

HCS SCS SB 664 -- NATURAL RESOURCES

SPONSOR: Brown (Miller)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Tourism and Natural Resources by a vote of 16 to 3.

This bill changes the laws relating to natural resources.

WATER SUPPLIERS (Section 247.680, RSMo)

The bill specifies that if a water supplier needs to be extended for a residential property owner to connect water service lines from the property to the water main, the property owner will not be charged or liable for more than the cost of extending the water supplier's smallest required service pipe size, the distance required by the water supplier in order for it to feasibly extend its water main to establish a connection by the owner, and will not be charged or liable for the cost of any additional extension of the water main.

SCRAP TIRE FEE EXTENSION (Section 260.273)

The bill extends from January 1, 2015 to January 1, 2020 the expiration of the fee collected from retailers for the disposal of old tires.

SURFACE MINING OPERATIONS (Section 444.772)

Currently, a proposal to operate a surface mine requires the operator to send a notice of intent to operate a surface mine by certified mail to the governing body of the counties or cities in which the proposed areas are located and to the last known addresses of all record landowners of real property that is contiguous or adjacent to the proposed mine plan area. This bill requires the notice to also be sent to real property landowners within one-half mile from the border of the proposed mine plan area.

PUBLIC WATER FLUORIDATION (Section 640.136)

The bill requires any public water system or public water supply district intending to permanently cease fluoridation of its water supply to notify the Departments of Natural Resources and Health and Senior Services and its customers of its intentions at least 90 days before any vote on the matter. The system or district must notify its customers by radio, television, newspaper, or mail at least 90 days before any meeting at which the vote will occur. If the notice is sent by mail, the county or municipality in which the

public water system or public water supply is located must pay for the cost of the notice.

Any public water system or public water supply that does not comply with the notification requirements must reinstate fluoridation until proper notification is provided.

#### WOOD BURNING (Section 643.055)

The bill prohibits the Department of Natural Resources from regulating the manufacture, performance, or use of residential wood burning heaters or appliances through a state implementation plan or otherwise, unless authorized to do so by the General Assembly. No rule or regulation establishing or the enforcing performance standards for residential wood burning heaters or appliances may become effective unless first approved by the Joint Committee on Administrative Rules.

No new rules or regulations may be applied to existing wood burning furnaces, stoves, fireplaces, or heaters that individuals are currently using as their source of heat for their homes or businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014 may not be subject to any rules or regulations. No employee of the state or state agency can enforce any new rules or regulations against such existing wood burning furnaces, stoves, fireplaces, and heaters.

#### AIR CONSERVATION COMMISSION (Section 643.640)

The bill requires the Air Conservation Commission to develop emission standards through a unit-by-unit analysis of each existing source of carbon dioxide within the state.

The commission must consider in developing and implementing emission standards for each existing source of carbon dioxide, among other factors, the remaining useful life of the existing source to which the standard applies, consistent with specified federal regulations.

The commission must consider, consistent with its statutory duties to achieve the prevention, abatement, and control of air pollution by all commercially available and economically feasible methods, the overall economic impact from any and all emission standards and compliance schedules developed and implemented under specified federal regulations.

The commission may develop, on a unit-by-unit basis for individual existing sources and emissions of carbon dioxide at these existing sources, consistent with federal regulation, emission standards

that are less stringent, but not more stringent, than applicable federal emission guidelines or longer compliance schedules than those required by federal regulations. This determination must be based on:

- (1) Unreasonable cost of control resulting from plant age, location, or basic process design;
- (2) Physical impossibility of installing necessary control equipment; or
- (3) Other factors specific to the existing source or class of existing sources that make application of a less stringent standard or final compliance time significantly more reasonable.

If any provision of the bill or the application thereof to any individual or circumstance is held invalid, the invalidity must not affect other provisions or applications of the bill that can be given effect without the invalid provision or application and to this end these provisions are declared to be severable.

#### WASTEWATER DISCHARGE PERMITS (Section 644.058)

The bill modifies the authority of the Clean Water Commission so that it may only revise water quality standards upon completion of an assessment by the Department of Natural Resources finding that there is an environmental need for such revision. In implementing revised water quality standards modifications of 25 percent or more, the Department of Natural Resources must also conduct an evaluation which includes environmental and economic impacts of the revised water quality criteria. The evaluation is to be conducted at the eight-digit hydrologic unit code level. The department must use these evaluations in making site-specific permit decisions.

This bill contains an emergency clause for public water fluoridation provisions.

**PROPOSERS:** Supporters say that this bill would provide a more scientific method to changes in wastewater discharge permits. It would allow for environmental protection while reducing unnecessary and expensive upgrades for small water dischargers.

Testifying for the bill were Senator Brown; Associated Industries; and Missouri Association of Municipal Utilities.

**OPPOSERS:** There was no opposition voice to the committee.