This bill modifies provisions relating to environmental regulation.

ADVANCED RECYCLING (Sections 260.200 and 260.205, RSMo)

This bill defines and redefines certain terms including, but not limited to, "advanced recycling", "advanced recycling facility", "depolymerization", "gasification", "mechanical processing", "mill scale and slag", "post-use polymer", "pyrolysis", "recovered feedstock", "recycled content", "recycled plastics", "solid waste", and "solvolysis". The bill specifies that an advanced recycling facility, is not subject to the solid waste processing facility operating permit requirements and no permit is required for the use of advanced recycling at an advanced recycling facility, as long as the feedstocks received by such facility are source-separated or diverted or recovered from municipal or other waste streams prior to acceptance at the advanced recycling facility.

PROCESSED RECYCLED ASPHALT SHINGLES (Sections 260.221 and 644.060)

This bill specifies that processed recycled asphalt shingles, as defined in the bill, may be used for fill, reclamation, and other beneficial purposes without any permits relating to solid waste management or any permits relating to the Missouri Clean Water Law if such shingles are inspected for toxic and hazardous substances, provided they may not be used for fill, reclamation, or other beneficial purposes within 500 feet of any lake, river, sink hole, perennial stream, or ephemeral stream, and shall not be used for such purposes below surface level and closer than 50 feet above the water table.

The bill shall not be construed to authorize the abandonment, accumulation, placement, or storage of recycled asphalt shingles or processed asphalt shingles on any property without the consent of the property owner.

HAZARDOUS WASTE MANAGEMENT (Sections 260.373, 260.437, and 260.520)

Under the bill, the Hazardous Waste Management Commission shall not promulgate rules that are stricter than, apply prior to, or apply mandatory obligations outside of the requirements of regulations promulgated pursuant to the Resource Conservation and Recovery Act.

The bill repeals the Commission's authority to retain, modify, or repeal rules relating to:

(1) Thresholds for determining whether a hazardous waste generator is a large quantity generator, small quantity generator, or
conditionally exempt small quantity generator;

(2) Rules requiring hazardous waste generators to display hazard labels on containers and tanks during the time hazardous waste is stored on-site;

(3) The exclusion for hazardous secondary materials used to make zinc fertilizers; and

(4) The exclusions for hazardous secondary materials that are burned for fuel or that are recycled.

The Commission shall promulgate rules for the reporting of hazardous waste activities to the Department of Natural Resources, effective beginning with the reporting period July 1, 2017-June 30, 2018, that allow for the submittal of reporting data in any format on an annual basis by large quantity generators and treatment storage and disposal facilities.

The bill also repeals a requirement that the Department identify certain rules relating to hazardous waste in the Missouri Code of State Regulations that are inconsistent with certain rules promulgated by the Commission.

On December 31, 2017, any rule relating to hazardous waste, resource recovery, or used oil contained in the Missouri Code of State Regulations that remains inconsistent with certain rules promulgated by the Commission shall be null and void to the extent that such rule is inconsistent, and the least stringent rule shall control. Any rule that applies mandatory obligations outside of the requirements of certain federal regulations promulgated pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended, shall be null and void.

Except for provisions of law relating to voluntary remediation of contaminated real property, the Commission shall not promulgate rules that are stricter than, apply prior to, or apply mandatory obligations outside of the requirements of certain federal regulations promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, for provisions of law relating to abandoned or uncontrolled sites. The Commission shall file with the Missouri Secretary of State any amendments necessary to ensure that rules are not inconsistent with the provisions of the bill. Any rule that is inconsistent with provisions of the bill or applies mandatory obligations outside of the federal regulations shall be null and void.

Except for provisions of law relating to voluntary remediation of contaminated real property, the Director of the Department of
Natural Resources shall not promulgate rules that are stricter than, apply prior to, or apply mandatory obligations outside of the requirements of certain federal regulations promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, for provisions of law relating to the cleanup of hazardous substances. The Director shall file with the Missouri Secretary of State any amendments necessary to ensure that rules are not inconsistent with the provisions of the bill. Any rule that is inconsistent with provisions of the bill or applies mandatory obligations outside of the federal regulations shall be null and void.

PENALTIES ISSUED BY DEPARTMENT OF NATURAL RESOURCES  (Section 640.095)

This bill specifies that in instances where the Department of Natural Resources has authority to issue penalties and determines that a penalty should be levied, the Department is required to provide information as set forth in the bill to the alleged violator in order for the alleged violator to understand the basis for the penalty. Any statement provided by the Department in compliance with this provision shall be treated as confidential information and shall not be disclosed to any party except the alleged violator.