

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 142**  
98TH GENERAL ASSEMBLY

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Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, February 19, 2015, with recommendation that the Senate Committee Substitute do pass.

0782S.04C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

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

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be known as section 640.090, to read as follows:

**640.090. 1. In developing state implementation plans, state plans, rules, or regulations for submission to the United States Environmental Protection Agency based on promulgated rules or regulations under the federal Clean Water Act, as amended (33 U.S.C. Section 1251, et seq.) or the federal Clean Air Act, as amended (42 U.S.C. Section 7401, et seq.), the department, and its respective commissions, shall prepare an implementation impact report and submit the report in addition to the proposed state implementation plan, state plan, rule, or regulation to the governor, the president pro tempore of the senate, and the speaker of the house of representatives one calendar month prior to submission to the Environmental Protection Agency. The department shall also post the implementation impact report and the proposed state implementation plan, state plan, rule, or regulation on its departmental website one calendar month prior to submission to the Environmental Protection Agency.**

**2. The implementation impact report shall include the following criteria:**

**(1) The economic impact the plan, rule, or regulation will have on businesses and citizens in the state, including any disproportionate impact it will have on lower income populations, and any job losses or**

- 21 gains that are anticipated as a result of the plan, rule, or regulation;
- 22       (2) The existence and cost efficiency of any technology that may  
23 be needed to achieve the reduction goal and whether the reduction  
24 goals are achievable within the allotted time frame;
- 25       (3) Whether the plan, rule, or regulation achieves reduction goals  
26 at a sustainable cost;
- 27       (4) The remaining useful life of any emitting structure affected  
28 by the plan;
- 29       (5) Any existing depreciation schedules of an emitting structure  
30 that will be forced into early retirement due to implementation of the  
31 plan;
- 32       (6) Any policy options for the adoption of less stringent  
33 standards or longer compliance schedules;
- 34       (7) The unique policies, energy needs, resource mix, and  
35 economic priorities of Missouri;
- 36       (8) The potential impact on taxes and the general revenue of the  
37 state;
- 38       (9) The potential impact on citizen health, including any  
39 evidence that the pollutant contributes to health problems based upon  
40 peer-reviewed scientific evidence;
- 41       (10) Options, to the maximum extent allowable, that provide  
42 flexibility in achieving reduction goals, including the averaging of  
43 emissions or any other alternative implementation measure that may  
44 further the interests of Missouri's citizens;
- 45       (11) A cost-benefit analysis of how the plan, rule, or regulation  
46 affects the economic well-being of the state, as well as the projected  
47 cost or benefits to any industry affected by the plan, rule, or regulation,  
48 and projected costs or benefits to consumers and citizens.

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