

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR

SENATE BILL NO. 135

96TH GENERAL ASSEMBLY
2011

0583S.06T

AN ACT

To repeal sections 253.090, 260.262, 260.380, 260.475, 260.965, 306.109, 319.132, and 414.072, RSMo, and to enact in lieu thereof thirteen new sections relating to environmental protection, with penalty provisions and an emergency clause for certain sections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 253.090, 260.262, 260.380, 260.475, 260.965, 306.109, 2 319.132, and 414.072, RSMo, are repealed and thirteen new sections enacted in 3 lieu thereof, to be known as sections 253.090, 260.262, 260.269, 260.380, 260.475, 4 260.965, 306.109, 319.130, 319.132, 414.072, 640.116, 640.905, and 1, to read as 5 follows:

253.090. 1. All revenue derived from privileges, conveniences, contracts 2 or otherwise, all moneys received by gifts, bequests or contributions or from 3 county or municipal sources and all moneys received from the operation of 4 concessions, projects or facilities and from resale items shall be paid into the 5 state treasury to the credit of the "State Park Earnings Fund", which is hereby 6 created. In the event any state park or any part thereof is taken under the power 7 of eminent domain by the federal government the moneys paid for the taking 8 shall be deposited in the state park earnings fund. The fund shall be used solely 9 for the payment of the expenditures of the department of natural resources in the 10 administration of this law, except that in any fiscal year the department may 11 expend a sum not to exceed fifty percent of the preceding fiscal year's deposits to 12 the state park earnings fund for the purpose of:

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 13 (1) Paying the principal and interest of revenue bonds issued;
14 (2) Providing an interest and sinking fund;
15 (3) Providing a reasonable reserve fund;
16 (4) Providing a reasonable fund for depreciation; and
17 (5) Paying for feasibility reports necessary for the issuing of revenue
18 bonds.

19 **2. Notwithstanding the provisions of section 33.080 to the**
20 **contrary, any moneys remaining in the fund at the end of the biennium**
21 **shall not revert to the credit of the general revenue fund.**

22 **3.** A good and sufficient bond conditioned upon the faithful performance
23 of the contract and compliance with this law shall be required of all contractors.

24 [3.] **4.** Any person who contracts pursuant to this section with the state
25 shall keep true and accurate records of his or her receipts and disbursements
26 arising out of the performance of the contract and shall permit the department
27 of natural resources and the state auditor to audit such records.

28 [4. All moneys remaining in the state park revolving fund on July 1, 2000,
29 shall be transferred to the state park earnings fund.]

260.262. A person selling lead-acid batteries at retail or offering lead-acid
2 batteries for retail sale in the state shall:

3 (1) Accept, at the point of transfer, in a quantity at least equal to the
4 number of new lead-acid batteries purchased, used lead-acid batteries from
5 customers, if offered by customers;

6 (2) Post written notice which must be at least four inches by six inches in
7 size and must contain the universal recycling symbol and the following language:

8 (a) It is illegal to discard a motor vehicle battery or other lead-acid
9 battery;

10 (b) Recycle your used batteries; and

11 (c) State law requires us to accept used motor vehicle batteries, or other
12 lead-acid batteries for recycling, in exchange for new batteries purchased; and

13 (3) Manage used lead-acid batteries in a manner consistent with the
14 requirements of the state hazardous waste law;

15 (4) Collect at the time of sale a fee of fifty cents for each lead-acid battery
16 sold. Such fee shall be added to the total cost to the purchaser at retail after all
17 applicable sales taxes on the battery have been computed. The fee imposed, less
18 six percent of fees collected, which shall be retained by the seller as collection
19 costs, shall be paid to the department of revenue in the form and manner
20 required by the department and shall include the total number of batteries sold
21 during the preceding month. The department of revenue shall promulgate rules

22 and regulations necessary to administer the fee collection and enforcement. The
23 terms "sold at retail" and "retail sales" do not include the sale of batteries to a
24 person solely for the purpose of resale, if the subsequent retail sale in this state
25 is to the ultimate consumer and is subject to the fee. However, this fee shall not
26 be paid on batteries sold for use in agricultural operations upon written
27 certification by the purchaser; and

28 (5) The department of revenue shall administer, collect, and enforce the
29 fee authorized pursuant to this section pursuant to the same procedures used in
30 the administration, collection, and enforcement of the general state sales and use
31 tax imposed pursuant to chapter 144 except as provided in this section. The
32 proceeds of the battery fee, less four percent of the proceeds, which shall be
33 retained by the department of revenue as collection costs, shall be transferred by
34 the department of revenue into the hazardous waste fund, created pursuant to
35 section 260.391. The fee created in subdivision (4) and this subdivision shall be
36 effective October 1, 2005. The provisions of subdivision (4) and this subdivision
37 shall terminate [June 30, 2011] **December 31, 2013.**

**260.269. Notwithstanding any provision of law to the contrary,
2 the state, including without limitation, any agency or political
3 subdivision thereof, in possession of used tires, scrap tires, or tire
4 shred may transfer possession and ownership of such tires or shred to
5 any in-state private entity to be lawfully disposed of or recycled;
6 provided, such tires or shred are not burned as a fuel except in a
7 permitted facility; and further provided, such tires shall not be
8 disposed of in a landfill; and still further provided, the cost incurred by
9 the state, agency, or political subdivision transferring such tires or
10 shred is less than the cost the state, agency, or political subdivision
11 would have otherwise incurred had it disposed of such tires or
12 shred. The private entity shall pay for the transportation of such used
13 tires they receive.**

260.380. 1. After six months from the effective date of the standards,
2 rules and regulations adopted by the commission pursuant to section 260.370,
3 hazardous waste generators located in Missouri shall:

4 (1) Promptly file and maintain with the department, on registration forms
5 it provides for this purpose, information on hazardous waste generation and
6 management as specified by rules and regulations. Hazardous waste generators
7 shall pay a one hundred dollar registration fee upon initial registration, and a
8 one hundred dollar registration renewal fee annually thereafter to maintain an
9 active registration. Such fees shall be deposited in the hazardous waste fund

10 created in section 260.391;

11 (2) Containerize and label all hazardous wastes as specified by standards,
12 rules and regulations;

13 (3) Segregate all hazardous wastes from all nonhazardous wastes and
14 from noncompatible wastes, materials and other potential hazards as specified by
15 standards, rules and regulations;

16 (4) Provide safe storage and handling, including spill protection, as
17 specified by standards, rules and regulations, for all hazardous wastes from the
18 time of their generation to the time of their removal from the site of generation;

19 (5) Unless provided otherwise in the rules and regulations, utilize only a
20 hazardous waste transporter holding a license pursuant to sections 260.350 to
21 260.430 for the removal of all hazardous wastes from the premises where they
22 were generated;

23 (6) Unless provided otherwise in the rules and regulations, provide a
24 separate manifest to the transporter for each load of hazardous waste transported
25 from the premises where it was generated. The generator shall specify the
26 destination of such load on the manifest. The manner in which the manifest shall
27 be completed, signed and filed with the department shall be in accordance with
28 rules and regulations;

29 (7) Utilize for treatment, resource recovery, disposal or storage of all
30 hazardous wastes, only a hazardous waste facility authorized to operate pursuant
31 to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery
32 Act, or a state hazardous waste management program authorized pursuant to the
33 federal Resource Conservation and Recovery Act, or any facility exempted from
34 the permit required pursuant to section 260.395;

35 (8) Collect and maintain such records, perform such monitoring or
36 analyses, and submit such reports on any hazardous waste generated, its
37 transportation and final disposition, as specified in sections 260.350 to 260.430
38 and rules and regulations adopted pursuant to sections 260.350 to 260.430;

39 (9) Make available to the department upon request samples of waste and
40 all records relating to hazardous waste generation and management for inspection
41 and copying and allow the department to make unhampered inspections at any
42 reasonable time of hazardous waste generation and management facilities located
43 on the generator's property and hazardous waste generation and management
44 practices carried out on the generator's property;

45 (10) Pay annually, on or before January first of each year, effective
46 January 1, 1982, a fee to the state of Missouri to be placed in the hazardous
47 waste fund. The fee shall be five dollars per ton or portion thereof of hazardous

48 waste registered with the department as specified in subdivision (1) of this
49 subsection for the twelve-month period ending June thirtieth of the previous
50 year. However, the fee shall not exceed fifty-two thousand dollars per generator
51 site per year nor be less than one hundred fifty dollars per generator site per
52 year;

53 (a) All moneys payable pursuant to the provisions of this subdivision shall
54 be promptly transmitted to the department of revenue, which shall deposit the
55 same in the state treasury to the credit of the hazardous waste fund created in
56 section 260.391;

57 (b) The hazardous waste management commission shall establish and
58 submit to the department of revenue procedures relating to the collection of the
59 fees authorized by this subdivision. Such procedures shall include, but not be
60 limited to, necessary records identifying the quantities of hazardous waste
61 registered, the form and submission of reports to accompany the payment of fees,
62 the time and manner of payment of fees, which shall not be more often than
63 quarterly.

64 2. Missouri treatment, storage, or disposal facilities shall pay annually,
65 on or before January first of each year, a fee to the department equal to two
66 dollars per ton or portion thereof for all hazardous waste received from outside
67 the state. This fee shall be based on the hazardous waste received for the
68 twelve-month period ending June thirtieth of the previous year.

69 3. Exempted from the requirements of this section are individual
70 householders and farmers who generate only small quantities of hazardous waste
71 and any person the commission determines generates only small quantities of
72 hazardous waste on an infrequent basis, except that:

73 (1) Householders, farmers and exempted persons shall manage all
74 hazardous wastes they may generate in a manner so as not to adversely affect the
75 health of humans, or pose a threat to the environment, or create a public
76 nuisance; and

77 (2) The department may determine that a specific quantity of a specific
78 hazardous waste requires special management. Upon such determination and
79 after public notice by press release or advertisement thereof, including
80 instructions for handling and delivery, generators exempted pursuant to this
81 subsection shall deliver, but without a manifest or the requirement to use a
82 licensed hazardous waste transporter, such waste to:

83 (a) Any storage, treatment or disposal site authorized to operate pursuant
84 to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery
85 Act, or a state hazardous waste management program authorized pursuant to the

86 federal Resource Conservation and Recovery Act which the department designates
87 for this purpose; or

88 (b) A collection station or vehicle which the department may arrange for
89 and designate for this purpose.

90 4. Failure to pay the fee, or any portion thereof, prescribed in this section
91 by the due date shall result in the imposition of a penalty equal to fifteen percent
92 of the original fee. The fee prescribed in this section shall expire December 31,
93 [2011] **2013**, except that the department shall levy and collect this fee for any
94 hazardous waste generated prior to such date and reported to the department.

260.475. 1. Every hazardous waste generator located in Missouri shall
2 pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars
3 per ton annually on all hazardous waste which is discharged, deposited, dumped
4 or placed into or on the soil as a final action, and two dollars per ton on all other
5 hazardous waste transported off site. No fee shall be imposed upon any
6 hazardous waste generator who registers less than ten tons of hazardous waste
7 annually pursuant to section 260.380, or upon:

8 (1) Hazardous waste which must be disposed of as provided by a remedial
9 plan for an abandoned or uncontrolled hazardous waste site;

10 (2) Fly ash waste, bottom ash waste, slag waste and flue gas emission
11 control waste generated primarily from the combustion of coal or other fossil
12 fuels;

13 (3) Solid waste from the extraction, beneficiation and processing of ores
14 and minerals, including phosphate rock and overburden from the mining of
15 uranium ore and smelter slag waste from the processing of materials into
16 reclaimed metals;

17 (4) Cement kiln dust waste;

18 (5) Waste oil; or

19 (6) Hazardous waste that is:

20 (a) Reclaimed or reused for energy and materials;

21 (b) Transformed into new products which are not wastes;

22 (c) Destroyed or treated to render the hazardous waste nonhazardous; or

23 (d) Waste discharged to a publicly owned treatment works.

24 2. The fees imposed in this section shall be reported and paid to the
25 department on an annual basis not later than the first of January. The payment
26 shall be accompanied by a return in such form as the department may prescribe.

27 3. All moneys collected or received by the department pursuant to this
28 section shall be transmitted to the department of revenue for deposit in the state
29 treasury to the credit of the hazardous waste fund created pursuant to section

30 260.391. Following each annual reporting date, the state treasurer shall certify
31 the amount deposited in the fund to the commission.

32 4. If any generator or transporter fails or refuses to pay the fees imposed
33 by this section, or fails or refuses to furnish any information reasonably requested
34 by the department relating to such fees, there shall be imposed, in addition to the
35 fee determined to be owed, a penalty of fifteen percent of the fee shall be
36 deposited in the hazardous waste fund.

37 5. If the fees or any portion of the fees imposed by this section are not
38 paid by the date prescribed for such payment, there shall be imposed interest
39 upon the unpaid amount at the rate of ten percent per annum from the date
40 prescribed for its payment until payment is actually made, all of which shall be
41 deposited in the hazardous waste fund.

42 6. The state treasurer is authorized to deposit all of the moneys in the
43 hazardous waste fund in any of the qualified depositories of the state. All such
44 deposits shall be secured in such a manner and shall be made upon such terms
45 and conditions as are now or may hereafter be provided for by law relative to
46 state deposits. Interest received on such deposits shall be credited to the
47 hazardous waste fund.

48 7. This fee shall expire December 31, [2011] **2013**, except that the
49 department shall levy and collect this fee for any hazardous waste generated
50 prior to such date and reported to the department.

260.965. The provisions of sections 260.900 to 260.965 shall expire August
2 28, [2012] **2017**.

306.109. 1. No person shall possess or use beer bongs or other drinking
2 devices used to consume similar amounts of alcohol on the rivers of this state. As
3 used in this section, the term "beer bong" includes any device that is intended
4 and designed for the rapid consumption or intake of an alcoholic beverage,
5 including but not limited to funnels, tubes, hoses, and modified containers with
6 additional vents.

7 2. No person shall possess or use any large volume alcohol containers that
8 hold more than four gallons of an alcoholic beverage on the rivers of this state.

9 3. [No person shall possess expanded polypropylene coolers on or within
10 fifty feet of any river of this state, except in developed campgrounds, picnic areas,
11 landings, roads and parking lots located within fifty feet of such rivers. This
12 subsection shall not apply to high density bait containers used solely for such
13 purpose.

14 4.] Any person who violates the provisions of this section is guilty of a
15 class A misdemeanor.

16 [5.] 4. The provisions of this section shall not apply to persons on the
17 Mississippi River, Missouri River, or Osage River.

319.130. 1. On or before April 1, 2012, the board of trustees of the
2 petroleum storage tank insurance fund shall hold one or more public
3 hearings to determine whether to create and fund an underground
4 storage tank operator training program. The board shall consider at
5 a minimum:

6 (1) Input from the department of natural resources, the
7 department of agriculture, the board's advisory committee, and affected
8 portions of the private sector;

9 (2) Relevant deadlines, time frames, costs, and benefits,
10 including federal funding consequences for the state's underground
11 storage tank regulatory program if such a training program is not
12 implemented;

13 (3) Training programs already in existence in other states;

14 (4) Training programs already being used by tank owners and
15 operators; and

16 (5) Such other factors as the board deems necessary and prudent.

17 2. If after completing the requirements of subsection 1 of this
18 section, the board decides by majority vote to create and fund an
19 underground storage tank operator training program, the training
20 program shall at a minimum:

21 (1) Satisfy the federal requirements for such a program;

22 (2) Be developed in collaboration with the department of natural
23 resources, the department of agriculture, the board's advisory
24 committee, and affected portions of the private sector;

25 (3) Be offered at no cost to those who are required to participate;

26 (4) Specify standards, reporting, and documentation
27 requirements; and

28 (5) Be established by rule.

29 3. The board may contract with one or more third parties to
30 carry out the requirements of this section.

31 4. At any time after the board creates and funds the underground
32 storage tank operator training program under subsection 2 of this
33 section, the board may, by rule, modify or eliminate the program.

34 5. Any records created or maintained by the board as part of the
35 underground storage tank operator training program created herein
36 shall be public records under chapter 610 and shall be made readily

37 available to the department of natural resources.

38 **6. Any rule or portion of a rule, as that term is defined in section**
39 **536.010, that is created under the authority delegated in this section**
40 **shall become effective only if it complies with and is subject to all of**
41 **the provisions of chapter 536 and, if applicable, section 536.028. This**
42 **section and chapter 536 are nonseverable and if any of the powers**
43 **vested with the general assembly under chapter 536 to review, to delay**
44 **the effective date, or to disapprove and annul a rule are subsequently**
45 **held unconstitutional, then the grant of rulemaking authority and any**
46 **rule proposed or adopted after August 28, 2011, shall be invalid and**
47 **void.**

319.132. 1. The board shall assess a surcharge on all petroleum products
2 within this state which are enumerated by section 414.032. Except as specified
3 by this section, such surcharge shall be administered pursuant to the provisions
4 of subsections 1 to [3] 5 of section 414.102 and subsections 1 and 2 of section
5 414.152. Such surcharge shall be imposed upon such petroleum products within
6 this state and shall be assessed on each transport load, or the equivalent of an
7 average transport load if moved by other means. All revenue generated by the
8 assessment of such surcharges shall be deposited to the credit of the special trust
9 fund known as the petroleum storage tank insurance fund.

10 2. Any person who claims to have paid the surcharge in error may file a
11 claim for a refund with the board within three years of the payment. The claim
12 shall be in writing and signed by the person or the person's legal
13 representative. The board's decision on the claim shall be in writing and may be
14 delivered to the person by first class mail. Any person aggrieved by the board's
15 decision may seek judicial review by bringing an action against the board in the
16 circuit court of Cole County pursuant to section 536.150 no later than sixty days
17 following the date the board's decision was mailed. The department of revenue
18 shall not be a party to such proceeding.

19 3. The board shall assess and annually reassess the financial soundness
20 of the petroleum storage tank insurance fund.

21 4. (1) The board shall set, in a public meeting with an opportunity for
22 public comment, the rate of the surcharge that is to be assessed on each such
23 transport load or equivalent but such rate shall be no more than sixty dollars per
24 transport load or an equivalent thereof. A transport load shall be deemed to be
25 eight thousand gallons.

26 (2) The board may increase or decrease the surcharge, up to a maximum
27 of sixty dollars, only after giving at least sixty days' notice of its intention to alter

28 the surcharge; provided however, the board shall not increase the surcharge by
29 more than fifteen dollars in any year. The board must coordinate its actions with
30 the department of revenue to allow adequate time for implementation of the
31 surcharge change.

32 (3) If the fund's cash balance on the first day of any month exceeds the
33 sum of its liabilities, plus ten percent, the transport load fee shall automatically
34 revert to twenty-five dollars per transport load on the first day of the second
35 month following this event.

36 (4) Moneys generated by this surcharge shall not be used for any purposes
37 other than those outlined in sections 319.129 through 319.133 and section
38 319.138. Nothing in this subdivision shall limit the board's authority to contract
39 with the department of natural resources pursuant to section 319.129 to carry out
40 the purposes of the fund as determined by the board.

41 5. The board shall ensure that the fund retain a balance of at least twelve
42 million dollars but not more than one hundred million dollars. If, at the end of
43 any quarter, the fund balance is above one hundred million dollars, the treasurer
44 shall notify the board thereof. The board shall suspend the collection of fees
45 pursuant to this section beginning on the first day of the first quarter following
46 the receipt of notice. If, at the end of any quarter, the fund balance is below
47 twenty million dollars, the treasurer shall notify the board thereof. The board
48 shall reinstate the collection of fees pursuant to this section beginning on the first
49 day of the first quarter following the receipt of notice.

50 6. Railroad corporations as defined in section 388.010 and airline
51 companies as defined in section 155.010 shall not be subject to the load fee
52 described in this chapter nor permitted to participate in or make claims against
53 the petroleum storage tank insurance fund created in section 319.129.

414.072. 1. At least every six months, the director shall test and inspect
2 the measuring devices used by any person selling an average of two hundred or
3 more gallons of gasoline, gasoline-alcohol blends, diesel fuel, heating oil,
4 kerosene, or aviation turbine fuel per month at either retail or wholesale in this
5 state, except marine installations, which shall be tested and inspected at least
6 once per year.

7 **2. The manufacturer's expiration date on motor fuel pump**
8 **nozzles, hoses, and hose breakaway equipment shall not be the sole**
9 **factor in requiring the repair or replacement of such devices and**
10 **equipment nor in the issuance of any fine, penalty, or punishment by**
11 **the state or any political subdivision. The manufacturer's expiration**
12 **date on motor fuel pump nozzles, hoses, and hose breakaway equipment**

13 **shall not impose any new or additional liability on the state, political**
14 **subdivisions, motor fuel retailers, wholesalers, suppliers, and**
15 **distributors, and the retailers and wholesalers of such devices and**
16 **equipment.**

17 **3.** When the director finds that any measuring device does not correctly
18 and accurately register and measure the monetary cost, if applicable, or the
19 volume sold, he shall require the correction, removal, or discontinuance of the
20 same.

21 **[3.] 4.** Notwithstanding any other law or rule to the contrary, it has been
22 and continues to be the public policy of this state to prohibit gasoline and diesel
23 motor fuel in a retail sale transaction from being dispensed by any measuring
24 device or equipment that is not approved by the department of agriculture or the
25 National Type Evaluation Program (NTEP). **Any automatic volumetric**
26 **correction device for measuring gasoline, gasoline-alcohol blends,**
27 **diesel fuel, and diesel fuel-biodiesel blends sold at retail fueling**
28 **facilities is prohibited by state rule or the automatic adoption or**
29 **incorporation of national standards or rules unless the device is first**
30 **specifically authorized and required by state statute.**

640.116. 1. Any water system that exclusively serves a charitable
2 **or benevolent organization, if the system does not regularly serve an**
3 **average of one hundred persons or more at least sixty days out of the**
4 **year and the system does not serve a school or day-care facility, shall**
5 **be exempt from all rules relating to well construction except any rules**
6 **established under sections 256.600 to 256.640 applying to multifamily**
7 **wells, unless such wells or pump installations for such wells are**
8 **determined to present a threat to groundwater or public health.**

9 **2.** If the system incurs three or more total coliform maximum
10 **contaminant level violations in a twelve-month period or one acute**
11 **maximum contaminant level violation, the system owner shall either**
12 **provide an alternate source of water, eliminate the source of**
13 **contamination, or provide treatment that reliably achieves at least**
14 **ninety-nine and ninety-nine one-hundredths percent treatment of**
15 **viruses.**

16 **3.** Notwithstanding this or any other provision of law to the
17 **contrary, no facility otherwise described in subsection 1 of this section**
18 **shall be required to replace, change, upgrade, or otherwise be**
19 **compelled to alter an existing well constructed prior to August 28, 2011,**
20 **unless such well is determined to present a threat to groundwater or**

21 public health or contains the contaminant levels referred to in
22 subsection 2 of this section.

640.905. 1. If engineering plans, specifications, and designs
2 prepared by a registered professional engineer are submitted to the
3 department of natural resources as part of a permit application or
4 permit modification, the permit application or permit modification
5 shall include a statement that the plans, specifications, and designs
6 were prepared in accordance with the applicable requirements and
7 shall be sealed by the registered professional engineer in accordance
8 with section 327.411, as applicable. The department shall use the
9 complete, sealed engineering plans, specifications, and designs as
10 submitted in addition to permit applications and other relevant
11 information, documents, and materials in developing comments on the
12 engineering submittals and in determining whether to issue or deny
13 permits. The review of documents, plans, specifications, and designs
14 sealed by a registered professional engineer for an applicant shall be
15 conducted by a registered professional engineer or an engineering
16 intern on behalf of the department.

17 2. The department shall designate supervisory registered
18 professional engineers for permitting purposes under this chapter and
19 chapters 260, 278, 319, 444, 643, and 644. Any permit applicant
20 receiving written comments on an engineering submittal may request
21 a determination from the department's supervisory registered
22 professional engineer as to a final disposition of the department's
23 comments regarding engineering submittals in determining a decision
24 on the permit. The department's supervisory engineer shall inform the
25 permit applicant of a preliminary decision within fifteen days after the
26 permit applicant's request for a determination and shall make a final
27 determination within thirty days of such request.

28 3. Nothing in this section shall be construed to require plans or
29 other submittals to the department pursuant to an application to come
30 under a general permit or an application for a site specific permit to
31 be prepared by a registered professional engineer, unless otherwise
32 required under state or federal law.

Section 1. Notwithstanding any other law or rule to the contrary,
2 only the department of natural resources shall set stage 1 and 2 motor
3 fuel vapor recovery fees, including permit and construction fees, which
4 shall be uniform across the state and which shall not be modified,

5 **expanded, or increased by political subdivisions or local enforcement**
6 **agencies.**

Section B. Because immediate action is necessary to maintain regulatory
2 oversight by the state of Missouri, the repeal and reenactment of sections
3 253.090, 260.262, 260.380, and 260.475, of section A of this act are deemed
4 necessary for the immediate preservation of the public health, welfare, peace, and
5 safety, and are hereby declared to be an emergency act within the meaning of the
6 constitution, and the repeal and reenactment of sections 253.090, 260.262,
7 260.380, and 260.475 of section A of this act shall be in full force and effect upon
8 its passage and approval.

Unofficial

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Bill

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