

FIRST REGULAR SESSION

SENATE BILL NO. 118

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Pre-filed December 11, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0586S.01I

AN ACT

To repeal section 260.225, RSMo, and to enact in lieu thereof one new section relating to solid waste management.

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Section A. Section 260.225, RSMo, is repealed and one new section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 **next generation** statewide solid waste management plan
16 in cooperation with local governments, regional planning commissions, districts,
17 and appropriate state agencies;

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

20 (6) Develop and conduct a mandatory solid waste technician training

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

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 **next generation** solid waste management planning
28 grants to cities, counties, and districts, allocate funds, and monitor the proper
29 expenditure of funds;

30 (9) Issue such permits and orders and conduct such inspections as may
31 be necessary to implement the provisions of sections 260.200 to 260.345 and the
32 rules and regulations adopted pursuant to sections 260.200 to 260.345;

33 (10) Initiate, conduct and support research, demonstration projects, and
34 investigations with applicable federal programs pertaining to **next generation**
35 solid waste management systems;

36 (11) Contract with cities, counties, districts and other persons to act as
37 its agent in carrying out the provisions of sections 260.200 to 260.345 under
38 procedures and conditions as the department shall prescribe.

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

46 (1) Emphasize waste reduction and recycling;

47 (2) Provide for economical waste management through regional
48 cooperation;

49 (3) Be designed to achieve a reduction of forty percent in solid waste
50 disposed, by weight, by January 1, 1998, **an additional ten percent by**
51 **January 1, 2012, an additional five percent by January 1, 2015, and an**
52 **additional five percent by January 1, 2018;**

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

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

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

59 3. The model **next generation** plan shall be distributed to the executive
60 board of each solid waste district and to counties and cities not within a district
61 by December 1, [1991] **2010**.

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

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

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

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

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

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

79 (5) Initiate recycling programs within state government;

80 (6) Provide a clearinghouse of consumer information regarding the need
81 to support resource recovery, utilize and develop [new] **next generation**
82 resource recovery programs around existing enterprises, request and purchase
83 recycled products, participate in resource conservation activities and other
84 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.

89 **6. As used in this section, the term "next generation" shall refer**
90 **to any method or technology expected or intended to supercede**
91 **present-day methods or technology.**