural water and sewer projects and \$20 million for storm water control plans, studies, and projects in first classification counties and the City of St. Louis, in addition to amounts authorized prior to August 28, 2007.

FISCAL NOTE: No impact on General Revenue Fund in FY 2007, FY 2008, and FY 2009. Estimated Effect on Other State Funds of an income of \$0 in FY 2007, an income of \$1,121,031 in FY 2008, and a cost of \$355,819 in FY 2009.

PROPOSERS: Supporters say that the bill permits the Department of Natural Resources to require water treatment facilities using new kinds of wastewater treatment technology to post a bond as a condition for obtaining a permit. This will allow the department to be less reluctant to issue permits for wastewater treatment systems that have not been proven to be successful.

Testifying for the bill were Representative Schlottach; and Department of Natural Resources.

OPPOSERS: Those who oppose the bill say that they want to be on record in opposition to the bill.

Testifying against the bill was Sierra Club.

Kristina Jenkins, Legislative Analyst