

# Rules Update-SWMP

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July 16, 2018

# Rulemaking Initiatives

- Red Tape Reduction
  - Result of Executive Order 17-03
  - All RTR Rules were required to be filed by the department by June 30, 2018
  - Governor Parson extended the deadline to Sept 30<sup>th</sup>.
  - **Goal is to reduce unnecessary regulations.**
- Coal Combustion Residuals
  - Result of the promulgation of 40 CFR 257
  - The department plans to file CCR Rules by Dec. 31, 2018

# Summary of Rule Actions

- 20 rules in process
- RTR: Nine rescissions and eight amendments
- CCR: One rescind and readopt, two new rules

# List of Rules in Development

Title	Rule Action Type	Project
10 CSR 80-1.010 - General Organization	Rescission	RTR
10 CSR 80-2.010 - Definitions	Amendment	RTR/CCR
10 CSR 80-2.050 - Suspension of Permits	Rescission	RTR
10 CSR 80-2.060 - Certified Solid Waste Technician	Rescission	RTR
10 CSR 80-2.070 - Violation History	Rescission	RTR
10 CSR 80-3.010 - Sanitary Landfill- Design and Operation	Amendment	RTR
10 CSR 80-4.010 -Demolition Landfill-Design and Operation	Rescission	RTR
10 CSR 80-6.010 - Local Solid Waste Management	Recission	RTR
10 CSR 80-7.010 -Infectious Waste Management	Amendment	RTR
10 CSR 80-8.020 - Scrap Tire Collection Centers	Amendment	RTR
10 CSR 80-8.030 - Scrap Tire Hauler Permits	Amendment	RTR
10 CSR 80-8.050 - Scrap Tire Processing Facility Permits	Amendment	RTR
10 CSR 80-8.060 - Scrap Tire End-User Facility Registrations	Rescission	RTR
10 CSR 80-9.030 - Scrap Tire Grants	Amendment	RTR
10 CSR 80-9.035 - Scrap Tire Clean-Up Contracts	Amendment	RTR
10 CSR 80-9.040 - Solid Waste Management Fund - Financial Assistance for Waste Reduction and Recycling Projects	Rescission	RTR
10 CSR 80-10.040 - Target Recycled Content Newsprint	Rescission	RTR
10 CSR 80-11.010 - Utility Waste Landfill-Design and Operation	Rescind and Readopt	CCR
10 CSR 80-12.010 CCR Surface Impoundment	New Rule	CCR

# RTR Rescissions

Title	Rule Action Type	Project
10 CSR 80-1.010 - General Organization	Rescission	RTR
10 CSR 80-2.050 - Suspension of Permits	Rescission	RTR
10 CSR 80-2.060 - Certified Solid Waste Technician	Rescission	RTR
10 CSR 80-2.070 - Violation History	Rescission	RTR
10 CSR 80-4.010 - Demolition Landfill-Design and Operation	Rescission	RTR
10 CSR 80-6.010 - Local Solid Waste Management	Rescission	RTR
10 CSR 80-8.060 - Scrap Tire End-User Facility Registrations	Rescission	RTR
10 CSR 80-9.040 - Solid Waste Management Fund - Financial Assistance for Waste Reduction and Recycling Projects	Rescission	RTR
10 CSR 80-10.040 - Target Recycled Content Newsprint	Rescission	RTR

# RTR Rescissions

10 CSR 80-1.010 General Organization- the Department is developing one general organizational rule for all programs.

Order of Rulemaking is Filed

# RTR Rescissions

10 CSR 80-2.050 - Suspension of Permits-  
This rule is duplicative of Section  
260.205.16, RSMo, which authorizes the  
Department to suspend solid waste permits.  
Order of Rulemaking is Filed

# RTR Rescissions

10 CSR 80-2.060-Certified Solid Waste Technician-The relevance of the landfill certified operator training rule is diminishing over time as landfill operators have an ever-growing variety of state and federal training courses available.

Order of Rulemaking is Filed



# RTR Rescissions

10 CSR 80-2.070 - Violation History-There is no federal requirement for this regulation and its effectiveness and purpose has diminished over time.

Order of Rulemaking is Filed

# RTR Rescissions

10 CSR 80-4.010 -Demolition Landfill-  
Design and Operation- This rule is being  
incorporated into 10 CSR 80-3.010.

Proposed Rulemaking to be published  
August 1, 2018.

# RTR Rescissions

10 CSR 80-6.010 - Local Solid Waste Management-This rule describes the requirements for the submittal of a solid waste management plan for cities and counties. It clarifies the Department's requirements for solid waste plans for cities and counties as well as the components of the processes and criteria required to ensure adequate solid waste planning by cities and counties. This requirement is also found in section 260.220 RSMo.

Proposed Rulemaking published July 15, 2018

# RTR Rescissions

## 10 CSR 80-8.060 - Scrap Tire End-User Facility

Registrations-Department experience has shown that scrap tire end user facilities have minimal impact on human health and the environment. The Department plans to move the statutorily applicable record keeping requirements to 10 CSR 80-8.020 and rescind the remaining obsolete and unnecessary requirements contained in 10 CSR 80-8.060.

Order of Rulemaking is filed.

# RTR Rescissions

10 CSR 80-9.040 - Solid Waste Management Fund - Financial Assistance for Waste Reduction and Recycling Projects-SB225 (2005) rescinded the statutory language authorizing the Waste Reduction and Recycling Projects grants and loans program.

Order of Rulemaking is filed.

# RTR Rescissions

10 CSR 80-10.040 - Target Recycled Content Newsprint-This rule is no longer necessary due to the enactment of HB1251 in 2012 which repealed Section 260.255, RSMo.

Order of Rulemaking is filed.

# RTR Amendments

Title	Rule Action Type	Project
10 CSR 80-2.010 - Definitions	Amendment	RTR/CCR
10 CSR 80-3.010 - Sanitary Landfill- Design and Operation	Amendment	RTR
10 CSR 80-7.010 Infectious Waste Management	Amendment	RTR
10 CSR 80-8.020 - Scrap Tire Collection Centers	Amendment	RTR
10 CSR 80-8.030 - Scrap Tire Hauler Permits	Amendment	RTR
10 CSR 80-8.050 - Scrap Tire Processing Facility Permits	Amendment	RTR
10 CSR 80-9.030 - Scrap Tire Grants	Amendment	RTR
10 CSR 80-9.035 - Scrap Tire Clean-Up Contracts	Amendment	RTR

# RTR Amendments

10 CSR 80-2.010 – Definitions- We are updating the definitions to reflect needed terms for the CCR Rules and to update our language.

Plan to file the proposed rulemaking  
September 16, 2018.



# RTR Amendments

10 CSR 80-3.010 - Sanitary Landfill- Design and Operation-The Solid Waste Management Program plans to amend this regulation in an effort to update, streamline, and reduce the regulatory burden of the regulations. The SWMP is proposing to combine 10 CSR 80-3.010 Sanitary Landfill and 10 CSR 80-4.010 Demolition Landfill.

Proposed rulemaking to be published August 1, 2018

# RTR Amendments

10 CSR 80-7.010 -Infectious Waste Management-The amendment to this rule will reduce burden on the regulated entities and remove duplicative language. The amendment also removes the language that infectious waste processing facilities keep track of, and pay an increased fee for infectious waste generated more than three hundred miles away from the facility.

Proposed rulemaking published July 15, 2018

# RTR Amendments

10 CSR 80-8.020 - Scrap Tire Collection Centers-This proposed amendment contains the requirements for scrap tire collection centers and regulated end-users. The amendments to this rule will amend the rule title, reduce burden on the regulated entities, and remove duplicative language.

Proposed rulemaking published July 15, 2018

# RTR Amendments

10 CSR 80-8.030 - Scrap Tire Hauler Permits-The amendments to this rule will reduce the regulatory burden for scrap tire haulers by removing bonding requirements, specific record keeping form requirements, and required monthly submittal of forms to the Department.

Proposed rulemaking published July 15, 2018

# RTR Amendments

10 CSR 80-8.050 - Scrap Tire Processing Facility Permits-This proposed amendment contains the requirements for scrap tire processing facility permits. It clarifies the Department's oversight of this program, maintains consistency with permitted facilities and promotes a level playing field for all facilities. The amendments to this rule will amend the rule title and streamline the rule.

Proposed rulemaking published July 15, 2018

# RTR Amendments

10 CSR 80-9.030 - Scrap Tire Grants- This proposed amendment describes the implementation of the scrap tire grant program authorized in RSMo 260.273.5 and 260.273.6. It clarifies the Department's oversight of this program as well as the components of the processes and criteria required to ensure adequate grant performance and accountability. The amendments to this rule will be updating the rule to reflect the changes in statute, current practices and removing administrative language.

Proposed rulemaking published July 1, 2018

# RTR Amendments

10 CSR 80-9.035 - Scrap Tire Clean-Up Contracts-This proposed amendment describes the implementation of the scrap tire cleanup program authorized in RSMo 260.273.5 and 260.273.6. It clarifies the department's oversight of this program as well as the components of the processes and criteria required to ensure adequate contract performance and accountability. The amendments to this rule will be updating the rule to reflect the changes in statute, current practices and removing administrative language.

Proposed rulemaking published July 1, 2018

# CCR Rules

- 10 CSR 80-11.010- Utility Waste will become CCR Landfills
- 10 CSR 80-12.010 New CCR Impoundment Rule
- 10 CSR 80-2.090 CCR Fees



# CCR Rules

- Must be filed by December 31, 2018 to comply with Senate Bill 917
- Department plans to complete this rulemaking while continuing to engage the EPA regarding state flexibilities. An amendment in the future may be necessary to secure a federally approved state CCR Program.

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# Next Steps

- **Public Hearings August 21<sup>st</sup> and September 18<sup>th</sup>.**
- **10 CSR 80-9.050 Solid Waste Management Fund—District Grants**
- **10 CSR 80-5.010 Design and Operation Processing Facilities**

# Questions?

