

SECOND REGULAR SESSION

HOUSE BILL NO. 2490

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

6263H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 640 and 644, RSMo, by adding thereto two new sections relating to water quality.

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

Section A. Chapters 640 and 644, RSMo, are amended by adding thereto two new sections, to be known as sections 640.450 and 644.300, to read as follows:

640.450. 1. The department of natural resources shall adopt rules establishing a voluntary water pollutant trading program available to both point and nonpoint sources discharging to surface waters. This voluntary program shall offer flexibility to the fullest extent permitted under federal law.

2. The department shall develop a procedure to facilitate water pollutant trading consistent with National Pollutant Discharge Elimination System (NPDES) requirements. For point sources, all trading shall be addressed in NPDES permits. For nonpoint sources, the department of natural resources shall work cooperatively with the department of agriculture to develop a certification program for nonpoint source generated credits to be used by nonpoint sources and within the NPDES program.

3. The department of natural resources may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

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.

18 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
19 **after August 28, 2016, shall be invalid and void.**

2 **644.300. All wastewater treatment facilities with a design flow of twenty-two**
3 **thousand five hundred gallons per day or less shall be exempt from all antidegradation**
4 **review requirements.**

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