

FIRST REGULAR SESSION

# SENATE BILL NO. 142

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROMINE.

Pre-filed December 9, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0782S.02I

## AN ACT

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

*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  
2 section, to be known as section 640.090, to read as follows:

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

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

**(1) The economic impact the plan will have on businesses and  
19 citizens in the state, including any disproportionate impact it will have  
20 on lower income populations, any job losses that are anticipated as a  
21 result of the plan, other state implementation plans for which an**

22 industry has already been financially affected, the existence and cost  
23 efficiency of any technology that may be needed to achieve the  
24 reduction goal, whether the reduction goals are achievable within the  
25 allotted time frame, whether the plan achieves reduction goals at a  
26 sustainable cost, the remaining useful life of any emitting structure,  
27 any policy options for the adoption of less stringent standards or longer  
28 compliance schedules, the unique policies, energy needs, resource mix,  
29 and economic priorities of Missouri, the potential impact on taxpayers,  
30 whether the reduction will solve an actual health problem as based  
31 upon peer-reviewed scientific evidence, and whether the reduced  
32 pollutant is a significant variable in solving the actual health problem;

33 (2) Options, to the maximum extent allowable, that provide  
34 flexibility in achieving reduction goals, including the averaging of  
35 emissions or any other alternative implementation measure that may  
36 further the interests of Missouri's citizens;

37 (3) A cost-benefit analysis of how the plan affects the economic  
38 well-being of the state, as well as the projected cost to any industry  
39 affected by the plan, and projected costs to consumers and citizens.

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