

FIRST REGULAR SESSION

SENATE BILL NO. 220

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR McKENNA.

Pre-filed January 2, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1117S.02I

AN ACT

To repeal section 260.225, RSMo, and to enact in lieu thereof one new section relating to construction and demolition waste reduction.

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

Section A. Section 260.225, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 260.225, to read as follows:

260.225. 1. The department shall administer sections 260.200 to 260.345
2 to maximize the amount of recovered materials and to minimize disposal of solid
3 waste in sanitary landfills. The department shall, through its rules and
4 regulations, policies and programs, encourage to the maximum extent practical,
5 the use of alternatives to disposal. To accomplish these objectives, the
6 department shall:

7 (1) Administer the state solid waste management program pursuant to the
8 provisions of sections 260.200 to 260.345;

9 (2) Cooperate with appropriate federal, state, and local units of
10 government of this or any other state, and with appropriate private organizations
11 in carrying out its authority under sections 260.200 to 260.345;

12 (3) Promulgate and adopt, after public hearing, such rules and regulations
13 relating to solid waste management systems as shall be necessary to carry out the
14 purposes and provisions of sections 260.200 to 260.345;

15 (4) Develop a statewide solid waste management plan in cooperation with
16 local governments, regional planning commissions, districts, and appropriate
17 state agencies;

18 (5) Provide technical assistance to cities, counties, districts, and
19 authorities;

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

20 (6) Develop and conduct a mandatory solid waste technician training
21 course of study;

22 (7) Conduct and contract for research and investigations in the overall
23 area of solid waste storage, collection, recycling, recovery, processing,
24 transportation and disposal, including, but not limited to, new and novel
25 procedures;

26 (8) Subject to appropriation by the general assembly, establish criteria for
27 awarding state-funded solid waste management planning grants to cities,
28 counties, and districts, allocate funds, and monitor the proper expenditure of
29 funds;

30 (9) **Subject to appropriation by the general assembly, establish**
31 **criteria for awarding state-funded construction and demolition waste**
32 **reduction grants, as well as allocate and monitor the expenditure of**
33 **funds for such grants;**

34 (10) Issue such permits and orders and conduct such inspections as may
35 be necessary to implement the provisions of sections 260.200 to 260.345 and the
36 rules and regulations adopted pursuant to sections 260.200 to 260.345;

37 [(10)] (11) Initiate, conduct and support research, demonstration
38 projects, and investigations with applicable federal programs pertaining to solid
39 waste management systems;

40 [(11)] (12) Contract with cities, counties, districts and other persons to
41 act as its agent in carrying out the provisions of sections 260.200 to 260.345
42 under procedures and conditions as the department shall prescribe.

43 2. The department shall prepare model solid waste management plans
44 suitable for rural and urban areas which may be used by districts, counties and
45 cities. In preparing the model plans, the department shall consider the findings
46 and recommendations of the study of resource recovery conducted pursuant to
47 section 260.038, and other relevant information. The plans shall conform with
48 the requirements of section 260.220 and section 260.325 and shall:

49 (1) Emphasize waste reduction and recycling;

50 (2) Provide for economical waste management through regional
51 cooperation;

52 (3) Be designed to achieve a reduction of forty percent in solid waste
53 disposed, by weight, by January 1, 1998;

54 (4) Establish a means to measure the amount of reduction in solid waste
55 disposal;

56 (5) Provide for the elimination of small quantities of hazardous waste,
57 including household hazardous waste, from the solid waste stream; and

58 (6) Be designed to guide planning in districts, cities and counties
59 including cities and counties not within a district.

60 3. The model plan shall be distributed to the executive board of each solid
61 waste district and to counties and cities not within a district by December 1,
62 1991.

63 4. No rule or portion of a rule promulgated under the authority of sections
64 260.200 to 260.345 shall become effective unless it has been promulgated
65 pursuant to the provisions of section 536.024, RSMo.

66 5. In coordination with other appropriate state agencies, including, but
67 not limited to, the division of commerce and industrial development, the office of
68 administration, the environmental improvement and energy resource authority,
69 and the public service commission, the department shall perform the following
70 duties in order to promote resource recovery in the state in ways which are
71 economically feasible:

72 (1) Identify markets for recovered materials and for energy which could
73 be produced from solid waste and household hazardous waste;

74 (2) Provide technical assistance pertaining to all aspects of resource
75 recovery to cities, counties, districts, industries and other persons;

76 (3) Identify opportunities for resource recovery programs in state
77 government and initiate actions to implement such programs;

78 (4) Expand state contracts for procurement of items made from recovered
79 materials;

80 (5) Initiate recycling programs within state government;

81 (6) Provide a clearinghouse of consumer information regarding the need
82 to support resource recovery, utilize and develop new resource recovery programs
83 around existing enterprises, request and purchase recycled products, participate
84 in resource conservation activities and other relevant issues;

85 (7) Identify barriers to resource recovery and resource conservation, and
86 propose remedies to these barriers; and

87 (8) Initiate activities with appropriate state and local entities to develop
88 markets for recovered materials.