

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1713, Page 1, Section A, Line 2, by
2 inserting immediately after said line the following:

3
4 "644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations
5 promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

6 (1) "Aquaculture facility", a hatchery, fish farm, or other facility used for the production of
7 aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as
8 amended, 33 U.S.C. Section 1251, et seq.;

9 (2) "Commission", the clean water commission of the state of Missouri created in section
10 644.021;

11 (3) "Conference, conciliation and persuasion", a process of verbal or written
12 communications consisting of meetings, reports, correspondence or telephone conferences between
13 authorized representatives of the department and the alleged violator. The process shall, at a
14 minimum, consist of one offer to meet with the alleged violator tendered by the department. During
15 any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate
16 the alleged violation and shall attempt to agree upon a plan to achieve compliance;

17 (4) "Continuing authority", any person as the term is defined in section 144.010, legal
18 entity, registered corporate entity, or permanent organization that maintains legal responsibility;

19 (5) "Department", the department of natural resources;

20 [(5)] (6) "Director", the director of the department of natural resources;

21 [(6)] (7) "Discharge", the causing or permitting of one or more water contaminants to enter
22 the waters of the state;

23 [(7)] (8) "Effluent control regulations", limitations on the discharge of water contaminants;

24 [(8)] (9) "General permit", a permit written with a standard group of conditions and with
25 applicability intended for a designated category of water contaminant sources that have the same or
26 similar operations, discharges and geographical locations, and that require the same or similar
27 monitoring, and that would be more appropriately controlled pursuant to a general permit rather
28 than pursuant to a site-specific permit;

29 [(9)] (10) "General permit template", a draft general permit that is being developed through
30 a public participation process;

31 [(10)] (11) "Human sewage", human excreta and wastewater, including bath and toilet
32 waste, residential laundry waste, residential kitchen waste, and other similar waste from household
33 or establishment appurtenances;

34 [(11)] (12) "Income" includes retirement benefits, consultant fees, and stock dividends;

35 [(12)] (13) "Minor violation", a violation which possesses a small potential to harm the
36 environment or human health or cause pollution, was not knowingly committed, and is not defined

Standing Action Taken _____ Date _____

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1 by the United States Environmental Protection Agency as other than minor;

2 [(13)] (14) "Permit by rule", a permit granted by rule, not by a paper certificate, and
3 conditioned by the permit holder's compliance with commission rules;

4 [(14)] (15) "Permit holders or applicants for a permit" shall not include officials or
5 employees who work full time for any department or agency of the state of Missouri;

6 [(15)] (16) "Person", any individual, partnership, copartnership, firm, company, public or
7 private corporation, association, joint stock company, trust, estate, political subdivision, or any
8 agency, board, department, or bureau of the state or federal government, or any other legal entity
9 whatever which is recognized by law as the subject of rights and duties;

10 [(16)] (17) "Point source", any discernible, confined and discrete conveyance, including but
11 not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling
12 stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants
13 are or may be discharged. Point source does not include agricultural storm water discharges and
14 return flows from irrigated agriculture;

15 [(17)] (18) "Pollution", such contamination or other alteration of the physical, chemical or
16 biological properties of any waters of the state, including change in temperature, taste, color,
17 turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other
18 substance into any waters of the state as will or is reasonably certain to create a nuisance or render
19 such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic,
20 industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds,
21 fish or other aquatic life;

22 [(18)] (19) "Pretreatment regulations", limitations on the introduction of pollutants or water
23 contaminants into publicly owned treatment works or facilities which the commission determines
24 are not susceptible to treatment by such works or facilities or which would interfere with their
25 operation, except that wastes as determined compatible for treatment pursuant to any federal water
26 pollution control act or guidelines shall be limited or treated pursuant to this chapter only as
27 required by such act or guidelines;

28 [(19)] (20) "Residential housing development", any land which is divided or proposed to be
29 divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of
30 a common promotional plan for residential housing;

31 [(20)] (21) "Sewer system", pipelines or conduits, pumping stations, and force mains, and
32 all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to
33 an ultimate point for treatment or handling;

34 [(21)] (22) "Significant portion of his or her income" shall mean ten percent of gross
35 personal income for a calendar year, except that it shall mean fifty percent of gross personal income
36 for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant
37 to retirement, pension, or similar arrangement;

38 [(22)] (23) "Site-specific permit", a permit written for discharges emitted from a single
39 water contaminant source and containing specific conditions, monitoring requirements and effluent
40 limits to control such discharges;

41 [(23)] (24) "Treatment facilities", any method, process, or equipment which removes,
42 reduces, or renders less obnoxious water contaminants released from any source;

43 [(24)] (25) "Water contaminant", any particulate matter or solid matter or liquid or any gas
44 or vapor or any combination thereof, or any temperature change which is in or enters any waters of
45 the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or
46 otherwise, which causes or would cause pollution upon entering waters of the state, or which
47 violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to
48 644.141 or any federal water pollution control act, or is included in the definition of pollutant in

1 such federal act;

2 [(25)] (26) "Water contaminant source", the point or points of discharge from a single tract
3 of property on which is located any installation, operation or condition which includes any point
4 source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water
5 pollution control act, which causes or permits a water contaminant therefrom to enter waters of the
6 state either directly or indirectly;

7 [(26)] (27) "Water quality standards", specified concentrations and durations of water
8 contaminants which reflect the relationship of the intensity and composition of water contaminants
9 to potential undesirable effects;

10 [(27)] (28) "Waters of the state", all waters within the jurisdiction of this state, including all
11 rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a
12 part of the boundaries of the state which are not entirely confined and located completely upon
13 lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or
14 as tenants in common."; and

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16 Further amend said substitute and page, Section B, Line 3, by removing the words "section
17 644.020" and inserting in lieu thereof the words "sections 644.016 and 644.020"; and

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19 Further amend said substitute, Page 2, said section, Line 5, by removing the words "section
20 644.020" and inserting in lieu thereof the words "sections 644.016 and 644.020"; and

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22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.