

# SENATE BILL NO. 908

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

4185S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of certain waste.

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

Section A. Chapter 260, RSMo, is amended by adding thereto  
2 one new section, to be known as section 260.256, to read as  
3 follows:

260.256. 1. For purposes of this section, the  
2 following terms mean:

3 (1) "Animal processing residuals", an incidental  
4 organic material generated by processing agricultural  
5 commodities for human or animal consumption, including food  
6 residuals, food co-products, food processing wastes, food  
7 processing sludge, or any other incidental material that is  
8 derived from processing agricultural products;

9 (2) "Viable soil amendment", any substance that is  
10 intended to change the chemical or physical characteristics  
11 of soil.

12 2. Any earthen basin or lagoon containing food waste,  
13 food and vegetable processing wastes, process wastewater,  
14 dissolved air flotation skimmings, grease trap water,  
15 sludge, wastewater lagoon residuals, or any other solid  
16 waste originating from any commercial or industrial source  
17 shall be considered a solid waste processing facility and

18 shall be subject to the permitting and waste disposal  
19 requirements under chapter 260.

20 3. Any earthen basin or lagoon containing only animal  
21 processing residuals originating from an agricultural source  
22 shall not be considered a solid waste processing facility  
23 and shall not be subject to the permitting and waste  
24 disposal requirements under chapter 260, provided that the  
25 animal processing residuals have sufficient nutrient content  
26 to be used as a viable soil amendment.

27 4. The department of natural resources shall  
28 promulgate rules to establish values for determining  
29 sufficient nutrient value for particular animal processing  
30 residuals and set forth methodology to be used to determine  
31 whether such animal processing residuals stored in an  
32 earthen basin or lagoon contain sufficient nutrient value to  
33 be used as a viable soil amendment. Any rule or portion of  
34 a rule, as that term is defined in section 536.010, that is  
35 created under the authority delegated in this section shall  
36 become effective only if it complies with and is subject to  
37 all of the provisions of chapter 536 and, if applicable,  
38 section 536.028. This section and chapter 536 are  
39 nonseverable and if any of the powers vested with the  
40 general assembly pursuant to chapter 536 to review, to delay  
41 the effective date, or to disapprove and annul a rule are  
42 subsequently held unconstitutional, then the grant of  
43 rulemaking authority and any rule proposed or adopted after  
44 August 28, 2024, shall be invalid and void.

45 5. Any animal processing residuals meeting the  
46 criteria under subsection 4 of this section shall be land  
47 applied as a viable soil amendment consistent with all  
48 applicable land application rules established by the  
49 Missouri clean water commission.

50           6. Any animal processing residuals not meeting the  
51 criteria under subsection 4 of this section shall not be  
52 land applied as a viable soil amendment and shall be subject  
53 to all applicable permitting and waste disposal requirements  
54 under chapter 260.

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