

SECOND REGULAR SESSION

# HOUSE BILL NO. 1645

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHWADRON.

3322H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 260.243, RSMo, and to enact in lieu thereof one new section relating to solid waste management.

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

Section A. Section 260.243, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 260.243, to read as follows:

260.243. **1. For facilities permitted before August 28, 2022**, the department of natural resources shall not issue a permit to an applicant for a commercial solid waste processing facility designed to incinerate solid waste in any county unless such facility meets the conditions established in this section. For the purposes of this section, a commercial solid waste processing facility is a facility designed to incinerate waste which accepts solid waste for a fee regardless of where such waste is generated. Any commercial solid waste processing facility which incinerates solid waste shall be located so as to provide a health and safety buffer zone to protect citizens living or working nearby. The size of the buffer zone shall be determined by the department but shall extend at least fifty feet from a facility located in a nonresidential area in a city not within a county or at least three hundred feet from a facility located elsewhere. The department shall consider the proximity of schools, businesses and houses, the prevailing winds and other factors which it deems relevant when establishing the buffer zone. Any facility located within a city not within a county shall be required to strictly adhere to the terms, conditions and provisions of its permit.

**2. (1) As used in this subsection, "commercial solid waste processing facility" has the same definition as a solid waste processing facility in section 260.200.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **(2) For any facility permitted on or after August 28, 2022, the department of**  
18 **natural resources shall not issue a permit to an applicant for a commercial solid waste**  
19 **processing facility in any county with a charter form of government unless such facility**  
20 **meets the conditions established in this subsection. Any commercial solid waste**  
21 **processing facility shall provide a buffer zone determined by the department that shall**  
22 **extend at least one thousand feet from a facility located in a residential area. The**  
23 **department shall consider the proximity of schools, businesses, and houses when**  
24 **establishing the buffer zone.**

25           **(3) This subdivision shall not apply to any permit renewal, modifications, or**  
26 **amendments to any facility originally permitted as provided in subsection 1 of this**  
27 **section.**

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