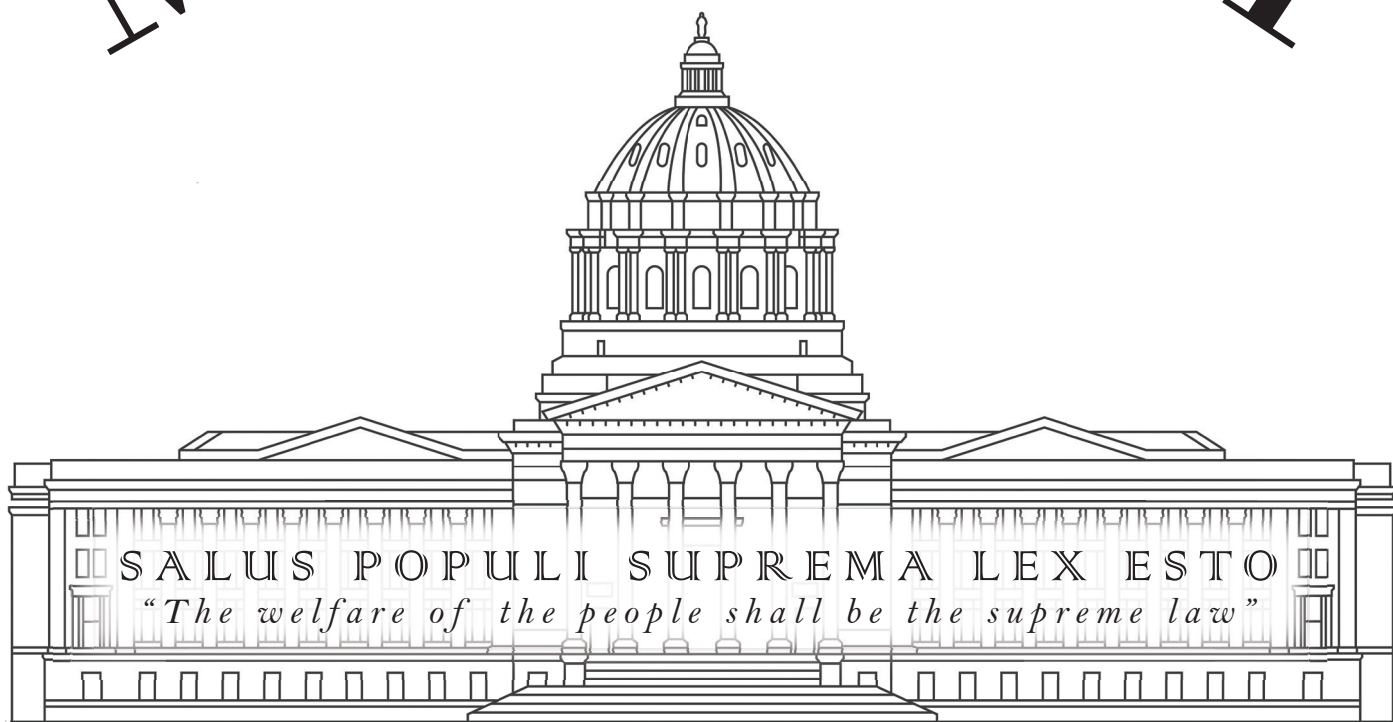


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August 15, 2024

MISSOURI



REGISTER

John R. Ashcroft  Secretary of State

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MISSOURI



REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title	CSR	Division	Chapter	Rule
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

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These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 3 – Hazardous Waste Management
System: General

PROPOSED AMENDMENT

10 CSR 25-3.260 Definitions, Modifications to Incorporations, and Confidential Business Information. The commission is amending sections (1)–(3).

PURPOSE: This proposed amendment updates the defining terms used in 10 CSR 25 and the federal delisting procedures.

(1) The regulations set forth in 40 CFR part 260, July [1]3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent

of Documents, Pittsburgh, PA 15250-7954, [and the changes made at 78 FR 0, July 31, 2013,] are incorporated by reference, [except for the changes made at 70 FR 53453, September 8, 2005,] subject to the following additions, modifications, substitutions, or deletions. This rule does not incorporate any subsequent amendments or additions.

(A) Except where otherwise noted in sections (2) and (3) of this rule or elsewhere in 10 CSR 25, any federal agency, administrator, regulation, or statute that is referenced in 40 CFR parts 260–270, 273, and 279, and incorporated by reference in 10 CSR 25, shall be deleted and in its place add the comparable state department, director, rule, or statute. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

1. "Director" is substituted for "Administrator" or "Regional Administrator" except where those terms are defined in 40 CFR 260.10 incorporated in this rule and where otherwise indicated in 10 CSR 25.

2. "Missouri Department of Natural Resources" is substituted for "EPA," "U.S. EPA," or "U.S. Environmental Protection Agency" except where those terms appear in definitions in 40 CFR 260.10 incorporated in this rule and where otherwise indicated in 10 CSR 25.

3. "Section 260.395.15, RSMo[,] is substituted for "Section 3005(e) of RCRA."

4. "Sections 260.375(9), 260.380.1(9), 260.385(7), and 260.390(7), RSMo[,] is substituted for "Section 3007 of RCRA."

5. "Sections 260.410 and 260.425, RSMo[,] is substituted for "Section 3008 of RCRA."

6. "10 CSR 25-3.260" is substituted for any reference to 40 CFR part 260.

7. "10 CSR 25-4.261" is substituted for any reference to 40 CFR part 261.

8. "10 CSR 25-5.262" is substituted for any reference to 40 CFR part 262.

9. "10 CSR 25-6.263" is substituted for any reference to 40 CFR part 263.

10. "10 CSR 25-7.264" is substituted for any reference to 40 CFR part 264.

11. "10 CSR 25-7.265" is substituted for any reference to 40 CFR part 265.

12. "10 CSR 25-7.266" is substituted for any reference to 40 CFR part 266.

13. "10 CSR 25-7.268" is substituted for any reference to 40 CFR part 268.

14. "10 CSR 25-7.270" is substituted for any reference to 40 CFR part 270.

15. "10 CSR 25-8.124" is substituted for any reference to 40 CFR part 124.

16. "10 CSR 25-11.279" is substituted for any reference to 40 CFR part 279.

17. "10 CSR 25-16.273" is substituted for any reference to 40 CFR part 273.

18. "Sections 260.350–260.43/4/3, RSMo" is substituted for "Subtitle C of RCRA [Act]," or "RCRA," except where those terms are defined in 40 CFR 260.10, incorporated in this rule.

19. "Section 260.380.1(1), RSMo" is substituted for "Section 3010 of RCRA."

20. "Section 260.420, RSMo" is substituted for "Section 7003 of RCRA."

21. "Waste within the meaning of section 260.360(2[1]2), RSMo[,] is substituted for "solid waste within the meaning of section 1004(27) of RCRA." Residual materials specified as wastes under section 260.360(2[1]2), RSMo, means any *spent materials, sludges, by-products, commercial chemical products,*

or scrap metal that are] solid wastes under 40 CFR 261.2, as incorporated in 10 CSR 25-4.261.

22. “Section 260.360(9), RSMo[,]” is substituted for “Section 1004(5) of RCRA.”

23. “Chapter 610, RSMo, sections 260.430 and 260.550, RSMo, 10 CSR 25-3.260[(1)(B)](2)(A), and 10 CSR 25-7.270(2)(B)” is substituted for any reference to the Federal Freedom of Information Act (5 U.S.C. 552(a) and (b)), 40 CFR part 2, or Section 3007(b) of RCRA.

24. All quantities of solid waste which are defined as hazardous waste pursuant to 10 CSR 25-4 are hazardous waste and are regulated under sections 260.350–260.43[4]3, RSMo, and 10 CSR 25. A person shall manage all hazardous waste [which] that is not subject to requirements in 10 CSR 25 in accordance with subsection 260.380.3, RSMo. [When a person accumulates one hundred kilograms (100 kg) of nonacute hazardous waste or one kilogram (1 kg) of acutely hazardous waste or the aggregate of one hundred kilograms (100 kg) of acute and nonacute hazardous waste, whichever first occurs, that person is subject to the provisions in 10 CSR 25. This provision is in addition to the calendar-month generation provisions in 40 CFR 261.5 which are incorporated by reference and modified in 10 CSR 25-4.261(2)(A).]

25. The term variance in 10 CSR 25 means an action of the commission pursuant to section 260.405, RSMo. In any case where a federal rule that is incorporated by reference in 10 CSR 25 uses the term variance but the case-by-case decision or action of the department or commission does not meet the description of a variance pursuant to section 260.405, RSMo, the decision or action will be considered an exception or exemption based on the conditions set forth in the federal regulation incorporated by reference or the omission from regulation.

[26. The rules of grammatical construction in 40 CFR 260.3 incorporated by reference in this rule also apply to the incorporated text of 40 CFR parts 266 and 270 and to 10 CSR 25.]

(2) This section sets forth specific modifications to the regulations incorporated in section (1) of this rule. (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section. For example, changes to 40 CFR part 260 subpart A will be located in subsection (2)(A) of this rule.)

(A) The following are changes to 40 CFR part 260 subpart A incorporated in this rule:

1. Confidential business information and availability of information. 40 CFR 260.2 is not incorporated in this rule. In lieu of those provisions, the following applies to confidential business information and the availability of information:

A. Any information provided to the department under 10 CSR 25 will be made available to the extent and in the manner authorized by Chapter 610, RSMo, sections 260.430 and 260.550, RSMo, [subsection (1)(B)] and 10 CSR 25-7.270(2)(B)2. as applicable; and

B. Any person who submits information to the department in accordance with 10 CSR 25 may assert a claim of business confidentiality covering a part or all of that information by including a letter with the information [which] that requests protection of specific information from disclosure. Information covered by this claim will be disclosed by the department to the extent and by means of the procedures set forth in Chapter 610, RSMo. However, if no claim accompanies the information when it is received by the department, the information may be made available to the

public without further notice to the person submitting it. The department will respond to requests for protection of business information within twenty (20) business days.

(B) Definitions. (Reserved)

(C) 40 CFR part 260 subpart C, Rulemaking Petitions[, is not incorporated in this rule. Not more than sixty (60) days after promulgation of the final federal determination, the department shall approve or disapprove all delistings granted under 40 CFR 260.20 or 40 CFR 260.22. If the department fails to take action within that sixty- (60-) day time frame, the delistings shall be deemed approved].

1. General. (Reserved)

2. Petitions for equivalent testing or analytical methods. 40 CFR 260.21 is not incorporated by reference.

3. Petitions to amend part 261 to exclude a waste produced at a particular facility. 40 CFR 260.22 is not incorporated by reference.

4. Petitions to amend 40 CFR part 273 to include additional hazardous wastes. (Reserved)

5. Non-waste determinations and variances from classification as a solid waste. 40 CFR 260.30 is not incorporated by reference.

6. Standards and criteria for variances from classification as a solid waste. 40 CFR 260.31 is not incorporated by reference.

7. Variances to be classified as a boiler. 40 CFR 260.32 is not incorporated by reference.

8. Procedures for variances from classification as a solid waste, for variances to be classified as a boiler, or for non-waste determinations. 40 CFR 260.33 is not incorporated by reference.

9. Standards and criteria for non-waste determinations. 40 CFR 260.34 is not incorporated by reference.

(3) Missouri Specific Definitions. Definitions of terms used in 10 CSR 25. This section sets forth definitions which modify or add to those definitions in 40 CFR parts 60, 260–270, 273, and 279 and 49 CFR parts 40, 171–180, 383, 387, and 390–397.

(A) Definitions beginning with the letter A.

1. Abandoned or uncontrolled means any property where hazardous waste has been disposed of illegally or where hazardous waste was disposed of prior to regulation under sections 260.350–260.43[4]3, RSMo.

2. Attenuation means any physical, chemical, or biological reaction, or a combination of both, transformation occurring in the zone of aeration or zone of saturation that brings about a temporary or permanent decrease in the maximum concentration or total quantity of an applied chemical or biological constituent in a fixed time or distance traveled.

(F) Definitions beginning with the letter F.

1. Farmer means a person primarily engaged in the production of crops, [or] livestock, or both, for agricultural purposes[, or both].

(H) Definitions beginning with the letter H.

1. Hazardous waste means any waste or combination of wastes as defined by or listed in 10 CSR 25-4[, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a threat to the health of humans or other living organisms] and section 260.360(11), RSMo.

2. Hazardous waste transporter means any person or company conducting activities in Missouri [which] that require a hazardous waste transporter license pursuant to 10 CSR 25-6.263. These activities may include[,] but are not limited to[,]

transportation of hazardous wastes, used oil, and infectious wastes by highway, railway, or waterway.

3. Household hazardous waste means any household waste excluded from regulation as hazardous waste by 40 CFR 261.4(b)(1) but otherwise meets the definition of hazardous waste in paragraph [(2)](3)(H)[3.1]. of this rule.

(I) Definitions beginning with the letter I.

1. Identification number means the unique code assigned to each hazardous waste, each hazardous waste generator, transporter, or facility pursuant to these rules.

[2. Attenuation means any physical, chemical, or biological reaction, or a combination of both, transformation occurring in the zone of aeration or zone of saturation that brings about a temporary or permanent decrease in the maximum concentration or total quantity of an applied chemical or biological constituent in a fixed time or distance traveled.]

(M) Definitions beginning with the letter M.

1. Missouri hazardous waste mileage means the total fleet miles that materials requiring a hazardous waste transporter license are transported in Missouri over a period specified by rule. Additionally, all miles traveled transporting containers with residues of these materials, as defined [at] in 49 CFR 171.8, will be included in the Missouri hazardous waste mileage.

2. Motor vehicle means a vehicle, machine, tractor, trailer, or semitrailer, or any combination of them, propelled or drawn by mechanical power and used upon the highways in transportation. It does not include a vehicle, locomotive, or car operated exclusively on a rail(s).

(P) Definitions beginning with the letter P.

1. Professional engineer or registered engineer means a professional engineer licensed to practice by the Missouri [Board of Architects, Professional Engineers, and Professional Land Surveyors] Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects.

2. Power unit for the purpose of this regulation is a truck with at least two (2) axles, regardless of licensed vehicle weight or configuration.

(R) Definitions beginning with the letter R.

1. RCRA means the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901–699[1]2k.

2. Registry means the Missouri Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites.

3. Remedial action means any action at a hazardous waste site to protect the public health and environment. These actions may include[,] but are not limited to:] storage; confinement; perimeter protection using dikes, trenches, or ditches; clay cover; neutralization; cleanup of hazardous waste, hazardous substances, or contaminated materials; recycling or reuse; diversion; destruction; segregation of reactive materials; repair or replacement of leaking containers; collection of leachate and runoff; on-site treatment or incineration; provision of alternative water supplies; any monitoring reasonably needed to [assure] ensure that these actions protect the public health and environment; or any combination of these actions.

4. Remedial action plan means the specific procedures to be followed in implementation of any remedial action and all necessary, related procedures including[,] but not limited to[,] safety, analysis, sampling, handling, packaging, storing, removing, transporting, labeling, registering, and site security. A remedial action plan has a defined endpoint, agreed to in advance, which will complete the plan. Additional remedial actions may be necessary after completion of a remedial action plan dependent upon results of sample analysis or development of new information.

5. Responsible party means any person(s) liable for costs

of removal actions or remedial action or other response costs or damages pursuant to Section 107 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607–9657 as amended by P.L. 99-499 Superfund Amendments, and Reauthorization Act of 1986, or any current owners or other person willing to assume responsibility.

(S) Definitions beginning with the letter S.

[1. Site, for purposes of 10 CSR 25-10, means the smallest geographic boundary which contains known chemical contamination. A buffer zone may be included within the area.]

[2.] 1. Substantial change means any change in use of a site [which] that may result in a spread of contamination over additional portions of a site or off-site, an increase in human exposure to hazardous materials, an increase in adverse environmental impacts, or a situation making potential remedial actions to correct problems at the site more difficult to undertake or complete.

(U) Definitions beginning with the letter U.

[1. Universal waste means any of the hazardous wastes that are defined under the universal waste requirements of 10 CSR 25-16.273(2)(A).

2. Used oil.

A. The definition of used oil at 40 CFR 260.10 is amended to include, but not be limited to, petroleum-derived and synthetic oils which have been spilled into the environment or used for any of the following:

(I) Lubrication/cutting oil;

(II) Heat transfer;

(III) Hydraulic power; or

(IV) Insulation in dielectric transformers.]

[3.1. United States importer means a United States-based person who is in corporate good standing with the U.S. state in which they are registered to conduct business and who will be assuming all generator responsibilities and liabilities specified in sections 260.350–260.43[0]3, RSMo, for wastes which the United States importer has arranged to be imported from a foreign country.

(W) Definitions beginning with the letter W.

1. Waste [means any material for which no use or sale is intended and which will be discarded or any material which has been or is being discarded. Waste also means certain residual materials which may be sold for purposes of energy or materials reclamation, reuse, or transformation into new products which are not wastes], as defined in section 260.360(22), RSMo.

AUTHORITY: sections 260.370 and 260.395, RSMo 2016. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson

City, MO 65101.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 4 – Methods for Identifying Hazardous
Waste

PROPOSED AMENDMENT

10 CSR 25-4.261 Methods for Identifying Hazardous Waste.
 The commission is amending the purpose and sections (1) and (2).

PURPOSE: This amendment establishes criteria and procedures for identifying hazardous wastes as well as providing conditions for exemption from the definitions of solid and hazardous waste for certain waste streams by way of direct incorporation of the federal regulations found in 40 CFR part 261 by reference.

PURPOSE: This rule sets forth characteristics and lists by which a generator can determine whether [his/her] their waste is hazardous. This rule defines hazardous waste under section[s] 260.475[–260.479], RSMo. The federal regulations in 40 CFR part 261 are incorporated by reference, subject to the modifications set forth in this rule.

(1) The regulations set forth in 40 CFR part 261, July [1] 3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954[, and the changes made at 78 FR 46447, July 31, 2013, 80 FR 1693, January 13, 2015, and 83 FR 24664, May 30, 2018, are incorporated by reference, except for the changes made at 55 FR 50450, December 6, 1990, 56 FR 27332, June 13, 1991, 60 FR 7366, February 7, 1995, 63 FR 33823, June 19, 1998, 70 FR 53453, September 8, 2005, and 73 FR 77954, December 19, 2008]. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) applies in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) This section sets forth specific modifications of the regulations incorporated in section (1) of this rule. A person subject to identifying a hazardous waste shall comply with this section as it modifies 40 CFR part 261 as incorporated in this rule. (Comment: This section has been organized in order that all Missouri additions, changes, or deletions to any subpart of the federal regulation are noted within the corresponding subsection of this section. For example, changes to 40 CFR part 261 subpart A will be located in subsection (2)(A) of this rule.)

(A) General. The following are changes to 40 CFR part 261 subpart A incorporated in this rule:

1. **Purpose and scope.** (Reserved);
2. **Definition of solid waste.** (Reserved);
3. **Definition of hazardous waste.** (Reserved);
4. **Exclusions.** (Reserved);
5. (Reserved);
6. **Requirements for recyclable materials.** (Reserved);

7. [40 CFR 261.4(a)(16) is not incorporated in this rule (Note: The paragraph at 40 CFR 261.4(a)(16) added by 63 FR 33823, June 19, 1998, is the paragraph not incorporated by 10 CSR 25-4.261(2)(A)9.);] **Residues of hazardous waste in empty containers.** (Reserved);

8. **Polychlorinated biphenyls wastes regulated under Toxic Substance Control Act.** (Reserved);

9. [A generator shall submit the information in 40 CFR 261.4(e)(2)(v)(C) as incorporated in this rule to the department along with the Generator's Hazardous Waste Summary Report in 10 CSR 25-5.262 (2)(D)1.] **Requirements for universal waste.** (Reserved);

[10. The changes to 40 CFR 261.5, special requirements for hazardous waste generated by conditionally exempt small quantity generators, incorporated in this rule are as follows:

A. The modification set forth in 10 CSR 25-3.260(1)(A)24. **Applies in this rule in addition to other modifications set forth;**

B. 40 CFR 261.5(g)(2) is not incorporated in this rule;]

[11.]10. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 261.6(a)(3)(i), as incorporated in this rule. The state may not assume authority from the Environmental Protection Agency [(EPA)] to receive notifications of intent to export or to transmit this information to other countries through the Department of State or to transmit Acknowledgments of Consent to the exporter. This modification does not relieve the regulated person of the responsibility to comply with the Resource Conservation and Recovery Act [(RCRA)] or other pertinent export control laws and regulations issued by other agencies;

[12.]11. (Reserved);

[13.]12. (Reserved);

[14.]13. (Reserved);

[15.]14. (Reserved); and

[16.]15. In accordance with section 260.432.5(2), RSMo, used cathode ray tubes [(CRTs)] may not be placed in a sanitary landfill, except as permitted by section 260.380.3, RSMo.

(B) Criteria for Identifying the Characteristics of Hazardous Waste and for Listing Hazardous Wastes. (Reserved).

(C) Characteristics of Hazardous Waste. (Reserved).

(D) Lists of Hazardous Wastes. [The following are additions or changes to the lists in 40 CFR part 261 subpart D, incorporated in this rule:

1. 40 CFR 261.38 is not incorporated in this rule.] (Reserved).

(E) Exclusions/Exemptions.

1. The substitution of the director of the Department of Natural Resources for the regional administrator discussed in 10 CSR 25-3.260(1)A.1. does not apply to the requirement for notification of the export of used [CRTs] cathode ray tubes established in 40 CFR 261.41.

(F) (Reserved).

(G) (Reserved).

(H) **Financial Requirements for Management of Excluded Hazardous Secondary Materials** (Reserved).

(I) **Use and Management of Containers** (Reserved).

(J) **Tank Systems** (Reserved).

(K) (Reserved).

(L) (Reserved).

(M) **Emergency Preparedness and Response for Management of Excluded Hazardous Secondary Materials** (Reserved).

(N) (Reserved).

(O) (Reserved).

(P) (Reserved).

- (Q) *(Reserved)*.
- (R) *(Reserved)*.
- (S) *(Reserved)*.
- (T) *(Reserved)*.
- (U) *(Reserved)*.
- (V) *(Reserved)*.
- (W) *(Reserved)*.
- (X) *(Reserved)*.
- (Y) *(Reserved)*.
- (Z) *(Reserved)*.
- (AA) Air Emission Standards for Process Vents *(Reserved)*.
- (BB) Air Emission Standards for Equipment Leaks *(Reserved)*.
- (CC) Air Emission Standards for Tanks and Containers *(Reserved)*.

AUTHORITY: section 260.370, RSMo 2016. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 5 – Rules Applicable to Generators of
Hazardous Waste

PROPOSED AMENDMENT

10 CSR 25-5.262 Standards Applicable to Generators of Hazardous Waste. The commission is amending sections (1) and (2).

PURPOSE: This amendment provides additional guidance on preparedness, prevention, and emergency procedures to assist local emergency responders in the case of an emergency. This amendment proposes to maintain a “Missouri Option” for satellite accumulation of hazardous wastes and also moves registration, reporting, and generator fees and taxes requirements from this chapter into 10 CSR 25-12.010 Fees and Taxes, to consolidate these requirements into one (1) rule.

(1) The regulations set forth in 49 CFR part 172, [October 1, 2013] July 3, 2024, 40 CFR 302.4 and .5, July [13, [2013] 2024, and 40 CFR part 262, July [13, [2013] 2024, [except subpart H,] as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of

Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1) (A) applies in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) A generator located in Missouri, except as [conditionally] exempted in accordance with 10 CSR 25-4.261, shall comply with the requirements of this section in addition to the requirements incorporated in section (1). (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section.)

(A) General. The following registration requirements are additional requirements to, or modifications of, the requirements specified in 40 CFR part 262 subpart A:

1. In lieu of 40 CFR 262.1[2]8(a) and (c), a generator located in Missouri **shall** comply with the following requirements:

A. A person generating in one (1) month [for accumulating at any one (1) time] the quantities of hazardous waste specified in [10 CSR 25-4.261] **Table 1 of 40 CFR 262.13** and a transporter who is subject to registration as a generator under 10 CSR 25-6.263 shall register and is subject to applicable rules under 10 CSR 25-3.260–10 CSR 25-9.020 and 10 CSR 25-12.010; and

B. [Conditionally exempt] **Very small quantity** generators may choose to register and obtain Environmental Protection Agency (EPA) and Missouri identification numbers, but in doing so will be subject to any initial registration fee and annual renewal fee outlined in [this chapter] **10 CSR 25-12.010**;

2. An owner or operator of a treatment, storage, and disposal facility who ships hazardous waste from the facility shall comply with this rule;

[3. The following constitutes the procedure for registering:]

A. A person subject to registration shall file a completed registration form furnished by the department. The department requires an original ink signature on all registration forms before processing. In the event the department develops the ability to accept electronic submission of the registration form, the signature requirement will be consistent with the legally-accepted standards in Missouri for an electronic signature on documents. All generators located in Missouri shall use only the Missouri version of the registration form;

B. A person subject to registration shall also complete and file an updated generator registration form if the information filed with the department changes;

C. The department may request additional information, including information concerning the nature and hazards associated with a particular waste or any information or reports concerning the quantities and disposition of any hazardous wastes as necessary to authorize storage, treatment, or disposal and to ensure proper hazardous waste management;

D. A person subject to generator registration, and those conditionally-exempt generators who choose to register, shall pay a one hundred dollar (\$100) initial or reactivation registration fee at the time their registration form is filed with the department. If a generator site has an inactive registration, and a generator subject to registration reactivates that registration, the generator shall file a registration form and pay the one hundred dollar (\$100) registration reactivation fee. The department will not process any form for an initial registration

or reactivation of a registration if the one hundred dollar (\$100) fee is not included. Generators subject to registration shall thereafter pay an annual renewal fee of one hundred dollars (\$100) in order to maintain their registration in good standing; and

E. The department will immediately revoke the registration of any person who pays the registration fee with what is found to be an insufficient check;

4. The following constitutes the procedure for registration renewal:

A. The calendar year constitutes the annual registration period;

B. Annual registration renewal billings will be sent by December 1 of each year to all generators holding an active registration;

C. Any generator initially registering between October 1 and December 31 of any given year shall pay the initial registration fee, but does not pay the annual renewal fee for the calendar year immediately following their initial registration. From that year forward, the generator shall pay the annual renewal fee;

D. The department will administratively inactivate the registration of any generator subject to registration who fails to pay the annual renewal fee by the due date specified on the billing, and the generator will be subject to enforcement action for failure to properly maintain their registration;

E. Generators administratively inactivated for failure to pay the renewal fee in a timely manner, who later in the same registration year pay the annual renewal fee, shall pay the fifteen percent (15%) late fee section 260.380.4, RSMo, in addition to the one hundred dollar (\$100) annual renewal fee for each applicable registration year and shall file an updated generator registration form with the department before their registration is reactivated by the department;

F. Generators who request that their registration be made inactive rather than pay the renewal fee, who later in that same renewal year pay the annual renewal fee to reactivate their registration, shall pay the fifteen percent (15%) late fee in section 260.380.4, RSMo, in addition to the one hundred dollar (\$100) annual renewal fee and file an updated generator registration form with the department before their registration is reactivated by the department; and

G. The department will immediately revoke the registration of any person who pays the annual renewal fee with what is found to be an insufficient check; and

5. The department may administratively inactivate the registration of generators that fail to pay any applicable hazardous waste fees and taxes in a timely manner after appropriate notice to do so.]

3. Any person required to register shall follow the registration procedure as outlined in 10 CSR 25-12.010.

4. Satellite accumulation. As an alternative to compliance with the accumulation limits in 40 CFR 262.15, generators who instead wish to store up to fifty-five (55) gallons of non-acute hazardous waste stream, or up to one (1) quart of liquid acute hazardous waste, or one (1) kilogram (kg) of solid acute hazardous waste, of each hazardous waste stream in a satellite accumulation area, may do so if they comply with the other applicable requirements of 40 CFR 262.15 and the following additional requirements:

A. Each container must be marked with its beginning date of satellite storage;

B. The generator may not use more than one (1) container per waste stream;

C. A container of hazardous waste stored in a

satellite accumulation area pursuant to paragraph (2)(A)4. of this rule shall be removed from the satellite accumulation area within three (3) calendar days if any of the following occurs:

(I) One (1) year has passed since the accumulation start date;

(II) The container is full; or

(III) The container has reached its volume limit;

D. A container of hazardous waste removed from the satellite accumulation area pursuant to subparagraph (2)(A)4.C. above must be taken to the generator storage area, shipped off-site for proper hazardous waste management, or managed in accordance with an approved hazardous waste permit or certification at the site;

E. During the three- (3-) day period referenced in subparagraph (2)(A)4.C. above, the generator may start a new satellite container for that waste stream if in compliance with all other requirements of paragraph (2)(A)4. and 40 CFR 262.15 as modified by paragraph (2)(A)4. of this rule; and

F. For generators that have more than one (1) satellite accumulation area in a single facility, a generator may use the federal option in 40 CFR 262.15 or the option described in 10 CSR 25-5.262(2)(A) for any satellite accumulation area; however, in no case shall a generator employ both methods in the same satellite accumulation area at the same time.

(B) Manifest Requirements Applicable to Small and Large Quantity Generators. *(Reserved)*

[(C) Pretransport, Containerization, and Labeling Requirements.

1. Satellite accumulation. As an alternative to compliance with the accumulation limits in 40 CFR 262.34(c)(1), generators who instead wish to store up to fifty-five (55) gallons of each non-acute hazardous waste stream, or up to one (1) quart of each acutely hazardous waste stream in a satellite accumulation area may do so if they comply with the other applicable requirements of 40 CFR 262.34(c) and the following additional requirements:

A. Each container must be marked with its beginning date of satellite storage;

B. The generator may not use more than one (1) container per waste stream;

C. A container of hazardous waste stored in a satellite accumulation area pursuant to this paragraph 3. shall be removed from the satellite accumulation area within three (3) calendar days if any of the following occurs:

(I) One (1) year has passed since the accumulation start date;

(II) The container is full; or

(III) The container has reached its volume limit;

D. A container of hazardous waste removed from the satellite accumulation area pursuant to subparagraph C. above must be taken to the generator storage area, shipped off-site for proper hazardous waste management, or managed in accordance with an approved hazardous waste permit or certification at the site;

E. In lieu of 40 CFR 262.34(c)(2), during the three (3) day period referenced in subparagraph D. above, the generator may start a new satellite container for that waste stream if in compliance with all other requirements of paragraph 3. and 40 CFR 262.34(c)(1) as modified by this paragraph 3; and

F. For generators that have more than one satellite accumulation area in a single facility, a generator may use the federal option in 40 CFR 262.34(2)(C)1. or the option described in 10 CSR 25-5.262(2)(C)3. for any satellite accumulation area;

however, in no case shall a generator employ both methods in the same satellite accumulation area at the same time.

2. 40 CFR 262.34(a)(1)(iii) is not incorporated in this rule.]

(C) Pre-Transport Requirements Applicable to Small and Large Quantity Generators. (Reserved)

(D) Record Keeping and Reporting Applicable to Small and Large Quantity Generators. In addition to requirements in 40 CFR 262.40, generators shall retain registration information in subsection (2)(A) of this rule and the Generator's Hazardous Waste Summary Report [in paragraph (2)(D)1. of this rule] pursuant to 10 CSR 25-12.010(3) for no fewer than three (3) years.

[1. This paragraph establishes requirements for quarterly Generator's Hazardous Waste Summary Reports.

A. All generators subject to registration in accordance with subsection (2)(A) of this rule shall complete a Generator's Hazardous Waste Summary Report that is completed on a form provided by the department or on a reproduction of the form provided by the department or in the same format as the form provided by the department after review and approval by the department.

B. A person who does not ship any hazardous wastes or who makes only one (1) shipment of hazardous waste during the entire reporting year, July 1 through June 30, or is defined as a small quantity generator for the entire reporting year, or is defined as a large quantity generator and filing their report electronically in a manner prescribed by the department, may file an annual report by August 14 following the reporting year period. However, a person who is defined as a large quantity generator and has more than one (1) shipment of hazardous waste during the reporting years, and does not file their report using the electronic method prescribed by the department, shall file quarterly.

C. A generator who is registered with the department shall report the quantity, type, and status of all hazardous waste(s) shipped off-site during the reporting period on the Generator's Hazardous Waste Summary Report regardless of the destination of the shipment(s).

D. The Generator's Hazardous Waste Summary Report shall be signed and certified by an authorized representative as defined in 40 CFR 260.10 incorporated by reference in 10 CSR 25-3. The certification statement shall read as follows: "CERTIFICATION: I certify under penalty of law that I personally examined and am familiar with the information submitted on this form and all attached documents and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." The handwritten signature of the authorized representatives shall follow this certification.

E. The generator shall submit the completed Generator's Hazardous Waste Summary Report within forty-five (45) days after the end of each reporting period. The reporting periods and submittal dates are as follows: January 1 through March 31, with a submittal date of May 14 of the same year; April 1 through June 30, with a submittal date of August 14 of the same year; July 1 through September 30, with a submittal date of November 14 of the same year; and October 1 through December 31, with a submittal date of February 14 of the following year.

F. A generator shall submit the information in 40 CFR 261.4(e)(2)(v)(C) incorporated by reference in 10 CSR 25-4.261(1) to the department along with the completed Generator's Hazardous Waste Summary Report.

G. The department will administratively inactivate the registration of any generator that fails to file the Generator's Hazardous Waste Summary Report. The generator's registration will be reactivated after all reporting is filed, applicable fees are paid, and an updated generator registration form is submitted to the department.

2. Reporting requirements for small quantity generators. 40 CFR 262.44 is not incorporated in this rule.

(E) Exports of Hazardous Waste. This subsection modifies the incorporation of 40 CFR part 262 subpart E. The state cannot assume authority from the EPA to receive notifications of intent to export or to transmit this information to other countries through the Department of State or to transmit acknowledgements of consent to the exporter. In addition, the annual reports and exception reports in 40 CFR 262.55 and 262.56, incorporated in this rule, shall be filed with the EPA administrator with copies provided to the department. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 262.51, 262.52, 262.53, 262.54, 262.55, 262.56, and 262.57, as incorporated in this rule. This modification does not relieve the regulated person of his/her responsibility to comply with the Resource Conservation and Recovery Act (RCRA) or other pertinent export control laws and regulations issued by other agencies (for example, the federal Department of Transportation and the Bureau of the Census of the Department of Commerce).

(F) Imports of Hazardous Waste. The United States importer shall also comply with the following requirements:

1. In addition to registration requirements specified in this section, the United States importer shall register as generator in accordance with this section and has responsibility for compliance with all applicable requirements specified in this section. The United States importer shall register with the department as a generator, and four (4) weeks in advance of the date the waste is expected to enter the United States, specifically identify hazardous waste(s) intended to be imported by their EPA waste number(s) found in 40 CFR 261 and this section; and

2. The United States importer shall keep and maintain the following information on each shipment which is imported and make available upon departmental request:

A. If the waste is a mixed bulk shipment of multi-generator wastes, the individual original foreign generator's names and addresses and the wastes' technical chemical names from each source;

B. Quantity of waste from each imported source; and

C. List of EPA waste numbers found in 40 CFR 261 and this section which are applicable to the waste(s) from each source.]

(E) (Reserved).

(F) (Reserved).

(G) Farmers. (Reserved)

(H) [40 CFR 262, subpart H,] Trans[frontier]boundary [shipments] Movements of [h]azardous [w]aste for [r]ecovery or disposal [within the OECD,] is [not incorporated in this rule.] incorporated with the following modifications:

1. Exports of hazardous waste. This paragraph modifies the incorporation of 40 CFR part 262 subpart H section 262.83.

A. The state cannot assume authority from the EPA to receive notifications of intent to export or to transmit this information to other countries through the Department of State or to transmit acknowledgments of consent to the exporter. In addition, the annual reports and exception reports in 40 CFR 262.83, incorporated in this rule, shall be filed with the EPA administrator with copies provided to

the department.

B. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 262 subpart H as incorporated in this rule. This modification does not relieve the regulated person of their responsibility to comply with the Resource Conservation and Recovery Act or other pertinent export control laws and regulations issued by other agencies (for example, the federal Department of Transportation and the Bureau of the Census of the Department of Commerce);

2. Imports of hazardous waste. In addition to the incorporation of 40 CFR part 262 subpart H section 262.84, the United States importer shall –

A. Register with the department as a generator;

B. Four (4) weeks in advance of the date the waste is expected to enter the United States, specifically identify hazardous waste(s) intended to be imported by their EPA waste number(s) found in 40 CFR 261 and this rule; and

C. Keep and maintain the following information on each shipment that is imported and make available to the department upon request –

(I) If the waste is a mixed bulk shipment of multi-generator wastes, the individual original foreign generator's names and addresses and the wastes' technical chemical names from each source;

(II) Quantity of waste from each imported source; and

(III) List of EPA waste numbers found in 40 CFR 261 that are applicable to the waste(s) from each source.

(I) *(Reserved)*.

(J) *[Generator Fee and Taxes. A generator who is subject to registration under this rule, unless otherwise exempted, shall pay fees and taxes in accordance with 10 CSR 25-12.010. The department will administratively inactivate the registration of any generator who fails to pay the fees, taxes, or applicable late fees outlined in 10 CSR 25-12.010 by the due date. The department will reactivate the generator's registration after all applicable fees, taxes, and late fees are paid and an updated generator registration form is submitted to the department.] (Reserved)*.

(K) *Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities (Reserved)*.

(L) *Alternative Standards for Episodic Generation. In addition to the requirements in 40 CFR 262.232, the requirements for episodic generators established in 10 CSR 25-12.010(1)(C)1.B. also apply.*

(M) *Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators. In addition to the requirements in 40 CFR 262, electronic submittal of contingency plans and maps may be made in lieu of hard copy, upon approval by the local emergency responders. Additionally, for satellite accumulation areas, every single point need not be identified on the required map, as long as the general locations of the satellite accumulation area(s) are highlighted and labeled on the map. Additionally, for satellite accumulation areas, general locations of the satellite accumulation area(s) may be identified on the map in place of every single point of satellite accumulation upon approval by the local emergency responders.*

AUTHORITY: section 260.370, RSMo 2016, and section 260.380, RSMo Supp. [2018] 2023. This rule was previously filed as 10 CSR 25-5.010. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 7 – Rules Applicable to Owners[] or
Operators of Hazardous Waste Facilities

PROPOSED AMENDMENT

10 CSR 25-7.264 Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities. The commission is amending the chapter title and sections (1)–(3).

PURPOSE: This amendment establishes standards for operations of hazardous waste treatment, storage and disposal facilities (TSD) and incorporates 40 CFR part 264 by reference. The changes to the Contingency Plan standards at TSD facilities will help protect the personal information of emergency coordinators while continuing to ensure the ability to make contact when needed.

(1) The regulations set forth in 40 CFR part 264, July [1] 3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) apply in this rule in addition to any other modification set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) The owner or operator of a permitted hazardous waste treatment, storage, or disposal facility shall comply with this section in addition to the regulations of 40 CFR part 264. *[In the case of contradictory or conflicting requirements, the more stringent requirements control.]* **Where conflicting rules exist in 10 CSR 25, the more stringent rules control, but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.** (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section. For example, the requirements to

be added to 40 CFR part 264 subpart E are found in subsection (2)(E) of this rule.)

(A) General. *[This subsection sets forth requirements which modify or add to those requirements in 40 CFR part 264 subpart A.] (Reserved)*

(D) Contingency Plan and Emergency Procedures. This subsection sets forth requirements which modify or add to those requirements in 40 CFR part 264 subpart D.

1. The government official described in 40 CFR 264.56(d) (2) incorporated in this rule as the on-scene coordinator shall be contacted and further identified in the report as one (1) of the following:

A. The department's Emergency Response Coordinator (573) 634-2436 or (573) 634-CHEM;

B. The EPA Region VII Emergency Planning and Response Branch (913) [236-3778] 281-0991; or

C. The National Response Center identified in 40 CFR 264.56(d)(2), incorporated in this rule.

2. **In lieu of listing the name, address, and office and home phone numbers of each emergency coordinator, the Contingency Plan may list the name and emergency telephone number(s) for each emergency coordinator. In situations where the facility has an emergency coordinator continuously on duty because it operates twenty-four (24) hours per day, every day of the year, the plan may list the staffed position (e.g., operations manager, shift coordinator, shift operations supervisor) as well as an emergency telephone number that can be guaranteed to be answered at all times.**

(E) Manifest System, Record/[K]keeping, and Reporting. *[This subsection sets forth requirements which modify or add] In addition* to those requirements in 40 CFR part 264 subpart E[.],

[1. T]the owner or operator of a hazardous waste management facility shall submit a report to the department as set forth in [this paragraph] 10 CSR 25-12.

[A. All owners or operators shall comply with the reporting requirements in 10 CSR 25-5.262(2)(D) regardless of whether the owner or operator is required to register as a generator pursuant to 10 CSR 25-5.262(2)(A)1.

B. In addition to the requirements in 10 CSR 25-5.262(2)(D) for hazardous waste generated on-site and shipped off-site for treatment, storage, or disposal, the owner or operator shall meet the same requirements for the following:

(I) All hazardous waste generated on-site during the reporting period that is managed on-site; and

(II) All hazardous waste received from off-site during the reporting period, including hazardous waste generated by another generator and hazardous waste generated at other sites under the control of the owner or operator.

C. In addition to the information specified in 10 CSR 25-5.262(2)(D), an owner or operator shall include the following information in the summary report:

(I) A description and the quantity of each hazardous waste that was both generated and managed on-site during the reporting period;

(II) For each hazardous waste that was received from off-site, a description and the quantity of each hazardous waste, the corresponding state, and EPA identification numbers of each generator;

(III) For imports, the name and address of the foreign generator;

(IV) The corresponding method of treatment, storage, disposal, or other approved management method used for each hazardous waste; and

(V) The quantity and description of hazardous waste residue generated by the facility.

2. *As outlined in section 260.380.2, RSMo, all owners or operators shall pay a fee to the department of two dollars (\$2) per ton or portion thereof for any and all hazardous waste received from outside of Missouri. This fee is referred to as the Out-of-State Waste Fee and does not apply to hazardous waste received directly from other permitted treatment, storage, and disposal facilities located in Missouri.*

A. For each owner or operator, this fee shall be paid on or before January 1 of each year and is based on the total tons of hazardous waste received in the aggregate by that owner or operator for the twelve- (12-) month period ending the previous June 30. As outlined in section 260.380.4, RSMo, failure to pay this fee in full by the due date shall result in imposition of a late fee equal to fifteen percent (15%) of the total original fee. Each twelve- (12-) month period ending on June 30 shall be referred to as a reporting year.

B. Owners or operators may elect, but are not required, to pay this fee on a quarterly basis at the time they file the reports specified in subparagraphs (2)(E)1.B. and C. of this rule. If they do not choose to pay the fee quarterly, owners or operators may elect, but are not required, to pay the fee at the time they file their final quarterly report of each reporting year. However, the total fee for each reporting year must be paid on or before January 1 immediately following the end of each reporting year.

EXAMPLES OF OUT-OF-STATE WASTE FEE CALCULATION
Example 1. ABC Company reports receiving 250 tons of hazardous waste from outside of Missouri:

\$2 × 250 tons = \$500 fee

Example 2. ABC Company reports receiving 410.6 tons of hazardous waste from outside of Missouri.

The number of tons would be rounded to 411:

\$2 × 411 tons = \$822 fee

Example 3. ABC Company reports receiving 52,149.3 tons of hazardous waste from outside of Missouri.

The number of tons would be rounded to 52,150:

\$2 × 52,150 tons = \$104,300 fee

(I) Containers. *[This subsection sets forth requirements in addition to 40 CFR part 264 subpart I incorporated in this rule.*

1. *Containers storing hazardous waste must be labeled in accordance with 10 CSR 25-5.262(2)(C) during the entire storage period.] (Reserved)*

(W) Drip Pads. *[40 CFR part 264 subpart W is not incorporated by reference.] Wood-treating facilities will have two (2) years from the effective date of this rule to establish compliance with the requirements of 40 CFR 264 Subpart W. However, a wood-treating facility may submit to the department a request for an extension of up to one (1) year to complete site characterization or remediation of contaminated soils prior to installing a Subpart W compliant drip pad. The request for an extension should demonstrate that the circumstances leading to the need for the extension were unexpected or beyond the facility's control.*

(FF) Fees for the Electronic Hazardous Waste Manifest Program. *(Reserved)*

(3) Permitted hazardous waste **treatment, storage, or disposal** (TSD) facilities that accept and/or ship hazardous waste via railroad tank car (railcar) shall comply with the requirements for container storage in 40 CFR part 264 subpart I, as incorporated by reference in 10 CSR 25-7.264(1), or the following requirements for railcar management.

(A) The owner or operator shall submit a railcar management

plan with the application for a [hazardous waste treatment, storage, or disposal facility] TSD permit. Permitted facilities that currently accept [and/or] ship hazardous waste via railcars shall request a Class I permit modification that requires prior [director] department approval for the railcar management plan according to the procedures defined in 40 CFR 270.42 as incorporated in 10 CSR 25-7.270(1).

1. The railcar management plan shall describe steps to be taken by the facility in order to comply with the requirements of subsections (3)(B)–[(3)](F).

2. The railcar management plan shall be maintained at the facility.

(B) Railcars shall not be used as container or tank storage units at a facility unless the owner or operator complies with the standards for container storage set forth in 40 CFR part 264 subpart I as incorporated in this rule and 40 CFR 270.15 as incorporated in 10 CSR 25-7.270. During the time allowed for loading and unloading as set forth in this section, the railcar is not considered to be in storage.

1. The owner or operator shall ship hazardous wastes loaded onto a railcar within seventy-two (72) hours after loading is initiated. For the purposes of this section, shipment occurs when –

A. The transporter signs and dates the manifest acknowledging acceptance of the hazardous waste;

B. The transporter returns a signed copy of the manifest to the facility; and

C. The railcar crosses the property boundary line of the TSD facility.

2. The owner or operator shall have a maximum of ten (10) days following receipt of a shipment to unload hazardous waste from incoming railcars. The amount of time allowed for unloading shall be specified in the approved railcar management plan for each facility as part of the permit. The department will review and approve each railcar management plan on a case-by-case basis and will base its decision regarding the time allowed for unloading on factors including[,] but not limited to[,] the size of the rail siding, surveillance and security standards, enclosure of the facility, type, and amount of emergency response equipment, and the facility's capacity to handle incidents. Unless more time is allowed by an approved railcar management plan, the owner or operator shall unload hazardous waste from an incoming railcar within seventy-two (72) hours of receipt of the shipment. For the purposes of this section, receipt of the shipment occurs when –

A. The owner or operator signs the shipping paper; or

B. The owner or operator signs the manifest; or

C. The railcar crosses the property boundary line of the TSD facility.

3. The time limits in this subsection may be extended for up to an additional twenty-four (24) hours for Saturdays, Sundays, or public holidays as defined in section 9.010, RSMo, that fall within the time period approved in the railcar management plan.

4. If the owner or operator finds that a railcar shipment must be rejected, the railcar shall be shipped within twenty-four (24) hours of that determination, or within the time period approved in the railcar management plan, whichever is later. The rejection and the reasons for the rejection shall be documented in the facility's operating record.

5. The owner or operator shall attempt to arrange for the rail carrier to provide the owner or operator a notification detailing when a railcar was picked up from the facility or when a railcar was delivered to the facility. If the rail carrier declines to enter into such arrangements, the owner or

operator must document the refusal in the operating record. The time limitations set forth in this subsection must be documented by recording dates and times in the facility's operating record.

6. If the loading and unloading time frames specified in this section are exceeded, then the owner or operator utilizing railcars shall comply with the standards for container storage in 40 CFR part 264 subpart I, as incorporated in this rule, and with 40 CFR 270.15, as incorporated in 10 CSR 25-7.270.

(C) The owner or operator shall comply with 40 CFR 264.17, incorporated in this rule, during railcar loading and unloading. Additional specific precautions to be taken shall include facility design, construction, operation, and maintenance standards as specified in "Loading and Unloading Operations: Tank Vehicles and Tank Cars" in section 5-4.4.1 of the 1993 Edition of the *National Fire Protection Association Flammable and Combustible Liquids Code* (NFPA 30).

(D) The owner or operator shall provide security for railcars at the facility by utilizing one (1) of the alternatives specified in 40 CFR 264.14(b), as incorporated in this rule. If the owner or operator demonstrates that it is not practical to provide security for railcars at the facility as specified in 40 CFR 264.14(b), incorporated in this rule, railcars shall be secured by locking all fill and drain posts upon receipt of a loaded railcar or upon completion of the owner or operator's loading procedures. The locks must remain in place until the owner or operator begins unloading procedures or until the rail carrier picks up the loaded or rejected railcar for transport off-site.

(F) In accordance with 40 CFR part 264 subpart C and 40 CFR part 264 subpart D, as incorporated in this rule, the owner or operator shall develop preparedness and prevention procedures and a contingency plan for railcars. If the owner or operator has not prepared a Spill Prevention Control and Countermeasures (SPCC) Plan for hazardous waste, then one (1) must be developed that parallels requirements and guidelines as specified in 40 CFR part 112 for oil. At a minimum, the SPCC Plan must include adequate spill response equipment and preventative measures, such as dikes, curbing, and containment systems.

AUTHORITY: sections 260.370, 260.390, and 260.395, RSMo 2016. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

Chapter 7 – Rules Applicable to Owners[] or Operators of Hazardous Waste Facilities

PROPOSED AMENDMENT

10 CSR 25-7.265 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities. The commission is amending the chapter title and sections (1) – (3).

PURPOSE: This amendment establishes requirements for interim status treatment, storage, and disposal (TSD) facilities by direct incorporation of the 40 CFR part 265 by reference. TSD facilities are regulated locations where there is a potential for hazardous wastes to be unintentionally released without proper oversight or management.

(1) The regulations set forth in 40 CFR part 265, July [1] 3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) shall apply in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent shall control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) The owner or operator of a treatment, storage, or disposal (TSD) facility shall comply with the requirements noted in this section in addition to requirements set forth in 40 CFR part 265 incorporated in this rule. (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section. For example, the additional requirements to be added to 40 CFR part 265 subpart A are found in subsection (2)(A) of this rule.)

(A) General. In addition to the requirements in 40 CFR part 265 subpart A, the following regulations also apply:

1. State interim status is authorization to operate a hazardous waste [treatment, storage, or disposal] TSD facility pursuant to section 260.395.15, RSMo, 10 CSR 25-7.265, and 10 CSR 25-7.270 until the final administrative disposition of the permit application is made or until interim status is terminated pursuant to 10 CSR 25-7.270. The owner or operator of a facility or unit operating under state interim status shall comply with the requirements of this rule and 10 CSR 25-7.270. In addition to providing notification to the Environmental Protection Agency [(EPA)], the owner or operator is required to provide [state] department notification in accordance with 10 CSR 25-7.270.

(E) Manifest System, Record[K]keeping, and Reporting. [This subsection sets forth standards which modify or add] **In addition** to those requirements in 40 CFR part 265 subpart E[,],

[1. A]all owners or operators shall comply with the reporting requirements in 10 CSR 25-[5.262(2)(D)] 12 regardless of whether the owner or operator is required to register as a generator pursuant to 10 CSR 25-5.262(2)(A)1.

[2. In addition to the requirements in 10 CSR 25-5.262(2)(D) for hazardous waste generated on-site and shipped off-site for treatment, storage, or disposal, the owner or operator shall meet the same requirements for the following:

A. All hazardous waste generated on-site during the reporting period that is managed on-site; and

B. All hazardous waste received from off-site during the reporting period, including hazardous waste generated by another generator and hazardous waste generated at other sites under the control of the owner or operator.

3. In addition to the information required in 10 CSR 25-5.262(2)(D), an owner or operator shall include the following information in the summary report:

A. A description and the quantity of each hazardous waste that was both generated and managed on-site during the reporting period;

B. For each hazardous waste that is received from off-site, a description and the quantity of each hazardous waste and the corresponding state and EPA identification numbers of each generator;

C. For imports, the name and address of the foreign generator;

D. The corresponding method of treatment, storage, disposal, or other approved management method used for each hazardous waste.

4. As outlined in section 260.380.2, RSMo, all owners or operators pay a fee to the department of two dollars (\$2) per ton or portion thereof for any and all hazardous waste received from outside of Missouri. This fee is referred to as the Out-of-State Waste Fee and is not paid on hazardous waste received directly from other permitted treatment, storage, and disposal facilities located in Missouri.

A. For each owner or operator, this fee shall be paid on or before January 1 of each year and is based on the total tons of hazardous waste received in the aggregate by that owner or operator for the twelve- (12-) month period ending the previous June 30. As outlined in section 260.380.4, RSMo, failure to pay this fee in full by the due date shall result in imposition of a late fee equal to fifteen percent (15%) of the total original fee. Each twelve- (12-) month period ending on June 30 is referred to as a reporting year.

B. Owners or operators may elect, but are not required, to pay this fee on a quarterly basis at the time they file the reporting specified in subparagraphs (2)(E)3.B. and C. of this rule. If they do not choose to pay the fee quarterly, owners or operators may elect, but are not required, to pay the fee at the time they file their final quarterly or annual report of each reporting year. However, the total fee for each reporting year must be paid on or before January 1 immediately following the end of each reporting year.

EXAMPLES OF OUT-OF-STATE WASTE FEE CALCULATION
Example 1. ABC Company reports receiving 250 tons of hazardous waste from outside of Missouri:

$\$2 \times 250 \text{ tons} = \500 fee

Example 2. ABC Company reports receiving 410.6 tons of hazardous waste from outside of Missouri.

The number of tons would be rounded to 411.

$\$2 \times 411 \text{ tons} = \822 fee

Example 3. ABC Company reports receiving 52,149.3 tons of hazardous waste from outside of Missouri.

The number of tons would be rounded to 52,150.

$\$2 \times 52,150 \text{ tons} = \$104,300 \text{ fee}$

(J) Tank[s] Systems. (Reserved)

(W) Drip Pads. [40 CFR part 265 subpart W is not incorporated by reference.] Wood-treating facilities will have two (2) years from the effective date of this rule to establish compliance with the requirements of 40 CFR 264 Subpart W. However, a wood-treating facility may submit to the

department a request for an extension of up to one (1) year to complete site characterization or remediation of contaminated soils prior to installing a Subpart W compliant drip pad. The request for an extension should demonstrate that the circumstances leading to the need for the extension were unexpected or beyond the facility's control.

(FF) Fees for the Electronic Hazardous Waste Manifest Program. (Reserved)

AUTHORITY: sections 260.370, 260.390, and 260.395, RSMo 2016. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 7 – Rules Applicable to Owners[] or
Operators of Hazardous Waste Facilities**

PROPOSED AMENDMENT

10 CSR 25-7.266 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities. The commission is amending the chapter title and sections (1) and (2).

PURPOSE: This amendment establishes standards for management of specific types of hazardous waste and specific types of hazardous waste management facilities by way of direct incorporation of 40 CFR part 266 by reference.

(1) The regulations set forth in 40 CFR part 266, July [1]3, 20[13]24, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) shall apply in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent shall control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) Persons subject to the regulations in 40 CFR part 266 shall comply with the requirements, changes, additions, or deletions noted in this section in addition to 40 CFR part 266 incorporated in this rule.

(G) Spent Lead-Acid Batteries Being Reclaimed. (Reserved)

(H) Hazardous Waste Burned in Boilers and Industrial Furnaces. (Reserved)

(I) (Reserved)[.]

(J) (Reserved)[.]

(K) (Reserved)[.]

(L) (Reserved)[.]

(M) Military Munitions. Additions, modifications, and deletions to 40 CFR part 266 subpart M "Military Munitions" are:[]–

1. Oral and written notifications required by 40 CFR 266.203(a)(1) and 40 CFR 266.205(a)(1) shall be submitted to the department's emergency response coordinator at (573) 634-2436 or (573) 634-CHEM, in lieu of the director.

(N) Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal. (Reserved)

(O) (Reserved)

(P) Hazardous Waste Pharmaceuticals. (Reserved)

AUTHORITY: sections 260.370, [260.373,] 260.390, and 260.395, RSMo 2016, and section 260.373, RSMo Supp. 2023. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 7 – Rules Applicable to Owners[] or
Operators of Hazardous Waste Facilities**

PROPOSED AMENDMENT

10 CSR 25-7.268 Land Disposal Restrictions. The commission is amending the chapter title and sections (1) and (2).

PURPOSE: This amendment establishes standards for management of specific types of hazardous waste and specific types of hazardous waste management facilities by way of direct incorporation of 40 CFR part 266 by reference.

(1) The regulations set forth in 40 CFR part 268, July [1]3, [2013] 2024 as published by the Office of the Federal

Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) shall apply in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent shall control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) Persons who generate or transport hazardous waste and owners or operators of hazardous waste treatment, storage, and disposal facilities shall comply with this section in addition to the regulations in 40 CFR part 268. (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section. For example, the changes to 40 CFR part 268 subpart A are found in subsection (2)(A) of this rule.)

(A) General. *[This subsection sets forth modifications to 40 CFR part 268 subpart A incorporated by reference in section (1) of this rule.]*

1. (Reserved)

2. The state cannot be delegated the authority from the United States Environmental Protection Agency (EPA) to approve extensions to effective dates of any applicable restrictions, as provided in 40 CFR 268.5 incorporated in this rule. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 268.5 as incorporated in this rule. This modification does not relieve the regulated person of *[his/her] their* responsibility to comply with 40 CFR 268.5 of the federal hazardous waste management regulations.

3. The state cannot be delegated the authority from the EPA to approve exemptions from prohibitions for the disposal of a restricted hazardous waste in a particular unit(s) based upon a petition demonstrating, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the disposal unit(s) for as long as the wastes remain hazardous as provided in 40 CFR 268.6 incorporated in this rule. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 268.6 as incorporated in this rule. This modification does not relieve the regulated person of *[his/her] their* responsibility to comply with 40 CFR 268.6 of the federal hazardous waste management regulations.

AUTHORITY: sections 260.370, 260.390, 260.395, RSMo [Supp. 2013, and section 260.400, RSMo 2000] 2016. Original rule filed Feb. 16, 1990, effective Dec. 31, 1990. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri

Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 7 – Rules Applicable to Owners[] or
Operators of Hazardous
Waste Facilities**

PROPOSED AMENDMENT

10 CSR 25-7.270 Missouri Administered Permit Programs: The Hazardous Waste Permit Program. The commission is amending the chapter title and sections (1) and (2).

PURPOSE: This rule establishes standards and procedures for the process of applying for, obtaining, and maintaining a hazardous waste treatment, storage, and disposal facility permit by way of direct incorporation of 40 CFR part 270 by reference. These provisions provide regulatory flexibilities that are currently not available in Missouri. Adopting the updated version of this rule puts an end to what could be viewed as a regulatory disadvantage to doing business in Missouri.

(1) The regulations set forth in 40 CFR part 270 July [1] 3, [2013] 2024, except for the changes made at 70 FR 53453 September 8, 2005 [and 73 FR 64667 to 73 FR 64788, October 30, 2008], as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) shall apply in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) The owner or operator of a permitted hazardous waste treatment, storage, or disposal (TSD) facility shall comply with the requirements noted in this rule along with 40 CFR part 270, incorporated in this rule.

(A) General Information. This subsection sets forth requirements *[which] that* modify or add to those requirements in 40 CFR part 270 subpart A.

[1. When a facility is owned by one (1) person but is operated by another person, both the owner and operator shall sign the permit application, and the permit shall be issued to both.

2. The owner or operator of a new hazardous waste management facility shall contact the department and obtain a United States Environmental Protection Agency (EPA) identification number as part of the application process for a hazardous waste treatment, storage, or disposal permit.]

*[3.]1. In 40 CFR 270.3 “Considerations Under Federal Law,” do not substitute any comparable Missouri statute or administrative rule for the federal acts and regulations. This does not relieve the owner or operator of *[his/her] their* responsibility to comply with any applicable and comparable*

state law or rule in addition to complying with the federal acts and regulations.

(B) Permit Application. This subsection sets forth requirements *[which]* that modify or add to those requirements in 40 CFR part 270 subpart B.

1. When a facility is owned by one (1) person but is operated by another person, both the owner and operator shall sign the permit application, and the permit shall be issued to both.

[1.]2. Existing hazardous waste management facilities must submit a Part A permit application to the department no later than sixty (60) days after the effective date of state rules, which first require them to comply with the requirements set forth in 10 CSR 25-7.265 or 10 CSR 25-7.266. A facility *[which]* that did not meet federal notification and Part A submittal requirements under the Hazardous and Solid Waste Amendments (HSWA) does not qualify for state interim status. State interim status is granted to those facilities *[which]* that either meet federal interim status requirements, are required to meet state interim status requirements because no federal interim status requirements affect the filing, or become subject to regulations under state rules *[which]* that are not promulgated to meet the requirements of 40 CFR part 271.

[2. Confidentiality may be requested for certain permit application information submitted pursuant to 40 CFR 270.13(a)–(m) incorporated in this rule. 10 CSR 25-3.260(1)(B) sets forth requirements for protection of confidential business information and the availability of information provided under 10 CSR 25. Therefore, 40 CFR 270.12 is not incorporated by reference in this rule.

3. All submitted engineering plans and reports shall be approved by a registered professional engineer licensed by Missouri. The engineering plans and reports shall specify the materials, equipment, construction methods, design standards, and specifications for hazardous waste management facilities, and processes that will be utilized in the construction and operation of the facility. The engineering plans and reports shall also include a diagram of any piping, instrumentation, or process flows, and descriptions of any feed systems, safety cutoffs, bypass systems, and pressure controls (for example, vents).]

3. Claims for confidentiality under 40 CFR 270.12, incorporated in this rule, shall be requested and reviewed according to section 260.430, RSMo.

4. All plans, designs, engineering reports, and relevant data for construction, alteration, or operation of a hazardous waste facility shall be approved by a registered professional engineer licensed by Missouri, as required by section 260.395.7(2), RSMo.

[4.]5. The permit application fee set forth in 10 CSR 25-12.010 shall be submitted with the application.

[5.]6. The department will supervise any field work undertaken to collect geologic and engineering data *[which]* that is to be submitted with the application. *[The applicant shall contact the department at least five (5) working days prior to conducting any field work that is undertaken to collect geologic and engineering data which is to be submitted with the application.]* A fee shall also be assessed pursuant to 10 CSR 25-12.010 for all costs incurred by the department in the observation of field work, engineering, and geological review of the application, and all other review necessary by the department to verify that the application complies with section 260.395.7., RSMo.

[6. The]7. For the purposes of notification, the permit application shall include the [following information for the purpose of notification:]

[A. N]names and addresses of all persons listed on the facility mailing list as defined in 10 CSR 25-8.124(1)(A)10.C.(I)(c) submitted in the form of an alphabetical list [with five (5) sets of addressed, self-adhesive mailing labels also included; and

B. The name, address, and telephone number of the location where the permit application and supporting documents are to be placed, as described in 10 CSR 25-8.124(1)(B)3.B.(II) (c) and the name of the person at that location who may be contacted to schedule a review of the documents.

7. An applicant may be required to submit other information as may be necessary to enable the department to carry out its duties].

8. The owner or operator of a permitted treatment, storage, and disposal (TSD) facility that accepts and/or ships hazardous waste via railroad tank car (railcar) [may submit a railcar management plan in accordance with] shall comply with the requirements for container storage in 40 CFR part 264 subpart I, as incorporated by reference in 10 CSR 25-7.264(1), or according to the requirements set forth in 10 CSR 25-7.264(3).

9. The person applying for a permit under sections 260.350–260.[434]433, RSMo, shall comply with the requirements of 10 CSR 25-8.124(1).

(C) Permit Conditions. This subsection sets forth requirements *[which]* that modify or add to those requirements in 40 CFR part 270 subpart C.

1. This paragraph sets forth the procedures for issuance of a hazardous waste facility permit, construction certification, and authorization to begin operation.

A. If, after public notice in accordance with 10 CSR 25-8.124 and review of the application, the department determines that the application conforms with the provisions of sections 260.350–260.[434]433, RSMo, and all standards and rules corresponding, the department shall issue the hazardous waste facility permit to the applicant upon payment of a fee of one thousand dollars (\$1,000) *[for each facility]* for each year the permit is to be in effect beyond the first year.

B. The appeal period for a permit or any condition of a permit begins on the date of issuance of the permit as specified in subparagraph (2)(C)1.A. of this rule. However, for the purposes of termination of interim status pursuant to 40 CFR 270.73(a) incorporated in this rule, final administrative disposition of the permit application occurs either –

(I) Thirty (30) days after issuance of a final permit pursuant to this rule, unless a notice of appeal is filed with the commission within that time;

(II) Thirty (30) days after permit denial pursuant to this rule, unless a notice of appeal is filed with the commission within that time; or

(III) Upon the issuance of a decision by the commission, after timely appeal of an action of this rule.

2. The department may deny the permit application if –

A. The applicant fails to submit a complete application in accordance with, and within the time specified in, a notice of deficiency issued pursuant to 10 CSR 25-8.124(1)(A)3.;

[B. The applicant has failed to fully disclose all relevant information in the application or during the permit issuance process or has misrepresented facts at any time;]

[C.]B. The department determines that the application does not conform with the provisions of sections 260.350–260.[434]433, RSMo, and all corresponding standards and rules, or that the facility cannot be effectively operated and maintained in full compliance with sections 260.350–260.[434]433, RSMo, and all corresponding standards and rules, or that the facility is being operated or maintained in violation of a present permit, or that continued operation of the facility

presents an unreasonable threat to human health or the environment or will create or allow for the continuance of a public nuisance; or

[D. The department determines that one (1) of the conditions specified in section 260.395.17., RSMo, is present; or]

[E.]C. The applicant owner or operator fails to submit the permit fees specified in subparagraph (2)(C)1.A. of this rule within thirty (30) days of receipt of notice from the department that the fees are due.

(G) Interim Status. This subsection sets forth requirements [which] that modify or add to those requirements in 40 CFR part 270 subpart G.

1. An owner or operator who becomes regulated under 10 CSR 25-7 shall operate in compliance with interim status in accordance with paragraph (2)(B)[1.]2. of this rule.

2. In addition to the items in 40 CFR 270.73 incorporated in this rule, interim status terminates when the department issues an order or commences an action pursuant to paragraph (2)(G)4. of this rule requiring the owner or operator to cease operations and undertake closure actions at the facility or at a unit.

3. The owner or operator, at any time, may voluntarily submit a permit application pursuant to this rule.

4. Upon a determination by the department that the facility is not being operated or cannot be operated in full compliance with the requirements of 10 CSR 25-7.265, the department[,] in lieu of[,] or in addition to[,] requiring the submittal of a permit application pursuant to paragraph (2)(G)1. of this rule, may take an enforcement action pursuant to sections 260.410, 260.420, and 260.425, RSMo, as it deems appropriate under the circumstances in order to fully and effectively protect public health and the environment.

(H) Remedial Action Plans (RAPs). (Reserved)

(I) Integration with Maximum Achievable Control Technology (MACT) Standards. (Reserved)

AUTHORITY: sections 260.370, [260.373,] 260.390, and 260.395, RSMo 2016, and section 260.373, RSMo Supp. 2023. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission**

Chapter 11 – Used Oil

PROPOSED AMENDMENT

10 CSR 25-11.279 Recycled Used Oil Management Standards.
The commission is amending sections (1)–(3).

PURPOSE: This amendment adopts the federal dust suppressant regulations in 40 CFR 279 Subpart I in lieu of a state-specific provision in the current regulation. Updating the regulation will prevent facilities from incurring cleanup costs as well as ensuring waste oil is properly handled, recycled, or disposed of. The amendment incorporates by reference the most recent version of the federal regulation.

(1) The regulations set forth in 40 CFR parts 110.1, 112, and 279, July [1] 3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) applies in this rule in addition to any other modifications set forth in section (2) of this rule.

(2) This section sets forth specific modification to 40 CFR part 279, incorporated by reference in section (1) of this rule. A person managing used oil shall comply with this section in addition to the regulations in 40 CFR part 279. In the case of contradictory or conflicting requirements, the more stringent rules control. (Comment: This section has been organized so that Missouri additions, changes, or deletions to a particular lettered subpart in 40 CFR part 279 are noted in the corresponding lettered subsection of this section. For example, changes to 40 CFR part 279 subpart A are found in subsection (2)(A) of this rule.)

(A) Definitions. This subsection sets forth requirements [which] that modify or add to those requirements in 40 CFR part 279 subpart A.

1. The definition of do-it-yourselfer used oil collection center at 40 CFR 279.1 is amended to allow these sites or facilities to accept/aggregate and store used oil collected from household do-it-yourselfers and farmers not regulated by 40 CFR part 279 subpart C as incorporated in this rule.

2. The definition of used oil at 40 CFR 279.1 is amended as follows:

A. Used oil includes[,] but is not limited to[,] petroleum-derived and synthetic oils [which] that have been spilled into the environment or used for lubrication/cutting oil, heat transfer, hydraulic power, or insulation in dielectric transformers.

3. The definition of [“]used oil aggregation point[”] at 40 CFR 279.1 is amended to allow these sites or facilities to accept/aggregate and store used oil from household do-it-yourselfers and farmers not regulated by 40 CFR part 279 subpart C as incorporated in this rule.

4. The definition of used oil collection center at 40 CFR 279.1 is amended to allow these centers to accept/aggregate and store used oil from household do-it-yourselfers and farmers not regulated by 40 CFR part 279 subpart C as incorporated in this rule.

(B) Applicability. This subsection sets forth requirements [which] that modify or add to those requirements in 40 CFR part 279 subpart B.

1. 40 CFR 279.10(c) is modified as follows. Used oil drained or removed from materials containing or otherwise

contaminated with used oil shall be managed as a hazardous waste if the used oil exhibits a hazardous characteristic. Any exclusions from the definition of solid waste or hazardous waste will apply.

2. In 40 CFR 279.10(f), incorporated by reference in this rule, delete “subject to regulation under either section 402 or section 307(b) of the Clean Water Act (including wastewaters at facilities which have eliminated the discharge of wastewater)” and in its place substitute “regulated under Chapter 644, RSMo, the Missouri Clean Water Law.”

3. In addition to the prohibitions of 40 CFR 279.12, incorporated by reference in this rule, the following shall apply:

A. All used oil is prohibited from disposal in a solid waste disposal area; and

B. Used oil shall not be disposed of into the environment or cause a public nuisance.

(C) Standards for Used Oil Generators. This subsection sets forth requirements *[which]* that modify or add to those requirements in 40 CFR part 279 subpart C.

1. In addition to the requirements of 40 CFR 279.20(a)(2), incorporated by reference in this rule, vessels on navigable waters, as defined in 40 CFR 110.1, shall not dispose of used oil into waters of the state except as allowed by Chapter 644, RSMo.

[2. (Reserved)]

3. In 40 CFR 279.22(d), incorporated by reference in this rule, delete “the effective date of the authorized used oil program for the State in which the release is located,” and insert in its place “the original effective date of 10 CSR 25-11.279.”

[4.]2. In addition to the requirements at 40 CFR 279.23(a), generators also may burn in used oil space heaters used oil from farmers not regulated by 40 CFR part 279 subpart C.

[5.]3. In addition to the requirements at 40 CFR 279.23, incorporated in this rule, burning in a used oil space heater any mixture of used oil with a hazardous waste is prohibited, except that mixtures of used oil with hazardous waste originating from *[conditionally exempt]* very small quantity generators of hazardous waste may be burned in used oil-fired space heaters, so long as the hazardous waste is hazardous solely because it exhibits the characteristic of ignitability.

[6.]4. Used oil generators shall keep all tanks and containers that are exposed to rainfall closed at all times except when adding or removing used oil.

(D) Standards for Used Oil Collection Centers and Aggregation Points. This subsection sets forth requirements *[which]* that modify or add to those requirements in 40 CFR part 279 subpart D.

1. Do-it-yourselfer used oil collection centers, used oil collection centers, and used oil aggregation points owned by the generator may accept used oil from farmers not regulated under 40 CFR part 279 subpart C.

2. In addition to the requirements of 40 CFR part 279 subpart D, do-it-yourselfer used oil collection centers, used oil aggregation points, and used oil collection centers shall notify the solid waste district in which they operate or the department’s *[Hazardous]* Waste Management Program of their used oil collection activities.

A. Notification shall be by letter and include the following:

(I) The name and location of the collection center;

(II) The name and telephone number of the owner or operator;

(III) The name and telephone number of the facility contact, if different from the owner or operator;

(IV) The type of collection center; and

(V) The dates and hours of operation.

B. The notification submitted by a used oil collection center will satisfy the requirement of 40 CFR 279.31(b)(2) that the used oil collection center be recognized by the *[state]* department.

C. Do-it-yourselfer used oil collection centers, used oil collection centers, and used oil aggregation points shall notify the solid waste district in which they operate or the department’s *[Hazardous]* Waste Management Program when their used oil collection activities cease.

D. The notifications to operate or cease to operate received by a solid waste district shall be transmitted to the department’s *[Hazardous]* Waste Management Program for public information purposes or be incorporated in the information submitted to the department as part of their regular reporting requirements.

3. No quantity of used oil collected by do-it-yourselfer oil collection centers, used oil collection centers, and used oil aggregation points shall be stored for more than twelve (12) months at the collection center or aggregation point.

4. Do-it-yourselfer used oil collection centers, used oil collection centers, and used oil aggregation points shall keep all tanks and containers that are exposed to rainfall closed at all times except when adding or removing used oil.

5. Used oil collection centers, do-it-yourselfer used oil collection centers, and used oil aggregation points shall have a means of controlling public access to the used oil storage area.

A. Access control may be an artificial or natural barrier *[which]* that completely surrounds the storage area or access control may be achieved by storing the used oil inside a locked building.

B. An attendant shall be present when the public has access to the do-it-yourselfer used oil collection center, used oil collection center, and used oil aggregation point. No public access shall be allowed to the stored used oil when the collection center or aggregation point is unattended.

(E) Standards for Used Oil Transporters and Transfer Facilities. This subsection sets forth requirements *[which]* that modify or add to those requirements in 40 CFR part 279 subpart E.

1. In addition to the requirements of 40 CFR 279.42, transporters of used oil shall be licensed in accordance with the requirements in 10 CSR 25-6.263.

2. In addition to the requirements of 40 CFR 279.45(d)–(f), incorporated by reference in this rule, secondary containment systems shall have a capacity equal to or greater than ten percent (10%) of the containerized waste volume, or the volume of the largest container, whichever is greater. (Note: Facilities that store used oil in tanks near navigable waters may be subject to the spill prevention, control, and countermeasures standards found in 40 CFR 112.)

3. In addition to the requirements of 40 CFR 279.46, incorporated by reference in this rule, the following shall apply:

A. *(Reserved)*

B. All transporters who transport one thousand (1,000) gallons or more of used oil in a reporting period must submit the information described in 40 CFR 279.46(a) and (b) to the director of the department’s *[Hazardous]* Waste Management Program annually, on form MO 780-1555, the Transporter’s Annual Report Form, incorporated by reference in this rule and provided by the department. The form shall include information for a reporting period from July 1 to June 30, and be submitted by August 31 following the reporting period.

4. In addition to the requirements of 40 CFR 279.46 incorporated in this rule, transporters of used oil operating a

transfer facility shall maintain an inventory log to *[assure the demonstrate compliance with the off-site shipment [of used oil within thirty-five (35) days] requirements found within 40 CFR 279.45(a).*

5. In addition to the requirements of 40 CFR 279.46(d), incorporated in this rule, the inventory log described in paragraph (2)(E)4. of this rule shall be maintained for at least three (3) years, or longer if requested by the department.

6. In addition to the requirement of 40 CFR 279.47, used oil transporters who operate a transfer facility shall close the transfer facility in accordance with 10 CSR 25-6.263(2)(A)10.G.

7. Used oil transfer facilities shall keep all tanks and containers that are exposed to rainfall closed at all times except when adding or removing used oil.

8. For shipments involving rail transportation, the initial rail transporter shall forward copies of the shipping record to –

A. The next nonrail transporter, if any;

B. The receiving facility if the shipment is delivered by rail; or

C. The last rail transporter handling the used oil in the United States.

(F) Standards for Used Oil Processors and Re-Refiners. This subsection sets forth requirements *[which] that* modify or add to those in 40 CFR part 279 subpart F.

1. In 40 CFR 279.52(b)(6)(iv)(B), incorporated in this rule, the government official described as the on-scene coordinator shall be either the department's emergency response coordinator or the *[EPA] Environmental Protection Agency* Region VII emergency planning and response branch.

2. In addition to the requirements at 40 CFR 279.54(c) and (d), secondary containment systems shall have a capacity equal to or greater than ten percent (10%) of the containerized waste volume or the volume of the largest container, whichever is greater. (Note: Facilities that store used oil in tanks near navigable waters may be subject to the spill prevention, control, and counter-measures standards found in 40 CFR 112.)

3. In 40 CFR 279.54(g), incorporated by reference in this rule, delete "the effective date of the *[authorized] recycled used oil management program [for] in effect in* the State in which the release is located," and insert in its place "the original effective date of 10 CSR 25-11.279."

4. In 40 CFR 279.52(b)(6)(viii)(C), incorporated in this rule, the state authority to be notified is the director of the *[department's Hazardous Waste Program] program*.

5. Used oil processors and re-refiners shall keep all tanks and containers that are exposed to rainfall closed at all times except when adding or removing used oil.

(G) Standards for Used Oil Burners Who Burn Off-Specification Used Oil for Energy Recovery. This subsection sets forth requirements *[which] that* modify or add to those requirements in 40 CFR part 279 subpart G.

1. In addition to the requirements of 40 CFR 279.64(c)–(e), secondary containment systems shall have a capacity equal to or greater than ten percent (10%) of the containerized waste volume or the volume of the largest container, whichever is greater. (Note: Facilities that store used oil in tanks near navigable waters may be subject to the spill prevention, control, and counter-measures standards found in 40 CFR 112.)

[2. In 40 CFR 279.64(g), incorporated in this rule, delete "the effective date of the authorized used oil program for the State in which the release is located," and insert in its place "the original effective date of 10 CSR 25-11.279."]

[3.]2. Used oil burners shall provide the transporter who delivers each shipment of used oil with the information specified in 40 CFR 279.65, incorporated in this rule, and retain

for three (3) years a copy of the completed form MO 780-1449*[(4-94)]*, the Transporter's Used Oil Shipment Record, for each shipment received. The period of record retention shall extend automatically during the course of any pending enforcement action, or upon the *[director's] department's* request. The records shall be available to authorized representatives of the department for inspection and copying during regular business hours.

[4.]3. Used oil burners shall keep all tanks and containers that are exposed to rainfall closed at all times except when adding or removing used oil.

(H) Standards for Used Oil Fuel Marketers. This subsection sets forth requirements *[which] that* modify or add to those requirements in 40 CFR part 279 subpart H.

1. Used oil marketers subject to 40 CFR 279.74, incorporated in this rule, shall provide the transporter who delivers each shipment of used oil with the information specified in 40 CFR 279.74 and retain for three (3) years a copy of the completed form MO 780-1449*[(4-94)]*, the Transporter's Used Oil Shipment Record, for each shipment received. The period of record retention shall extend automatically during the course of any pending enforcement action, or upon the *[director's] department's* request. The records shall be available to authorized representatives of the department for inspection and copying during regular business hours.

(I) Standards for Use as a Dust Suppressant and Disposal of Used Oil. *[This subsection sets forth requirements which modify or add to those requirements in 40 CFR part 279 subpart I.*

1. 40 CFR 279.81 is not incorporated in this rule. Instead of the requirements in 40 CFR 279.81, the following shall apply:

A. Manage used oil that cannot be or is not intended to be recycled in accordance with 10 CSR 25-5, 6, 7, 9, and 13, and release of even non-hazardous used oil into the environment is prohibited.

2. The use of used oil as a dust suppressant on a road, parking lot, driveway, or other similar surface is prohibited.

3. 40 CFR 279.82 is not incorporated in this rule.] *(Reserved)*

(3) Requirements for Low Concentration Polychlorinated Biphenyls (PCB) Used Oil.

(C) A generator, transporter, *[or] owner[,]* or operator of a hazardous waste management facility, certified resource recovery facility, or PCB facility that manages low concentration PCB used oil may be required to verify by analysis or investigation, or both, that the used oil is not PCB material as defined in 10 CSR 25-13.010.

AUTHORITY: section 260.370, RSMo 2016. Original rule filed Jan. 5, 1994, effective Aug. 28, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri

Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 12 – Hazardous Waste Fees and Taxes

PROPOSED AMENDMENT

10 CSR 25-12.010 Fees and Taxes. The commission is adding new sections (1)–(4), renumbering as necessary, and amending the purpose and remaining sections.

PURPOSE: This amendment consolidates the reporting and registration requirements regarding hazardous waste fees.

PURPOSE: This rule identifies fees and taxes assessed for generators; transporters; applicants for licenses, certifications, and permits; owners [for operators of hazardous waste treatment, storage, resource recovery, and disposal facilities; and persons seeking variances. (Note: The department bills for the Department of Revenue but is not the collector of fees or taxes for Missouri.) This rule is in addition to federal requirements. The fees in this rule are based on the authority in sections 260.380.1(10)(d) and 260.475.8, RSMo, to revise the hazardous waste fee structure through the rulemaking process. The fees established in this rule are in effect notwithstanding any conflicting language in any other rule regarding the amount of any of the fees listed in this rule.

(1) Registration of Generators of Hazardous Waste. The following constitutes the registration process for persons subject to the registration requirements pursuant to 10 CSR 25-5.262:

(A) A person subject to registration shall file a completed registration form furnished by the department. The department requires an original ink signature on all registration forms before processing. In the event the department develops the ability to accept electronic submission of the registration form, the signature requirement will be consistent with the United States Environmental Protection Agency's (EPA's) Cross Media Electronic Reporting Rule for an electronic signature on documents. All generators located in Missouri shall use only the Missouri version of the registration form;

(B) A generator registered as a small quantity generator (SQG) shall comply with the re-notification requirements of 40 CFR 262.18(d) as modified by this paragraph beginning in 2025.

1. Beginning in 2025, any generator registration form submitted to the department to meet the requirements of subsections (A) or (B) of this section in the three (3) calendar years prior to the current year will be considered to have met the re-notification requirement;

(C) The department may request additional information, including information concerning the nature and hazards associated with a particular waste or any information or reports concerning the quantities and disposition of any hazardous wastes as necessary to authorize treatment, storage, or disposal and to ensure proper hazardous waste management;

1. Generators that have the following activities shall

mark the appropriate box on the generator registration form and complete the corresponding addendum to the registration form:

A. Management of Hazardous Secondary Materials;

B. Episodic Event. In addition to the requirements of 40 CFR 262 subpart L, generators must meet the following conditions to be able to use the episodic event:

(I) A generator must have an EPA ID and have paid the registration fee or pay the registration fee with the episodic event notification;

(II) In the event the department determines that an episodic event notification does not meet the definition of an episodic event, the department will register the generator at the appropriate higher generator status and require the generator to pay the rest of the appropriate registration fee; and

(III) A very small quantity generator (VSQG) that has an episodic event must meet the SQG reporting requirements for the reporting year(s) in which the event took place; or

C. Large quantity generator (LQG) consolidation of VSQG waste;

(D) All new generator registration and renewal fees will be based upon the generator status of the generator. The fee schedule is as follows:

1. A generator registering as a LQG shall pay a registration fee of five hundred dollars (\$500);

2. A generator registering as a SQG shall pay a registration fee of one hundred fifty dollars (\$150); and

3. A generator registering as a VSQG shall pay a registration fee of one hundred fifty dollars (\$150);

(E) A registration fee will be paid with the submittal of the registration form required by subsection (1)(A) when one (1) of the following is true:

1. The generator is applying for a new ID number (initial registration);

2. The generator is reactivating an existing ID number that had been inactivated;

3. There has been a change in the ownership of the generator (initial registration for the new company); or

4. Any generator who changes its generator status to a status that has a higher registration fee than the fee that the generator has already paid for the year as required by this subsection shall pay the difference between the registration fee for the current status and the registration fee of the new status; and

(F) The department will immediately revoke the registration of any person who pays the registration fee with what is found to be an insufficient check.

(2) Registration Renewal of Generators of Hazardous Waste.

(A) The calendar year constitutes the annual registration period.

(B) Annual registration renewal billings will be sent by December 1 of each year to all generators holding an active registration.

(C) Any generator initially registering between October 1 and December 31 of any given year shall pay the initial registration fee, but does not pay the annual renewal fee for the calendar year immediately following their initial registration. From that year forward, the generator shall pay the annual renewal fee.

(D) The department will administratively inactivate the registration of any generator subject to registration who fails to pay the annual renewal fee by the due date specified on the billing, and the generator will be subject

to enforcement action for failure to properly maintain its registration.

(E) Generators administratively inactivated for failure to pay the renewal fee in a timely manner, who later in the same registration year pay the annual renewal fee, shall pay a fifteen percent (15%) late fee in addition to the annual renewal fee for each applicable registration year and shall file an updated generator registration form with the department before their registration is reactivated by the department.

(F) Generators who request that their registration be made inactive rather than pay the renewal fee, who later in that same renewal year pay the annual renewal fee to reactivate their registration, shall pay a fifteen percent (15%) late fee in addition to the annual renewal fee and file an updated generator registration form with the department before their registration is reactivated by the department.

(G) The department will immediately revoke the registration of any person who pays the annual renewal fee with what is found to be an insufficient check.

(H) The department may administratively inactivate the registration of generators that fail to pay any applicable hazardous waste fees and taxes in a timely manner after appropriate notice to do so.

(3) Hazardous Waste Summary Report.

(A) All generators subject to registration in accordance with 10 CSR 25-5.262 shall complete a Generator's Hazardous Waste Summary Report on a form provided by the department; or on a reproduction of the form provided by the department; or a form arranged in the same manner as the form provided by the department after review and approval by the department; or electronically through the department's system built to collect the data that would have been placed on the paper form. In the event that the department develops a cost-effective means of obtaining and utilizing the data in EPA's e-Manifest system, the reporting requirements on hazardous waste generated will be eliminated with the following exceptions:

1. The hazardous waste generated was not shipped using a hazardous waste manifest;

2. The hazardous waste generated was shipped to a treatment, storage, and disposal facility located in a foreign country; and

3. To claim that the waste that was generated is not subject to a particular fee or fees.

(B) A person required to file the Generator's Hazardous Waste Summary Report who does not ship any hazardous wastes or who makes only one (1) shipment of hazardous waste during the entire reporting year, July 1 through June 30, or is defined as a SQG for the entire reporting year, or is defined as an LQG and filing their report electronically in a manner prescribed by the department, may file an annual report covering the July 1 to June 30 reporting year by August 14 following the reporting year period. LQG's can elect to report quarterly.

1. A generator that files a quarterly report within a particular reporting year shall file quarterly reports for the entire reporting year, even if the generator becomes eligible to file an annual report in the middle of the reporting year.

(C) A generator who is registered with the department shall report the quantity, type, and status of all hazardous waste(s) shipped off site during the reporting period on the Generator's Hazardous Waste Summary Report

regardless of the destination of the shipment(s).

(D) When a generator reports a hazardous waste using a unit of volume, and fails to report the specific gravity of the waste, the department shall calculate the tonnage for that waste based on a specific gravity of 1.5.

(E) The Generator's Hazardous Waste Summary Report shall be signed and certified by an authorized representative as defined in 40 CFR 260.10 incorporated by reference in 10 CSR 25-3.

(F) The generator filing quarterly reports shall submit the completed Generator's Hazardous Waste Summary Report within forty-five (45) days after the end of each reporting period. The reporting periods and submittal dates are as follows: January 1 through March 31, with a submittal date of May 14 of the same year; April 1 through June 30, with a submittal date of August 14 of the same year; July 1 through September 30, with a submittal date of November 14 of the same year; and October 1 through December 31, with a submittal date of February 14 of the following year.

(G) A generator shall submit the information in 40 CFR 261.4(e)(2)(v)(C) incorporated by reference in 10 CSR 25-4.261(1) to the department along with the completed Generator's Hazardous Waste Summary Report.

(H) The department will administratively inactivate the registration of any generator that fails to file the Generator's Hazardous Waste Summary Report. The generator's registration will be reactivated after all reporting is filed, applicable fees are paid, and an updated generator registration form is submitted to the department.

(4) Facility Summary Report.

(A) SQGs or LQGs that generate and manage hazardous waste on site shall complete the Facility Summary Report.

(B) The owner or operator of a hazardous waste management facility shall –

1. Comply with the reporting requirements in section (3) of this rule regardless of whether the owner or operator is required to register as a generator pursuant to 10 CSR 25-5.262(2)(A)1.;

2. In addition to the reporting requirements in section (3) of this rule for hazardous waste generated on-site and shipped off-site for treatment, storage, or disposal, meet the same requirements for the following:

A. All hazardous waste generated on-site during the reporting period that is managed on-site; and

B. All hazardous waste received from off-site during the reporting period, including hazardous waste generated by another generator and hazardous waste generated at other sites under the control of the owner or operator.

(C) When a facility reports a hazardous waste using a unit of volume, and fails to report the specific gravity of the waste, the department shall calculate the tonnage for that waste based on a specific gravity of 1.5.

(D) All facilities subject to this section shall complete a Facility Summary Report on a form provided by the department; or on a reproduction of the form provided by the department; or a form arranged in the same manner as the form provided by the department after review and approval by the department; or electronically through the department's system built to collect the data that would have been placed on the paper form. In the event that the department develops a cost-effective means of obtaining and utilizing the data in EPA's e-Manifest system, the reporting requirements on manifested waste will be eliminated. Reporting of hazardous wastes that are not

manifested will still be required.

[(1)](5) Hazardous Waste Fees Applicable to Generators of Hazardous Waste. The fees in this section apply notwithstanding any conflicting language in any other rule regarding the amount of any of the fees listed in this section.

(A) A payment for any of the fees contained in this chapter will be considered late in the following circumstances:

1. A credit card or other form of electronic payment is received after the applicable deadline set in rule;

2. A check has a date after the applicable deadline set in rule;

3. A check arrives in an envelope that has a postmark after the applicable deadline set in rule;

4. A check is delivered directly to the department after the applicable deadline set in rule; and

5. A check dated prior to the deadline set in rule is received fourteen (14) days or later after the applicable deadline set in rule and the envelope does not have a postmark to indicate when it was mailed.

[(A)](B) In-State Waste Fee. A generator of hazardous waste shall pay the In-State Waste Fee annually in accordance with this subsection.

1. The fee shall be paid annually on or before January 1 of each year.

2. The fee shall be based on the waste reported to the department for the twelve- (12-) month period ending June 30 of the previous year.

3. For the purpose of calculating this fee, any portion of a ton shall be assessed as though it were a whole ton.

4. The first ton of waste generated each year shall be assessed a fee of two hundred dollars (\$200).

5. Each additional ton of waste shall be assessed a fee of six dollars and ten cents (\$6.10).

6. No generator site may be assessed a fee in excess of fifty-seven thousand dollars (\$57,000) for any given year.

7. Failure to pay this fee in full by the due date shall result in the imposition of a late fee equal to fifteen percent (15%) of the total original fee.

EXAMPLES OF IN-STATE WASTE FEE CALCULATION (These examples are for the rates that go into effect beginning with the July 1, 2016, to June 30, 2017, reporting year.)

Example 1. ABC Company reports 0.4 tons of hazardous waste. The number of tons would be rounded to 1 ton. The fee would be \$200 because the fee on the 1st ton of waste is \$200.

Example 2. ABC Company reports 25 tons of hazardous waste. $\$6.10 \times 24 \text{ tons} + \$200 \text{ for 1st ton} = \346.40 fee

Example 3. ABC Company reports 11,001 tons of hazardous waste.

$\$6.10 \times 11,000 \text{ tons} + \$200 \text{ for 1st ton} = \$67,300 \text{ fee}$
The fee would be \$57,000^[,] because that is the maximum annual fee.

8. No fee will be assessed on hazardous waste that is discharged by a generator to a municipal wastewater treatment plant^[, which] that is regulated by a permit issued by the Missouri Clean Water Commission.

[(B)](C) Land Disposal Fee. A generator subject to registration in accordance with 10 CSR 25-5.262 shall pay a land disposal fee in accordance with this subsection. The fee shall be paid annually, on or before January 1 of each year, at the rate of twenty-nine dollars and fifty cents (\$29.50) per ton or portion thereof for the hazardous waste reported to the department

for the twelve- (12-) month period ending June 30 of the previous year, having been discharged, deposited, dumped, or placed into or on the soil as a final action. *[For all reporting years prior to the July 1, 2016 to June 30, 2017 reporting year, the rate shall be twenty-five dollars (\$25) per ton.]* No fee will be assessed on generators who land dispose less than ten (10) tons of hazardous waste. **The fee rate assessed will be based on the reporting year the waste was generated.**

1. Failure to pay this fee in full by the due date shall result in a fifteen percent (15%) late fee being assessed on the amount owed.

2. When this fee is paid after the prescribed due date, interest shall be assessed on the period from the fee's due date to the date the fee is paid in full at an annual rate of ten percent (10%).

EXAMPLES OF LAND DISPOSAL FEE CALCULATION (These examples are for the rates that go into effect beginning with the July 1, 2016, to June 30, 2017, reporting year.)

Example 1. ABC Company reports land disposing 9.8 tons of hazardous waste. The fee would not be assessed since less than 10 tons of waste was land disposed.

Example 2. ABC Company reports land disposing exactly 10 tons of hazardous waste.

$\$29.50 \times 10 \text{ tons} = \295 fee

Example 3. ABC Company reports land disposing 124.3 tons of hazardous waste. The number of tons would be rounded to 125.

$\$29.50 \times 125 \text{ tons} = \$3,687.50 \text{ fee}$

[(C)](D) *(Reserved)*

(E) Out-of-State Waste Fee. All owners or operators of Missouri treatment, storage, or disposal facilities shall pay annually, on or before January 1 of each year, a fee to the department of two dollars (\$2) per ton or portion thereof for all hazardous waste received from outside the state. This fee shall be based on the hazardous waste received for the twelve- (12-) month period ending June 30 of the previous year. This fee shall not be paid on hazardous waste received directly from other permitted treatment, storage, and disposal facilities located in Missouri. Failure to pay this fee in full by the due date shall result in imposition of a late fee equal to fifteen percent (15%) of the total original fee.

EXAMPLES OF OUT-OF-STATE WASTE FEE CALCULATION

Example 1. ABC Company reports receiving 250 tons of hazardous waste from outside of Missouri.

$\$2 \times 250 \text{ tons} = \500 fee

Example 2. ABC Company reports receiving 410.6 tons of hazardous waste from outside of Missouri. The number of tons would be rounded to 411.

$\$2 \times 411 \text{ tons} = \822 fee

Example 3. ABC Company reports receiving 52,149.3 tons of hazardous waste from outside of Missouri. The number of tons would be rounded to 52,150.

$\$2 \times 52,150 \text{ tons} = \$104,300 \text{ fee}$

[(D)](F) The department will bill those generators whose records on file indicate that they are subject to the fees in

sections [(1)] (2) and (5) of this rule. However, if a generator does not receive a billing, it does not relieve the generator of the responsibility to pay the fees imposed by this rule.

[(E) Registration Fee. A generator subject to registration in accordance with 10 CSR 25-5.262 shall pay the following registration fees:

1. All new generator registration and renewal fees will be based upon the generator status of the generator. The fee schedule is as follows:

A. A generator registering as a Large Quantity Generator shall pay a registration fee of five hundred dollars (\$500);

B. A generator registering as a Small Quantity Generator shall pay a registration fee of one hundred fifty dollars (\$150); and

C. A generator registering as a Conditionally Exempt Small Quantity Generator shall pay a registration fee of one hundred fifty dollars (\$150);

2. A registration fee will be paid with the submittal of the registration form required by 10 CSR 25-5.262 when one (1) of the following is true:

A. The generator is applying for a new ID number (initial registration);

B. The generator is reactivating an existing ID number that had been inactivated;

C. There has been a change in the ownership of the generator (initial registration for the new company); and

D. Any generator who changes their generator status to a status that has a higher registration fee than the fee that the generator has already paid for the year as required by this subsection shall pay the difference between the registration fee for the current status and the registration fee of the new status;

3. The following constitutes the procedure for registration renewal:

A. The amount of the registration renewal fee is also based upon the generator status of the generator at the time the invoice is generated and uses the same schedule as the registration fee;

B. The calendar year shall constitute the annual registration period;

C. Annual registration renewal billings will be sent by December 1 of each year to all generators holding an active registration;

D. Any generator initially registering between October 1 and December 31 of any given year shall pay the initial registration fee, but not the annual renewal fee for the calendar year immediately following their initial registration. From that year forward, they shall pay the annual renewal fee;

E. Any generator subject to registration who fails to pay the annual renewal fee by the due date specified on the billing shall be administratively inactivated and subject to enforcement action for failure to properly maintain their registration;

F. Generators administratively inactivated for failure to pay the renewal fee in a timely manner, who later in the same registration year pay the annual renewal fee, shall pay a fifteen percent (15%) late fee in addition to the annual renewal fee for each applicable registration year and shall file an updated generator registration form with the department before their registration is reactivated by the department;

G. Generators who request that their registration be made inactive rather than pay the renewal fee, who later in that same renewal year pay the annual renewal fee to reactivate their registration, shall pay a fifteen percent (15%) late fee in addition to the annual renewal fee and file an updated generator registration form with the department before their registration is reactivated by the department; and

H. The department will immediately revoke the

registration of any person who pays the annual renewal fee with what is found to be an insufficient check; and

4. Large quantity generator registration renewal petition process. A generator may petition to have a single large quantity generator registration renewal fee cover multiple generator sites with different ID numbers as long as at least one (1) generator site is a large quantity generator and the generator can demonstrate to the satisfaction of the department that each of the following conditions has been met:

A. All of the generator sites are owned or leased by the same person and all are under control of the same person;

B. The generator provides a single point of contact for all generator sites within the group;

C. Each generator site is adjacent to a property that also shares a border with at least one (1) other generator site in the group, or all generator sites are accessible by a common roadway, or all generator sites are within the recognized boundaries of an industrial park, warehouse district, research campus, or academic campus, provided that all generator sites are in close proximity to one another and can be inspected as a single facility;

D. The generator submits a map that shows the location of each generator site covered by the single registration fee;

E. All of the generator sites share a single contingency plan, a single repository for required records, and a unified training plan that covers all of the large quantity and small quantity generator sites; and

F. The generator must submit an updated petition and map any time a generator site is added to or removed from the group and each generator site must have an existing ID number before it can be added to the group;

(F) Out-of-State Waste Fee. All owners/operators of Missouri treatment, storage, or disposal facilities shall pay annually, on or before January 1 of each year, a fee to the department of two dollars (\$2) per ton or portion thereof for all hazardous waste received from outside the state. This fee shall be based on the hazardous waste received for the twelve- (12-) month period ending June 30 of the previous year. This fee shall not be paid on hazardous waste received directly from other permitted treatment, storage, and disposal facilities located in Missouri. Failure to pay this fee in full by the due date shall result in imposition of a late fee equal to fifteen percent (15%) of the total original fee.

EXAMPLES OF OUT-OF-STATE WASTE FEE CALCULATION

Example 1. ABC Company reports receiving 250 tons of hazardous waste from outside of Missouri.

$\$2 \times 250 \text{ tons} = \500 fee

Example 2. ABC Company reports receiving 410.6 tons of hazardous waste from outside of Missouri. The number of tons would be rounded to 411.

$\$2 \times 411 \text{ tons} = \822 fee

Example 3. ABC Company reports receiving 52,149.3 tons of hazardous waste from outside of Missouri. The number of tons would be rounded to 52,150.

$\$2 \times 52,150 \text{ tons} = \$104,300 \text{ fee}$

[(2)](6) Fees and Taxes Applicable to Transporters of Hazardous Waste.

(A) A transporter subject to registration as a generator under

10 CSR 25-6.263 and, in accordance with 10 CSR 25-5.262, shall pay fees and taxes specified in sections (1), (2), and (5) of this rule.

(B) A transporter depositing hazardous waste at a hazardous waste landfill who pays the gross fee on behalf of a generator or who pays the gross fee due to the transporter's status as a generator shall pay a landfill tax to the owner ~~///~~or operator of the landfill, in accordance with subdivision 260.390~~[(8)].2~~, RSMo, when depositing that waste at the landfill.

(C) A hazardous waste transporter as defined at 10 CSR 25-3.260, except those exempted in subsection (E) of this section, requesting a hazardous waste transporter license in accordance with 10 CSR 25-6.263 shall submit to the department along with their license application the following fees:

1. An annual application fee of two hundred dollars (\$200); and

2. A use-based fee, calculated by adding the total licensed vehicle weight (LVW) of power units, and multiplying by the percentage of Missouri International Registration Plan (IRP) mileage (MOIRP) by the percent hazardous waste (HW) times a use rate of .0425. The formula is: $LVW \times \%MOIRP \times \%HW \times .0425 = \text{Use Fee}$. Fee calculations shall be submitted on forms furnished by the department in its application packet. Transporters shall base all calculations on the period of twelve (12) consecutive months immediately prior to July 1 immediately preceding the date of the license application. This time frame is known as the "previous year."

A. For those power units which utilize the International Registration Plan (IRP) or ~~[12 CSR 20-3.010]~~ **7 CSR 10-25.030** for apportioned registration, the transporter shall use the reported Missouri IRP mileage for the previous year.

B. For those power units not required to track IRP miles, the transporter shall calculate MOIRP mileage by dividing the Missouri mileage of their power units by total mileage for the previous year.

C. The percentage of hazardous waste will be the number of hazardous waste, used oil, or infectious waste truckloads from, to, or through Missouri, divided by the total truckloads from, to, or through Missouri, in the form of a percentage, for the previous year.

D. New transporters who wish to obtain a hazardous waste license and have no "previous year" history of hauling hazardous waste~~[,]~~ shall calculate license fees based on estimates of MOIRP mileage and percent hazardous waste.

(I) If an estimate is used to calculate the license fee, the transporter shall, within sixty (60) days of the expiration of the license, report the actual Missouri mileage and percent hazardous waste for the current license year. The renewal fee will include the license fee for the next year, plus any money owed the department due to an underestimation of the current year, plus ten percent (10%).

(II) No refunds will be issued by the department, but the department will issue credit for license fees in excess of ten percent (10%) (overestimation) for the next license year.

E. A transporter who wishes to add another power unit other than when applying for the annual license shall submit, along with power unit descriptions, a fee computed from this formula: $LVW \text{ of power unit} \times \%MOIRP \times \%HW \times .0425 = \text{Use Fee}$. Divide this figure by twelve (12), then multiply by the number of months remaining in the license year to derive the fee.

F. To replace one (1) power unit for another (due to accident, sale, or extended maintenance) submit all the required information for the replacement and a license certificate will be issued for that power unit for a limited

period.

G. A temporary permit can be issued for thirty (30) days for a fee of fifty dollars (\$50) for a power unit that is, for example, a temporary lease that is added to the fleet~~[,]~~; **and**

3. The total fee shall not exceed twenty-five thousand dollars (\$25,000) per transporter per year.

(D) Record~~[K]~~keeping and Reporting.

1. Licensed transporters, except those exempted in subsection (E) of this section, shall maintain all documentation used in calculating Missouri hazardous waste transporter license fees for a period of three (3) years following the expiration of the license. Transporters who reach the maximum payment are relieved of recordkeeping requirements and are also free to add or replace power units as necessary during the license year.

2. All documentation used to calculate Missouri hazardous waste transporter license fees must be provided to the department, upon request, within fifteen (15) calendar days from the date of receipt.

(E) Other than power units, transporters are not subject to the requirements of subsections (C) and (D) of this section. The license fee for each mode of transport other than power units shall be three hundred fifty dollars (\$350) per transporter per year. ~~A[*n other than*] non-~~power unit transporter shall not originally include, nor add, more than one (1) mode on the same license. For example, for a rail transport license, do not include power unit hazardous waste transportation.

(F) License renewals submitted within twelve (12) months of the effective date of this rule may be considered a new license and therefore subject to the provisions of 10 CSR 25-12.010~~[(2)]~~ **(6)(C)2.D.(I)** and **(II)** applicable to newly licensed transporters. The determining factor will be whether or not the transporter has been keeping accurate records of MOIRP mileage and Missouri hazardous waste percentage for the previous year. If the transporter has accurate figures for the previous year, then the license will be an actual renewal.

~~[(3)](7)~~ Fees and Taxes Applicable to Applicants for Permits or Certifications and to Owners~~[/]~~ or Operators of Treatment, Storage, and Disposal Facilities.

(A) An owner~~[/]~~ or operator of a hazardous waste treatment, storage, or disposal facility shall pay fees and taxes as specified in ~~[subsections]~~ ~~(1)[(A)](D)~~, ~~[(B)](2)~~, and ~~[(C)](5)(A), (B), and (D)~~ of this rule. An owner~~[/]~~ or operator of a hazardous waste treatment, storage, and disposal facility also shall pay fees and taxes as specified in section ~~[(1)](5)~~ of this rule for hazardous waste which is transported off-site for final disposition. (Note: These fees are not applicable to waste transported off-site for storage only; however, the fees are applicable to the waste transported from the storage facility to the point of final disposition except as provided in section ~~[(1)](5)~~.)

(B) A permit applicant shall pay the following fees upon application as specified in ~~[subdivision]~~ **section 260.395.7[(6)](5)**, RSMo ~~[and in accordance with 10 CSR 25-7.270(2)(B)8.]~~: One thousand dollars (\$1,000) for each hazardous waste management treatment, storage, or disposal facility. The fee shall be submitted with the application. The fee shall cover the first year of the permit, if issued, but the fee is not refundable if the permit is not issued. If the permit is to be issued for more than one (1) year, the applicant shall pay fees as specified in subsection ~~[(3)](7)(C)~~ of this rule.

(C) A permit applicant shall pay the following fees as specified in ~~[subdivision]~~ **section 260.395.7[(6)](5)**, RSMo, and ~~[in accordance with]~~ **pursuant to** 10 CSR 25-7.270(2)(C)1.A.: One thousand dollars (\$1,000) for each hazardous waste management treatment, storage, or disposal facility for each

year the permit is to be in effect beyond the first year.

(D) An applicant for a hazardous waste treatment, storage, or disposal facility permit shall pay all applicable costs *[in accordance with]* pursuant to 10 CSR 25-7.270(2)(B)~~9~~**6**., and as specified by *[subdivisions]* sections 260.395.7~~[(7)]~~**(6)** and 260.395.14(2), RSMo, for engineering and geological review. Those costs for engineering and geological review will be billed in the following categories:

1. The project engineer's and geologist's time expended in the following areas:

A. Supervision of field work undertaken to collect geologic and engineering data for submission with the permit application or resource recovery certification application;

B. Review of geologic and engineering plans submitted in relation to the permit application;

C. Assessment and attesting to the accuracy and adequacy of the geologic and engineering plans submitted in relation to the permit application; and

D. The project engineer's and geologist's time billed at the engineer's and geologist's hourly rates multiplied by a fixed factor of three and one-half (3 1/2). This fixed factor is comprised of direct labor; fringe benefits including~~[,]~~ but not limited to~~[,]~~ insurance, medical coverage, Social Security, Workers' Compensation, and retirement; direct overhead, including~~[,]~~ but not limited to~~[,]~~ clerical support and supervisory engineering review and *[Hazardous] Waste Management Program* administrative and management support; general overhead, including~~[,]~~ but not limited to~~[,]~~ utilities, janitorial services, building expenses, supplies, expenses and equipment, and department indirect costs; and engineering support, including~~[,]~~ but not limited to~~[,]~~ training, peer review, tracking and coordination;

2. The direct costs associated with travel to the facility site to supervise any field work undertaken to collect geologic and engineering data or to ascertain the accuracy and adequacy of geologic and engineering plans, or both, including~~[,]~~ but not limited to~~[,]~~ expenses actually incurred for lodging, meals, and mileage based on the rate established by the state of Missouri. These costs are in addition to the costs in paragraph ~~[(3)]~~**(7)** (D)1. of this rule; and

3. Costs directly associated with public notification and departmental public hearings, including legal notice costs, media broadcast costs, mailing costs, hearing officer costs, court reporter costs, hearing room costs, and security costs, will be billed to the applicant. In a contested case as defined in section 536.070(4), RSMo, costs related to preparing and supplying one (1) copy of the transcript(s) of the case shall not be charged to the applicant.

(E) An owner~~[/]~~ or operator of a hazardous waste landfill shall collect, on behalf of the state, from each generator or transporter, a tax equal to two percent (2%) of the gross charges and fees charged the generator for disposal at the landfill. The tax shall be accounted for separately on the statement of charges and fees made to the hazardous waste generator and shall be collected at the time of collection of the charges and fees.

~~[(4)]~~**(8)** Corrective Action Oversight Cost Recovery.

(A) In accordance with *[subdivision]* section 260.375(30), RSMo, owners~~[/]~~ or operators of hazardous waste facilities performing corrective action pursuant to sections 260.350 to 260.43~~0~~**3**, RSMo, and the rules promulgated thereunder shall pay to the department all reasonable costs, as determined by the commission, incurred by the department in the oversight of corrective action investigations, monitoring, or cleanup of releases of hazardous waste or hazardous constituents at

hazardous waste facilities. Oversight shall include review of the technical and regulatory aspects of corrective action plans, reports, documents, and associated field activities, including attesting to their accuracy and adequacy. All corrective action plans approved by the department pursuant to sections 260.350 to 260.43~~0~~**3**, RSMo, shall require the department, upon notice by the owner~~[/]~~ or operator that the approved plan has been completed, to verify within ninety (90) days that the corrective action plan has been complied with and completed. Within thirty (30) business days thereafter, and provided that the department agrees that the corrective plan has been complied with and completed, the department shall issue a letter to the owner~~[/]~~ or operator certifying the completion and compliance.

(B) Corrective action cost recovery billing shall be based on the hourly rate(s) of departmental staff performing corrective action oversight multiplied by a fixed factor of three and one-half (3 1/2). This fixed factor is comprised of direct labor; fringe benefits including~~[,]~~ but not limited to~~[,]~~ insurance, medical coverage, Social Security, Workers' Compensation, and retirement; direct overhead, including~~[,]~~ but not limited to~~[,]~~ clerical support and supervisory review and *[Hazardous] Waste Management Program* administrative and management support; general overhead, including~~[,]~~ but not limited to~~[,]~~ utilities, janitorial services, building expenses, supplies, expenses and equipment, and department indirect costs; and other support activities, including~~[,]~~ but not limited to~~[,]~~ training, peer review, tracking, and coordination.

(C) The direct costs associated with travel to hazardous waste facilities for the purpose of corrective action oversight including~~[,]~~ but not limited to~~[,]~~ expenses actually incurred for lodging, meals, and mileage based on the rates established by the state of Missouri shall be recoverable. These direct costs shall be billed to the owner~~[/]~~ or operator and are in addition to the costs in subsection ~~[(4)]~~**(8)**(B) of this rule.

(D) Corrective action-related costs directly associated with public notification and departmental public hearings, including legal notice costs, media broadcast costs, mailing costs, hearing officer costs, court reporter costs, hearing room costs, and security costs, shall be billed to the owner~~[/]~~ or operator. In a contested case as defined in section 536.070(4), RSMo, costs related to preparing and supplying one (1) copy of the transcript(s) of the case shall not be charged to the owner~~[/]~~ or operator.

(E) All funds remitted by owners~~[/]~~ or operators of hazardous waste facilities performing corrective action shall be deposited in the hazardous waste fund created in section 260.391, RSMo.

~~[(5)]~~**(9)** Variance Fee. Any person seeking a variance under 10 CSR 25 shall include a filing fee of fifty dollars (\$50) payable to Missouri with each petition as required by *[subdivision]* section 260.405.4(1), RSMo.

AUTHORITY: sections 260.370, 260.390, and 260.395, and 260.437, RSMo 2016, and sections 260.380, 260.391, 260.437, and 260.475, RSMo Supp. [2020] 2023. Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.*

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste Management
Commission
Chapter 12 – Hazardous Waste Fees and Taxes**

PROPOSED AMENDMENT

10 CSR 25-12.020 Hazardous Waste Compliance Inspection Fees. The commission is amending the purpose and sections (1)–(3).

PURPOSE: This amendment updates and clarifies the regulation for the hazardous waste compliance inspection fees. It is important to note that the department is not proposing to adjust the fee amount detailed in this regulation.

PURPOSE: This rule sets fees to be paid to the department by owners or operators of commercial hazardous waste treatment, storage, and disposal facilities. The fees will fund hazardous waste compliance inspections at these facilities. This rule also establishes procedures for billing and payment of the fees.

(1) **Applicability.** Pursuant to section 260.370.2, RSMo, this rule is applicable to owners or operators of hazardous waste facilities who have obtained, or are required to obtain, a hazardous waste facility permit and who accept, on a commercial basis for remuneration, hazardous waste from off-site sources for treatment, storage, or disposal. If multiple facilities with unique United States Environmental Protection Agency (U.S. EPA) identification numbers are owned or operated by a person or company, the inspection fees applicable under this rule shall be paid by the owner or operator for each facility with a unique U.S. EPA identification number.

(2) **Fees Applicable to Commercial Hazardous Waste Treatment, Storage, and Disposal Facilities for Compliance Inspections.**

(A) An annual fee not to exceed the values in Table 1 of this rule shall be assessed to each operating commercial hazardous waste treatment, storage, or disposal facility for hazardous waste compliance inspections. The applicable inspection fee in Table 1 shall be based on the volume of hazardous waste managed by the facility that was received from off-site sources during the period of July 1 of each year through June 30 of the following year. The department will use the data reported in the facility quarterly manifest summary reports that are submitted by the facility as required by [10 CSR 25-7.264 (2)(E) and 10 CSR 25-7.265 (2)(E)] 10 CSR 25-12.010(4) to determine the amount of off-site waste managed by each facility.

(B) For new facilities for which there is no facility quarterly manifest summary report data available, the facility shall submit to the department an estimate of the volume of hazardous waste that will be managed during the period

from the date hazardous waste is first received from off-site to the following June 30. This estimate shall be provided to the department no later than thirty (30) days prior to the first expected receipt of hazardous waste from off-site. This estimate shall be submitted to the Director, [Hazardous] Waste Management Program, Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. The inspection fee for new facilities shall be determined from Table 1 using the estimated volume of waste to be received from off-site for treatment, storage, or disposal during the first year of operation. Existing facilities which have not received hazardous waste from off-site sources during the period of July 1 of each year through June 30 of the following year, and facilities which have changed ownership, will be considered new facilities for purposes of determining the applicable inspection fee from Table 1.

**Table 1
Yearly Inspection Fees Based on Volume of Hazardous Waste Accepted**

Metric Tons (kkg) of Hazardous Waste Received from Off-Site Sources	Annual Fee
[Greater Than] 10,000 kkg or more	\$12,000
2,500 to 9,999 kkg	\$10,800
0 to 2,499 kkg	\$9,800

(3) **Billing and Payment of Compliance Inspection Fees.**

(A) The department shall bill each facility [prior to] by December [15] 1 of each year for payment of inspection fees. The facility shall pay the inspection fees [no later than thirty (30) days following the billing date] on or before **January 1**. (Note: The inspection fee money collected from hazardous waste facilities, which has been determined from the facility quarterly manifest summary report data as specified in subsection (2)(A) and Table 1 of this rule, will fund compliance inspections for the following calendar year.)

(E) A payment for any of the fees contained in this chapter will be considered late in the following circumstances:

1. A credit card or other form of electronic payment is received after the applicable deadline set in rule;

2. A check has a date after the applicable deadline set in rule;

3. A check arrives in an envelope that has a postmark after the applicable deadline set in rule;

4. A check is delivered directly to the Department after the applicable deadline set in rule; and

5. A check dated prior to the deadline set in rule is received fourteen (14) days or later after the applicable deadline set in rule and the envelope does not have a postmark to indicate when it was mailed.

AUTHORITY: sections 260.370[,] and 260.390 [and 260.391], RSMo [1994] 2016, and section 260.391, RSMo Supp. 2023. Original rule filed Jan. 5, 1994, effective Aug. 28, 1994. Amended: Filed March 22, 1996, effective Nov. 30, 1996. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10 a.m., Sept. 19, 2024 at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 25 – Hazardous Waste
Management Commission
Chapter 16 – Universal Waste**

PROPOSED AMENDMENT

10 CSR 25-16.273 Standards for Universal Waste Management.
The commission is amending sections (1) and (2).

PURPOSE: This amendment updates the regulations for universal waste and incorporates the federal regulation references and is expected to reduce regulatory costs for a wide variety of establishments generating and managing aerosol cans, including the retail sector, by providing a clear, protective system for handling hazardous waste aerosol cans.

(1) The regulations set forth in 40 CFR part 273, July [1] 3, [2013] 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) applies in this rule in addition to any other modifications set forth in section (2) of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) Small and large quantity handlers of universal waste, universal waste transporters, [universal waste collection programs,] and owners/[or operators of a universal waste destination facility shall comply with the requirements noted in this section in addition to requirements set forth in 40 CFR part 273 incorporated in this rule. (Comment: This section has been organized such that Missouri additions or changes to a particular federal subpart are noted in the corresponding subsection of this section. For example, the requirements to be added to 40 CFR part 273 subpart A are found in subsection (2)(A) of this rule.)

(A) General. **(Reserved)** [In addition to the requirements in 40 CFR part 273 subpart A, the following regulations also apply:

1. (Reserved)

2. **Applicability—batteries.**

A. The additional state specific requirements described in this rule do not apply to batteries as described in 40 CFR 273.2;

3. **Applicability—pesticides.**

A. 40 CFR 273.3(a)(2) is modified as follows: Stocks of other unused pesticide products that are collected and managed as part of a universal waste pesticide collection program, as defined in paragraph (2)(A)9. of this rule.

B. The words “or reclamation” in 40 CFR 273.3(d)(1)(ii) are not incorporated in this rule;

4. (Reserved)

5. (Reserved)

6. (Reserved)

7. (Reserved)

8. **Applicability—household and conditionally exempt small quantity generator waste.**

A. In addition to the requirements of 40 CFR 273.8(a) (1) incorporated in this rule, household hazardous wastes which are of the same type as universal wastes defined in 40 CFR 273.9 as amended by paragraph (2)(A)9. of this rule, and which are segregated from the solid waste stream must either be managed in compliance with this rule or 10 CSR 25-4.261(2) (A)10.;

9. **Definitions.**

A. (Reserved)

B. **Universal Waste Pesticide Collection Program—**a Missouri universal waste pesticide collection program is any site where stocks of unused pesticide products are collected and managed. The collection program may accept unused pesticide products from both small and large quantity handlers of universal waste pesticides, universal waste transporters, and other universal waste pesticide collection programs. The collection program must operate in compliance with the Department of Natural Resources’ Standard Procedures for Pesticide Collection Programs in Missouri and submit a Letter of Intent to the director of the Hazardous Waste Program at least fourteen (14) days prior to accepting unused pesticide products. The Letter of Intent shall contain all of the following:

(I) The name of the organization/agency sponsoring the collection program;

(II) Name, telephone number, and address of a contact person responsible for operating the collection program;

(III) Location of the collection program; and

(IV) Date and time of the collection.]

(B) Standards for Small Quantity Handlers of Universal Wastes. In addition to the requirements in 40 CFR part 273 subpart B, the following regulations also apply. [except that additional state specific requirements do not apply to batteries as described in 40 CFR 273.2, as incorporated in this rule:

1. In addition to the requirements of 40 CFR 273.11, a small quantity handler of universal waste is prohibited from accepting universal waste pesticides from other universal waste pesticide handlers unless the receiving small quantity handler operates a universal waste pesticide collection program as defined in paragraph (2)(A)9. of this rule;

2. The phrase “or received from another handler” in 40 CFR 273.15(a) in regards to universal waste pesticides is not incorporated in this rule because in Missouri small quantity handlers of universal waste pesticides are prohibited from accepting universal waste pesticides from another handler without a universal waste pesticide collection program;

3. In 40 CFR 273.18(a), with respect to universal waste pesticides, remove the phrase “another universal waste handler” and replace it with “a universal waste pesticide collection program”;

4. Subsections 40 CFR 273.18(d) through (g) are not incorporated in this rule in regards to universal waste pesticides. In lieu of these subsections, the following requirements apply to the originating handler if a shipment of universal waste pesticides is rejected by the destination facility: The originating handler must either—

A. Receive the waste back when notified that the shipment has been rejected; or

B. Send the pesticides to another Missouri-certified

resource recovery facility or to a destination facility which agrees to take the waste;

5. (Reserved)]

[6.]1. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 273.20, as incorporated in this rule. The state may not assume authority from the Environmental Protection Agency (EPA) to receive notifications of intent to export or to transmit this information to other countries through the Department of State or to transmit Acknowledgments of Consent to the exporter. This modification does not relieve the regulated person of the responsibility to comply with the Resource Conservation and Recovery Act (RCRA) or other pertinent export control laws and regulations issued by other agencies.

(C) Standards for Large Quantity Handlers of Universal Wastes. In addition to the requirements in 40 CFR part 273 subpart C, the following regulations also apply:

[1. In addition to the requirements of 40 CFR 273.31, a large quantity handler of universal waste is prohibited from accepting universal waste pesticides from other universal waste pesticide handlers unless the receiving large quantity handler operates a universal waste pesticide collection program as defined in paragraph (2)(A)9. of this rule;

2. A large quantity handler of universal waste who manages recalled universal waste pesticides as described in 40 CFR 273.3(a)(1) as modified by 10 CSR 25-16.273(2)(A)3. and who has sent notification to EPA as established by 40 CFR part 165 is not required to notify EPA for those recalled universal waste pesticides under this section;

3. In addition to the requirements in 40 CFR 273.33, a large quantity handler of universal waste must manage universal waste mercury-containing equipment in a way that prevents releases of any universal waste or components of universal waste to the environment, as follows:

A. Ensure that a mercury clean-up system is readily available to immediately transfer any mercury-contaminated residue resulting from breakage, spills, or leaks into a container that meets the requirements of 40 CFR 262.34; and

B. Ensure that the area in which containers are stored is ventilated;

4. In addition to the requirements in 40 CFR 273.33, a large quantity handler of universal waste must manage universal waste lamps in a way that prevents releases of any universal waste or components of universal waste to the environment, as follows:

A. Ensure that a mercury clean-up system is readily available to immediately transfer any mercury-contaminated residue resulting from breakage, spills, or leaks into a container that meets the requirements of 40 CFR 262.34;

B. Ensure that the area in which containers are stored is ventilated; and

C. Ensure that employees handling universal waste lamps are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of spillage or released material into appropriate containers;

5. In 40 CFR 273.35(a) and (b), the phrase “or received from another handler” is not incorporated in this rule in regards to universal waste pesticides because in Missouri large quantity handlers of universal waste pesticides are prohibited from accepting universal waste pesticides from another handler without a universal waste pesticide collection program;

6. In 40 CFR 273.35(c)(1) through (c)(6), the phrases “or is received” and “or was received” are not incorporated in this rule in regards to universal waste pesticides because in Missouri large quantity handlers of universal waste pesticides are prohibited from accepting universal waste pesticides from

another handler without a universal waste pesticide collection program;

7. In 40 CFR 273.38(a), with respect to pesticide, remove the phrase “another universal waste handler” and replace it with “a universal waste pesticide collection program”;

8. 40 CFR 273.38(d) through (f) are not incorporated in this rule with regards to universal waste pesticides. In lieu of these subsections, the following requirements apply to the originating handler if a shipment of universal waste pesticides from a large quantity generator is rejected by the destination facility, the originating handler must either—

A. Receive waste back when notified that the shipment has been rejected; or

B. Send the waste to another destination facility which agrees to take the waste;

9. (Reserved);

10. 40 CFR 273.39(c)(1) is not incorporated in this rule in regards to universal waste pesticides because in Missouri large quantity handlers of universal waste pesticides are prohibited from receiving shipments of universal waste pesticides from another handler without a universal waste pesticide collection program;]

[11.]1. The substitution of terms in 10 CSR 25-3.260(1)(A) does not apply in 40 CFR 273.40, as incorporated in this rule. The state may not assume authority from the EPA to receive notifications of intent to export or to transmit this information to other countries through the Department of State or to transmit Acknowledgments of Consent to the exporter. This modification does not relieve the regulated person of the responsibility to comply with [the Resource Conservation and Recovery Act (RCRA)] or other pertinent export control laws and regulations issued by other agencies.

(D) Standards for Universal Waste Transporters.

1. In addition to the requirements set forth in 40 CFR part 273, subpart D, universal waste transporters shall:—

A. Comply with all provisions of 10 CSR 25-6.263 if hazardous waste, as defined at 10 CSR 25-4.261 and not managed under the provisions of this rule, is transported in the state of Missouri; and

B. Comply with the provisions of 10 CSR 25-6.263(2)(C) following a discharge of universal waste.

[2. In addition to the prohibitions in 40 CFR 273.51(a) and (b), a transporter of universal waste pesticides is prohibited from delivering this waste to another universal waste handler except by delivery back to the original handler upon rejection of shipment by the destination facility.]

[3.]2. In 40 CFR 273.51(a) add the phrase “into the environment” after the phrase “prohibited from disposing of universal waste.”

(E) Standards for Destination Facilities. [In addition to the requirements in 40 CFR part 273 subpart E, the following regulations also apply:] (Reserved)

[1. A universal waste destination facility that is also a permitted or interim status hazardous waste storage, treatment, or disposal facility must manage all universal wastes in an area which is separate from the permitted area or the waste loses its identity as universal waste and must be managed in compliance with the facility’s permit or interim status.]

(F) Import Requirements. (Reserved)

AUTHORITY: section 260.370, RSMo 2016. Original rule filed June 1, 1998, effective Jan. 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed July 10, 2024.

PUBLIC COST: This proposed amendment will not cost state

agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for 10 a.m., Sept. 19, 2024, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.010 Definitions. The division is amending section (1).

PURPOSE: This amendment updates the definitions of approval certificate, decal, rejection notice, and sticker, and creates definitions of inspection station record and safety inspection certificate.

(1) The following words and terms as used in these rules shall have the following meaning:

(A) Approval certificate is *[the white copy of the written document which is given to the vehicle owner and which shows that the vehicle meets the inspection requirements]* a **safety inspection certificate provided to the vehicle owner in print format, or in a digital format approved by the Missouri State Highway Patrol, which indicates a motor vehicle has passed a motor vehicle safety inspection;**

(D) Decal is a gummed decalomania that is *[attached]* applied to a motorcycle, **motor tricycle, or autocycle** on an exterior location other than the windshield when the vehicle *[meets the inspection requirements]* **has passed a motor vehicle safety inspection;**

(E) **Inspection station record is a safety inspection certificate maintained in print format or in a digital format approved by the Missouri State Highway Patrol in the records of the safety inspection station at which a motor vehicle safety inspection is performed;**

[(E)](F) Inspector/mechanic is any automotive mechanic issued a permit by the superintendent of the Missouri State Highway Patrol to conduct inspections;

[(F)](G) Motorcycle is a motor vehicle operated on two (2) wheels;

[(G)](H) Motor tricycle is a motor vehicle operated on three (3) wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motor tricycle shall not be included in the definition of all-terrain vehicle;

[(H)](I) Motor vehicle is any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

[(I)](J) Lights, lamps, and signaling devices consisting of multiple light emitting diodes shall be deemed to function properly if no less than seventy-five percent (75%) of the light

emitting diodes of such light, lamp, or signaling device is operational;

[(J)](K) Rejection notice is a *[document which is given to the vehicle owner indicating the vehicle does not meet the inspection requirements]* **safety inspection certificate provided to the vehicle owner in print or digital format, which indicates a motor vehicle has failed a motor vehicle safety inspection;**

[(K)](L) Revocation is the rescinding of an inspection permit for a period of one (1) year;

(M) **Safety inspection certificate is a certificate of inspection, in print format or in a digital format approved by the Missouri State Highway Patrol, completed by a licensed inspector/mechanic, which documents the findings of a motor vehicle safety inspection or a vehicle identification number and odometer reading verification performed at a licensed motor vehicle safety inspection station.**

[(L)](N) School bus is any motor vehicle used solely to transport students to and from school or to transport students to or from any place for educational purposes.

1. A Type “A” school bus is a van conversion or bus constructed utilizing a cutaway front-section vehicle with a left side driver’s door. The entrance door is behind the front wheels. This definition includes two (2) classifications: Type A1, with a Gross Vehicle Weight Rating (GVWR) less than or equal to ten thousand pounds (10,000 lbs.); and Type A2, with a GVWR of greater than ten thousand pounds (10,000 lbs.).

2. A Type “B” school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two (2) classifications: Type B1, with a GVWR less than or equal to ten thousand pounds (10,000 lbs.); and Type B2, with a GVWR greater than ten thousand pounds (10,000 lbs.).

3. A Type “C” school bus is constructed utilizing a chassis with a hood and fender assembly. The entrance door is behind the front wheels.

4. A Type “D” school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels;

[(M)](O) Sticker is a gummed label or decalomania that is *[attached]* applied to the windshield of a motor vehicle when the vehicle meets the inspection requirements;

[(N)](P) Suspension is the temporary removal of an inspection permit for a period of thirty (30) days to three hundred[,] sixty-four (364) days.

[(O)](Q) Trailer is any vehicle without motor power designed for carrying property or passengers on its own structure and for being drawn by self-propelled vehicles, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle;

[(P)](R) Truck-tractor is any self-propelled motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load being drawn; and

[(Q)](S) Vehicle owner is any person, firm, corporation, or association who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter. The term “vehicle owner” also shall

include any person renting or leasing a vehicle and having exclusive use of the vehicle for a period longer than thirty (30) days, the holder of a lessee title or the agent or personal representative of an owner as defined in this rule.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.020 Minimum Inspection Station Requirements.
The division is amending section (2).

PURPOSE: This amendment removes the requirement for Class A, B, C, and D stations to maintain a punch as equipment.

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

1. Brake lining gauge. A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

2. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

3. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

4. Lift or jack. A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage, and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member, or frame;

5. Scraper. A scraper to remove old stickers;

6. Measuring device. Yardstick or steel tape preferred;

[7. *Punch. An open face paper punch with a round die to validate inspection stickers and decals;*]

[8.7. A tire tread depth gauge [which] that is graduated into one-thirty-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; and

[9.78. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses.

(B) Class C inspection stations must have the following equipment:

1. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

2. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

3. A jack or lifting mechanism capable of lifting the vehicle so at least one (1) wheel is off the ground; and

4. Measuring device[; and

5. *Punch*].

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.060 Display of Permits, Signs, and Poster. The division is amending section (4).

PURPOSE: This amendment replaces an outdated poster title with an updated poster title and clarifies that the requirement does not apply to governmental stations.

(4) The **Notice to Vehicle Owner** poster[, MVI-6,] must be framed under clean glass and displayed in a conspicuous location discernible to those presenting vehicles for inspection. This is not required for private stations **or stations owned by government entities.**

AUTHORITY: section 307.360, RSMo [(1994)] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.070 Hours of Operation. The division is amending section (1) and adding new sections (3) and (4).

PURPOSE: This amendment adds requirements for hours of operation for businesses approved by the superintendent of the Missouri State Highway Patrol as part-time motor vehicle safety inspection stations.

(1) The normal business hours of every public **motor vehicle safety** inspection station shall be at least eight (8) continuous hours per day, five (5) days per week, **except for businesses licensed as part-time motor vehicle safety inspection stations.**

(3) The superintendent of the Missouri State Highway Patrol may, at his/her discretion, authorize the licensing of part-time motor vehicle safety inspection stations for businesses that do not operate within a traditional forty-(40-) hour work week. A business that is open forty (40) or more hours per week is not eligible for licensing as a part-time motor vehicle safety inspection station.

(A) Part-time motor vehicle safety inspection stations must be open to the public during all business hours established at the time of application.

(B) The Missouri State Highway Patrol shall consider only business hours between the hours of 6 a.m. and 10 p.m. for the calculation of normal business hours of part-time motor vehicle safety inspection stations.

(C) Normal business hours for part-time motor vehicle safety inspection stations will be, at a minimum, twenty (20) hours per calendar week, and must be posted on the Notice to Vehicle Owner poster.

(D) Regardless of normal business hours posted on the Notice to Vehicle Owner poster, part-time motor vehicle safety inspection stations shall be required to perform motor vehicle safety inspections at any time the business is open between the hours of 6 a.m. and 10 p.m.

(E) A business licensed as a part-time motor vehicle safety inspection station is prohibited from operating a station in a facility that is used by another business licensed as a motor vehicle inspection station.

(4) The superintendent of the Missouri State Highway Patrol may, at his/her discretion, cease the licensing of

part-time motor vehicle safety inspection stations. Should the licensing of part-time motor vehicle safety inspection stations cease, all part-time stations shall be allowed to remain as part-time inspection stations until expiration of the current licensing period, and no renewal of the license shall be completed.

AUTHORITY: section 307.360, RSMo [(1994)] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.090 Inspection Station Operational Requirements. The division is amending sections (1) and (10).

PURPOSE: This amendment updates rule language to ensure it is consistent with established statutory definitions.

(1) The inspection fee, including the issuance of the **safety inspection certificate [of inspection]**, sticker, or decal, may be charged for each inspection as established by state statute. Every inspection must be a complete inspection before a vehicle may be approved or rejected. Once an inspection has begun it shall not be terminated until a complete and proper inspection has been made. Every item of vehicular equipment that is required to be inspected shall be inspected according to prescribed procedures before an approval certificate, rejection notice, or inspection sticker or decal is issued. A proper and complete inspection consists of a physical inspection of the vehicle and the immediate completion and issuance of **[all] safety inspection certificates** at the time the vehicle is inspected.

(10) Inspection stickers, decals, and **[MVI-2s (see 11 CSR 50-2.120)] safety inspection certificates** will be kept under lock to prevent them from being lost, damaged, or stolen. If stickers, decals, or **[MVI-2s] safety inspection certificates** are lost, damaged, or stolen, they shall be reported immediately to the Missouri State Highway Patrol.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.100 Requisition of Inspection Stickers, Authorities, and Decals. The division is amending sections (1)–(4) and 6.

PURPOSE: This amendment updates procedures inspection stations are to follow in the requisition of safety inspection stickers, authorities, and decals, and emissions inspection authorities due to updates being made to stickers and decals; the amendment also removes the minimum order of five (5) books of stickers/decals or one hundred (100) safety inspection/emissions inspection authorities and creates an exception to the submission limit of one (1) requisition per month.

(1) Inspection stickers will be used on the windshield of passenger and commercial motor vehicles. Inspection stickers will be sold only in complete books of twenty (20) stickers at a cost of thirty dollars (\$30) per book. *[These stickers are valid for any one (1) of the calendar years shown on the sticker.]*

(2) Inspection decals will be used for motorcycle, **motor tricycle**, and autocycle inspections. Inspection decals will be sold only in complete books of twenty (20) decals at a cost of thirty dollars (\$30) per book. *[These decals are valid for any one (1) of the calendar years shown on the decal.]*

(3) All stations will keep a sufficient number of inspection stickers and/or decals on hand to meet their needs. **[Stations] Except in extenuating circumstances, and with the approval of the Missouri State Highway Patrol, stations** will be limited to one (1) requisition per month, allowing for sufficient time delay to prevent stations from depleting their stock of required supplies.

[(A) Public safety inspection stations shall purchase a minimum of five (5) books of inspection stickers and/or decals per combined order. Stations performing one hundred (100) or fewer inspections in the previous calendar year shall be exempt from this required minimum order.

[(B) Public safety and emission inspection stations with Gateway Vehicle Inspection Program (GVIP) analyzers shall purchase a combined minimum of not less than one hundred (100) safety inspection authorities or emission inspection authorities.]

(4) The Requisition for MVI Supplies (SHP-455) will be used

when ordering *[both]* stickers or decals. The Requisition for Gateway Vehicle Inspection Program (GVIP) Supplies (SHP-453) will be used by safety and emission stations with GVIP analyzers when ordering safety inspection authorities, emission inspection authorities, or decals. Requisitions must be accompanied by a check or money order made payable to the director of revenue, in the correct amount for the order. The requisition and payment *[must]* **shall** be mailed to the Missouri State Highway Patrol, Motor Vehicle Inspection *[Division]*, PO Box 568, Jefferson City, MO 65102. If a personal check is returned for any reason because of nonpayment, personal checks will no longer be accepted from that station. Stations that submit a check *[which]* **that** is returned for nonpayment are subject to administrative action, including suspension and revocation, and criminal prosecution. Cash will not be accepted under any circumstances. Orders for stickers and decals will be shipped to the station's address as listed on the station application or most recent amendment. No fee is charged for inspection stickers, authorities, or decals issued to governmental entities.

(6) Inspection stations may exchange unused expired inspection stickers and decals for the same number of current issue. A request to exchange stickers must be accompanied by a Return Of Expired Stickers/Decals Form (SHP-466) properly completed with the numbers of the stickers/decals being returned recorded in the appropriate locations. The stickers or decals must be submitted for exchange no later than April 30 of the calendar year following their expiration. Stickers may be *[traded]* **exchanged** for decals and vice versa. A station may be sent portions rather than full books. Exchange stickers and decals will be shipped separately from other orders.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.110 Issuance of Inspection Stickers and Decals. The division is amending sections (2) and (3), removing section (4), and renumbering as necessary.

PURPOSE: This amendment removes the validation procedures stations must follow when issuing safety inspection stickers and

decals.

(2) When an inspection sticker is issued, the inspector/mechanic shall [validate the sticker by punching the month and the year that the inspection was performed and by] legibly [writing] **complete** the information [asked for] **required** on the reverse side of the inspection sticker. Previous inspection stickers affixed to the windshield shall be removed. The inspector/mechanic shall affix the current inspection sticker on the inside of the vehicle's windshield in the lower left-hand corner. On motor vehicles not equipped with a windshield, the inspector/mechanic shall issue a properly validated inspection decal and affix it to the vehicle's dash or steering column.

(3) Location for placement of decals.

(A) When an inspection decal is issued for a motorcycle or **motor tricycle**, it shall be affixed in an upright position on the left side of the steering fork sleeve at a visible location near the slider tube. When such location is not available, the decal shall be affixed in an upright position to the frame in a visible location on the front left side of the [motorcycle] **vehicle**.

[(4) Stations which do not punch the correct month and year issue inspection sticker or decal shall be required to remove the sticker or decal from the vehicle and affix a properly validated inspection sticker or decal to the owner's vehicle without charge.]

[(5)](4) Stations will issue inspection stickers or decals from only one (1) book at a time, starting with their lowest numbered book.

[(6)](5) All covers from used books of both stickers and decals will be retained by the inspection station.

[(7)](6) Inspection stickers or decals issued to an inspection station can be used only by that station.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.120 [MVI-2 Form] Safety Inspection Certificate.

The division is amending the rule title and sections (1)–(5).

PURPOSE: This amendment updates the title of the rule in alignment with motor vehicle safety inspection definitions. The amendment also updates the rule in preparation for the completion of inspection documentation in digital format.

[(1) The MVI-2 form will be used as an approval certificate, rejection notice and station record. It shall be completed and signed by the inspector/mechanic who inspected the vehicle. This form will be issued to an inspection station by number without charge and can be used only by the station to which issued. A station owner shall be accountable for each set. This form shall be used in every instance when a vehicle is presented for inspection, and no part of the form shall be filled out until the vehicle has been presented for inspection. All applicable blanks or spaces on the form shall be completely and accurately filled out in a legible manner. The inspector/mechanic shall obtain the identification number from the vehicle and accurately record the number on the MVI-2 form in the space allotted. If a vehicle does not have an identification number, the inspector/mechanic shall write the word "None" on the form in the space provided. A station will issue approval certificates or rejection notices from one (1) book of MVI-2s at a time, twenty (20) sets to a book, using their lowest numbered book.]

(1) The safety inspection certificate, in print or digital format, will be used as an approval certificate, rejection notice, and station record.

(A) When completed in print format, the safety inspection certificate shall be signed by the inspector/mechanic who inspected the vehicle; the appropriate copy of the certificate shall be provided to the vehicle owner.

(B) When completed in digital format, the safety inspection certificate may be requested by the vehicle owner, in print or digital format.

(C) Safety inspection certificates in print format will be issued by the Missouri State Highway Patrol to inspection stations by number without charge. Safety inspection certificates in print format are eligible for use only by the station to which they are properly issued. A station owner shall be accountable for each set.

(D) Safety inspection certificates may be accessed by official motor vehicle safety inspection stations in a digital system of the Missouri State Highway Patrol, when such digital system exists. A station owner shall be accountable for all digital safety inspection certificates accessed/completed by station personnel and will assure that only station personnel authorized by the Missouri State Highway Patrol access the digital system.

(E) A safety inspection certificate, in print format or in a digital system of the Missouri State Highway Patrol, shall be completed in every instance when a vehicle is presented for inspection, and no part of the certificate shall be filled out until the vehicle has been presented for inspection. All applicable blanks or spaces on the certificate shall be completely and accurately filled out in a legible manner. The inspector/mechanic shall obtain the identification number from the vehicle and accurately record the number on the certificate in the appropriate field. If a vehicle does not have an identification number, the inspector/mechanic shall write the word "None" on the certificate in the appropriate field. When utilizing safety inspection certificates in print format, stations will issue approval certificates or rejection notices from one (1) book at a time, twenty (20) sets to a book, using their

lowest numbered book.

(2) Approval of Vehicle.

(A) If each item of equipment required to be inspected meets the inspection requirements, an inspection sticker or decal will be *[issued and the]* **appropriately applied to the vehicle.** If information available indicates the vehicle was repaired prior to the inspection (i.e., new tires, windshield, etc.), the appropriate box on the certificate shall be marked. The inspector/mechanic shall record the sticker or decal number on the *[MVI-2 form]* certificate in the *[space provided]* appropriate field.

(B) *[The first sheet of the MVI-2 form (white copy) shall be given to the vehicle owner or operator as an approval certificate. An approval]* The safety inspection certificate, with approval indicated, shall be provided to the vehicle owner in print format. If the inspection is documented in a digital system of the Missouri State Highway Patrol, a copy shall be provided to the vehicle owner when requested. A safety inspection certificate indicating approval will not be issued, under any circumstances, without the issuance of an inspection sticker or decal.

(C) No inspection sticker number or decal number shall be recorded on the *[MVI-2 form]* **safety inspection certificate** until the time a complete and proper inspection has been made and the vehicle described meets the minimum inspection standards established by rule; nor shall any signature of an inspector/mechanic be recorded until the vehicle has been completely and properly inspected.

(3) Rejection of Vehicle.

(A) *[If an item of equipment or any of its components does not meet the minimum inspection standards, the vehicle shall be rejected and the item or component shall be written under "Defective Part" in the space provided. In addition, the proper code for the defective item shall be determined from the code chart printed on the inside cover of the MVI-2 form and the code letter shall be recorded in the space provided. If an item is rejected for which a specific tolerance or measurement is listed, the measurement shall be recorded on the MVI-2 form.]* If any component fails to meet minimum inspection standards, the vehicle shall be rejected and the defect code(s) and description(s) shall be documented in the appropriate field(s) of the safety inspection certificate. If any defective component has prescribed tolerances or measurements, the measurement taken by the inspector/mechanic shall be recorded on the safety inspection certificate.

(B) If a load-carrying ball joint is rejected because of movement in excess of prescribed tolerances, the measured movement shall be recorded*[. It should also be shown whether the measurement of the rejected ball joint]* on the safety inspection certificate, with a notation regarding whether the movement is vertical or horizontal *[movement]*.

(C) The vehicle owner must be informed *[that s/he may repair the defective parts him/herself or have them repaired at any place of his/her choice and s/he shall have the right to remove the vehicle to a place for needed repairs]* of the right to remove the vehicle and seek repair of defective components elsewhere. The inspector/mechanic shall *[sign the MVI-2 form in the space provided]* provide their identifying information in the appropriate fields of the safety inspection certificate.

(D) Before any repairs are made by the inspection station at which the safety inspection was completed, the vehicle owner shall be provided with a written estimate, **in print or digital format**, of the total cost *[of the repairs and the vehicle*

owner must authorize the station to make the repairs by signing the repair authorization in the space provided on the MVI-2 form] for the repair of identified defective components.

(E) If the vehicle is removed from the inspection station *[for needed repairs, the second sheet of the MVI-2 form (yellow copy) shall be given to the vehicle owner as a rejection notice. The first sheet (white copy) and the third sheet (pink copy) will be filed with the station's yellow copies which are filed by consecutive control number]* without repair of defective components, a rejection notice shall be provided by the inspector/mechanic to the vehicle owner, in print or digital format. Such rejection notice shall indicate the vehicle was not approved, and shall document all defective components identified during the inspection; the station shall retain all remaining print format copies of the safety inspection certificate in station files, except that if documented in a digital system of the Missouri State Highway Patrol, stations are not required to maintain records in print format.

(F) When a previously rejected vehicle is returned for reinspection after *[repairs are made]* repair, the owner should present *[his/her]* the rejection notice *[(yellow copy). The white and pink copies of the MVI-2 form]* to station personnel. Copies of the safety inspection certificate having control numbers that correspond with the owner's rejection notice will be obtained from the station's files, or accessed digitally if the initial inspection was documented in a digital system of the Missouri State Highway Patrol. A reinspection will consist of only those *[items of equipment or]* components that were *[originally]* rejected during the initial motor vehicle safety inspection. If, upon reinspection, the vehicle is approved, an inspection sticker or decal will be *[issued]* **appropriately applied to the vehicle.** The inspector/mechanic who made the reinspection shall *[sign the approval certificate and record his/her inspector/mechanic number and the number of the inspection sticker or decal in the spaces provided. The approval certificate (white copy) then shall be given to the vehicle owner. The yellow copy will be filed by control number]* complete all fields within the reinspection section of the safety inspection certificate. The safety inspection certificate, with approval indicated, shall be provided to the vehicle owner in print format. If the inspection is documented in a digital system of the Missouri State Highway Patrol, a copy shall be provided to the vehicle owner if requested. The station shall retain a copy of the safety inspection certificate in station files, except that if the inspection is documented in a digital system of the Missouri State Highway Patrol, the station is not required to maintain the record in print format.

(4) Inspection Station Record.

(A) *[The third sheet of the MVI-2 form (pink copy) will be filed by consecutive issue of sticker or decal number]* Inspection stations shall maintain a record, in print format, of any safety inspection certificate completed in print format, for a period of twenty-four (24) months from the date of inspection. Inspection station records are not required to be maintained in print format for safety inspections documented in a digital system of the Missouri State Highway Patrol.

[(B) Twenty (20) pink copies, which are filed by consecutive issue of sticker or decal number, shall be filed between the front and back cover of the used sticker or decal book which contained corresponding sticker or decal numbers. These pink copies and used covers will be kept by the inspection station for twenty-four (24) months from the date the inspection sticker or

decal number was issued, at which time they may be destroyed.

(C) Inspection records (yellow and pink copies) shall be given to any member of the Missouri State Highway Patrol or motor vehicle inspector.]

[(D)](B) All [MVI-2 forms which] print format safety inspection certificates that are voided will be marked "Void." All voided sets will be [filed with the station's yellow copies that are filed by consecutive control number] maintained in station records for a period of twenty-four (24) months from the date of voidance.

(C) Missouri State Highway Patrol members or inspectors may review inspection station records at any time for any reason.

(5) If a vehicle owner loses [an] a print format approval certificate, the vehicle owner may obtain, within sixty (60) calendar days, a replacement approval certificate at no charge from the inspection station which made the original inspection.

(A) If the original certificate was documented in a digital system of the Missouri State Highway Patrol, the digital system shall be used by the station, upon request, to provide a duplicate.

(B) [Information for a replacement approval certificate will be obtained] If the original certificate was completed in print format, the inspection station shall obtain information for a replacement approval certificate from the inspection station's records, create a duplicate safety inspection certificate with the[. The] words "Replacement Certificate" [will be] written across the front [The first sheet (original) will be given to the vehicle owner. The second copy (yellow) will be filed by consecutive control number. The third copy (pink) will be filed by sticker or decal number], provide the appropriate copy to the vehicle owner, and file the remaining copies in station files.

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 50 – Missouri State Highway Patrol
Chapter 2 – Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.140 Sale of Vehicles for Junk, Salvage, or Rebuilding. The division is amending section (1) and replacing form SHP-498.

PURPOSE: This amendment updates the SHP-498, Junk, Salvage, or Rebuilding Affidavit.

(1) When a vehicle is sold for junk, salvage, or for rebuilding, the purchaser must give to the seller an affidavit signed before a notary public stating that the vehicle is being purchased for that purpose. A copy of the affidavit will be given to the buyer. The affidavit shall be written in the prescribed manner and shall contain the following information:

[JUNK, SALVAGE OR REBUILDING
AFFIDAVIT

SHP-498A 2/92

I understand that the

_____ (Year) (Make) (Model) (Vehicle Identification No.) (Mileage)

which I am buying from

_____ (Name of Seller)

has not been inspected and is in an unsafe mechanical condition. The vehicle is being purchased for junk, salvage or rebuilding. I understand that the vehicle cannot be operated in its present condition; therefore, I agree that the vehicle will either be towed or hauled from the place of purchase. I further understand that the vehicle cannot be registered and operated upon a public highway until I have the vehicle inspected. If any defects are discovered in the vehicle's brakes, lights, turn signals, steering mechanism, horn, mirrors, windshield wipers, tires, wheels, exhaust system, glass or fuel tank, during the inspection, they must be repaired at my own expense.

I certify that I have read the above statement, or that the above statement has been read to me, and that I fully understand the conditions under which the vehicle is being purchased.

(Purchser's Signature)

(Address)

NOTE: The sale of this vehicle in its present condition without an approval certificate and its operation upon the streets and highways of Missouri from the place of purchase, is a violation of section 307.380, RSMo, and may subject the seller to penalties pursuant to sections 307.380 and 307.390, RSMo, 1986.

FOR NOTARY PUBLIC USE ONLY

Subscribed and sworn to before me this _____ day of _____,
19 _____

Notary

Public _____ County of _____,
_____, State of Missouri.

My commission expires _____

(A COPY OF THIS AFFIDAVIT MUST BE GIVEN TO THE SELLER)]

SHP-498B 04/23

MISSOURI STATE HIGHWAY PATROL
JUNK, SALVAGE, OR REBUILDING AFFIDAVIT

INSTRUCTIONS: This affidavit is not for use in determining title type or brand. This affidavit documents the sale/purchase of a motor vehicle without a valid motor vehicle safety inspection. The buyer shall complete the affidavit in the presence of a notary public; the notarized affidavit shall be retained by the seller.

Year	Make	Model
Vehicle Identification Number	Vehicle Mileage	Name of Seller

I, the buyer of the above-referenced motor vehicle, certify I am purchasing a vehicle for junk, salvage, repair or rebuilding purposes that has not been safety inspected to ensure safe operating condition. I understand this vehicle cannot be registered in Missouri until a Missouri motor vehicle safety inspection is performed (*when so required by law*) and an approval certificate is issued. Furthermore, I understand this vehicle cannot be operated on a public roadway until properly registered.

I make this purchase understanding that repair of any defective components identified during any Missouri motor vehicle safety inspection is my financial responsibility.

I certify I have read the above statements, or the above statements have been read to me, and that I fully understand the conditions under which this vehicle is being sold/purchased.

Purchaser's Printed Name	Purchaser's Signature
Purchaser's Mailing Address	

NOTE: Operation of this vehicle, without proper inspection and registration, upon the public roadways of Missouri is a violation of Section 307.380, RSMo., and may subject the operator to penalties pursuant to Sections 307.380 and 307.390, RSMo., 1986. A valid Missouri motor vehicle safety inspection approval certificate must be presented at the time of application for registration

-----FOR NOTARY PUBLIC USE ONLY-----

Subscribed and sworn to before me this _____ day of _____, _____ Year
Day Month Year

Notary Public _____

County of _____, State of Missouri.

My commission expires _____.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 12, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Highway Patrol, Driver and Vehicle Safety Division, PO Box 568, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication in the **Missouri Register**. No public hearing is scheduled.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee of Dietitians, PO Box 1335, Jefferson City, MO 65102-1335, via facsimile at (573) 526-3856, or via email at diet@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2115 – State Committee of Dietitians Chapter 1 – General Rules

PROPOSED AMENDMENT

20 CSR 2115-1.040 Fees. The committee is amending section (1).

PURPOSE: This amendment increases fees and removes outdated language.

(1) The following fees are hereby established by the State Committee of Dietitians:

(A) Application [Fee]	\$ 50.00] \$ 60
(B) Reciprocity [Fee]	\$ 50.00] \$ 60
(C) Biennial Renewal [Fee]	\$ 20.00] \$ 25
[1. Effective January 1, 2016, to December 31, 2017	\$ 10.00
2. Effective January 1, 2018	\$ 20.00]
(D) Delinquent [Fee]	\$ 50[.00]
(E) Verification [Fee]	\$ 10[.00]
(F) Duplicate License [Fee]	\$ 5[.00]
(G) Duplicate Wall-Hanging [Fee]	\$ 5[.00]
(H) Return Check [Fee]	\$ 25[.00]
(I) Biennial Inactive License [Fee]	\$ 25[.00]

AUTHORITY: sections 324.212.4 and 324.228, RSMo [2000,] 2016 [and section 324.212.4, RSMo Supp. 2013]. This rule originally filed as 4 CSR 115-1.040. Original rule filed March 15, 2000, effective Sept. 30, 2000. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 15, 2024.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities an estimated two thousand nine hundred forty dollars (\$2,940) annually and thirteen thousand five hundred forty-five dollars (\$13,545) biennially for the life of the rule.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Commerce and Insurance
 Division 2115—State Committee of Dietitians
 Chapter 1 - General Rules
 Proposed Amendment to 20 CSR 2115-1.040 Fees

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
146	Application (Fee Increase @ \$10)	\$1,460
148	Reciprocity (Fee Increase @ \$10)	\$1,480
	Estimated Cost Beginning in FY25 and Annually Thereafter	\$2,940

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
2,709	Renewal (Fee Increase @ \$5)	\$13,545
	Estimated Cost Beginning in FY26 and Biennially Thereafter	\$13,545

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five (5) year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board’s recent five (5) year analysis, the board voted to increase fees.
2. Actual revenue increases may vary based on applications and renewal received.

3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The committee is statutorily obligated to enforce and administer the provisions of sections 324.200 to 324.228, RSMo. Pursuant to section 324.212, RSMo, the board shall by rule and regulation set the amount of fees authorized by section 324.212, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the division for administering the provisions of sections 324.200 to 324.228, RSMo.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.210 Permits to be Signed and Carried **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2024 (49 MoReg 731). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Conservation Commission received seven (7) comments on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

COMMENT #2: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule; however, specific comments were not related to the proposal to remove the requirement to carry a paper copy of

the Federal Duck Stamp given the stamp has been changed to a digital version.

RESPONSE: The commission thanks the individuals who provided input.

COMMENT #3: The commission received comments from four (4) individuals who voiced opposition to proposed changes to this rule; however, specific comments were not related to the proposal to remove the requirement to carry a paper copy of the Federal Duck Stamp given the stamp has been changed to a digital version.

RESPONSE: The commission thanks the individuals who provided input.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.900 Black Bear Hunting Season: General Provisions **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2024 (49 MoReg 793). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 9 – DEPARTMENT OF MENTAL HEALTH
Division 45 – Division of Developmental Disabilities
Chapter 7 – Developmental Disabilities Health Home**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Mental Health under sections 630.192 and 630.193 to 630.198, RSMo 2016, the department adopts a rule as follows:

9 CSR 45-7.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2024 (49 MoReg 477-485). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) staff comment.

COMMENT #1: Staff noted potentially unclear language in the of paragraph (2)(A)3., specifically, that the sentence did not make sense as written, and asked whether this a misspelling or whether changes were desired.

RESPONSE AND EXPLANATION OF CHANGE: The wording for

the Qualifications for a DD Health Home Provider in paragraph (2)(A)3. was intended to be consistent with the remaining provisions of the section, including Ongoing Provider Qualifications set forth in paragraph (3)(B)1. The wording has been changed to more fully accord with the phrasing in (3)(B)1. and for clarification.

9 CSR 45-7.010 Developmental Disabilities Health Home

(2) Developmental Disabilities Health Home Qualifications

(A) Initial Provider Qualifications. In addition to being a DD service provider of TCM or DD HCBS waiver services, each DD Health Home provider must meet state qualifications, which may be amended from time to time as necessary and appropriate, but minimally require that each Health Home –

1. Must be enrolled in Missouri's Medicaid program and agree to comply with all Medicaid program requirements;

2. DD Health Home providers can either directly provide, or subcontract for the provision of DD Health Home services. The DD Health Home remains responsible for all DD Health Home program requirements, including services performed by the contractor;

3. Have strong, engaged leadership personally committed to and capable of leading the DD Health Home through the transformation process and sustaining transformed DD Health Home processes as demonstrated through –

A. The provider designation review;

B. Agreement to participate in learning activities, including in-person sessions and regularly scheduled phone calls; and

C. Provider leadership, in collaboration with the state, have presented the state-developed introductory presentation to Missouri's DD Health Home initiative to provider staff and board of directors;

4. Meet the state's minimum access requirements as follows: Prior to implementation of DD Health Home service coverage, provide assurance of enhanced individual access to the health team, including the development of alternatives to face-to-face visits, such as telephone or email, twenty-four (24) hours per day seven (7) days per week;

5. Actively use MHD and DMH information technology (IT) systems to conduct care coordination and prescription monitoring for Medicaid individuals;

6. Utilize the department's identified system to input annual metabolic screening results, track and measure care of individuals, automate care reminders, and maintain other items as required by the department;

7. Routinely use an electronic health management tool to determine individualized health risks (i.e., Health Risk Screening Tool (HRST));

8. Routinely use an electronic health management tool to determine problematic prescribing patterns;

9. Conduct wellness interventions as indicated based on the individual's level of risk;

10. Agree to convene regular, ongoing, and documented internal DD Health Home team meetings to plan and implement DD Health Home healthcare goals and objectives of ongoing practice transformation;

11. Agree to participate in CMS and state-required evaluation activities;

12. Agree to develop required reports describing DD Health Home activities, efforts, and progress in implementing DD Health Home services;

13. Maintain compliance with the terms and conditions as a DD Health Home provider or risk termination as a provider of DD Health Home services;

14. Present a proposed DD Health Home service delivery model the department determines will have a reasonable likelihood of being cost-effective. Cost effectiveness will be determined based on the size of the proposed DD Health Home, Medicaid caseload, percentage of caseload with eligible chronic conditions of individuals, and other factors to be determined by DMH.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2150 – State Board of Registration for the Healing Arts

Chapter 2 – Licensing of Physicians and Surgeons

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-2.080 Physician Licensure Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2024 (49 MoReg 645-646). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

TITLE 3 – DEPARTMENT OF CONSERVATION

Division 10 – Conservation Commission

Chapter 12 – Wildlife Code: Special Regulations for Areas Owned by Other Entities

STATEMENT OF ACTUAL COST

3 CSR 10-12.140 Fishing, Daily and Possession Limits

The original public-cost estimate for this rulemaking was published in the Missouri Register on September 1, 2022 (47 MoReg 1286-1288). The estimate was calculated to be a total of four thousand five hundred fifty-five dollars and eighty-four cents (\$4,555.84) to the public entities of the city of Cape Girardeau and the Department of Conservation. The actual cost was six thousand forty dollars and sixty-four cents (\$6,040.64).

The increase in costs to these public entities was due to an increase in the price of trout provided by the contractor, due to rising input costs such as fish food and fuel.

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 1 – General Organization**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-1.010 Organization and Methods of Operation

[11]23 CSR 10-1.020 Missouri National Guard Trust Fund

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 2 – Public Access to Training Sites**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division

10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-2.010 Public Access to Army National Guard Training Areas

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 3 – National Guard Member Educational Assistance Program**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-3.015 State Sponsored Missouri National Guard Member Educational Assistance Program

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 4 – National Guard Military Honor Detail Program**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-4.010 Missouri National Guard Military Honor Detail Program

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 5 – Missouri Veterans' Recognition Program**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-5.010 Missouri Veterans' Recognition Program

[11]23 CSR 10-5.015 World War II Veterans' Recognition Award Fund

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 6 – National Guard Armory Rentals**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-6.010 National Guard Armory Rentals

*[TITLE 11—DEPARTMENT OF PUBLIC SAFETY]
TITLE 23—MISSOURI DEPARTMENT OF THE NATIONAL
GUARD*

**Division 10 – [Adjutant General] National Guard
Chapter 7 – Missouri Military Family Relief Fund**

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following Missouri Department of the National Guard rules have been moved from Title 11—Department of Public Safety, Division 10—Adjutant General to a newly created Title 23—Missouri Department of the National Guard, Division 10—National Guard.

[11]23 CSR 10-7.010 Missouri Military Family Relief Fund

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF WINDING UP AND DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST
HISTORY MUSEUM DEVELOPER, LLC**

History Museum Developer, LLC, a Missouri limited liability company ("**Company**"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on July 3, 2024. In accordance with the filing of the Notice of Winding Up for Limited Liability Company, and pursuant to the Missouri Limited Liability Company Act, any and all claims against the Company should be sent by mail to:

History Museum Developer, LLC
Attention: Christopher W. Martin, Esq.
c/o Polsinelli PC
900 W. 48th Place, Suite 900
Kansas City, Missouri 64112

Each claim should include the following:

- 1) A brief description of the nature and basis for your claim;
- 2) The date(s) when the events on which your claim is based arose;
- 3) The amount of your claim;
- 4) The name, address, telephone number and email address (if applicable) of the claimant; and
- 5) Any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this Notice.

**NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
TRANSLATING ADHD, LLC**

On July 8, 2024, Translating ADHD, LLC, filed its Notice of Winding Up with the Missouri Secretary of State. Translating ADHD, LLC requests that all persons and organizations who have claims against it present them immediately by letter to:

Bryan P. Cavanaugh
75 W. Lockwood Ave., Suite 222
St. Louis, MO 63119

All claims must include the following information:

- 1) Claimant's name and address,
- 2) The amount claimed,
- 3) Date on which the claim arose,
- 4) Basis for the claim and supporting documentation, and
- 5) Whether the claim was secured and, if so, the collateral used as security.

All claims against Translating ADHD, LLC, will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

**DISSOLUTION AND NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
CASEMENT, LLC**

On this 11th day of July, 2024, CASEMENT, LLC, a Limited Liability Company, filed its Dissolution and Notice of winding Up for CASEMENT, L.L.C. with the Missouri Secretary of State. CASEMENT, LLC, requests that all persons and organizations who have claims against CASEMENT, L.L.C., present them immediately by letter to:

PATRICK N. MEHAN
Attorney at Law
8909 Ladue Rd.
St. Louis, Missouri 63124

All claims must include the following information:

- 1) Name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) Date on which the event on which the claim is based occurred;
- 4) Basis for the claim or nature of the debt; and
- 5) Whether or not the claim was secured and, if so, the collateral used as security

All claims against CASEMENT, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) year for CASEMENT, LLC after the date of publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST
XNR LOGISTICS CO A MISSOURI CORPORATION**

On July 12, 2024, XNR LOGISTICS CO, a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution of the corporation was effective on that date. XNR LOGISTICS CO requests that all persons and organizations who have claims against it to present them immediately by letter to:

XNR LOGISTICS CO
c/o Xuemin Zhang
520 S. Brentwood Boulevard
St. Louis, Missouri 63105

All claims must include the following:

- 1) The name and address of the claimant;
- 2) The amount claimed;
- 3) The basis of the claim; the date(s) on which the events which form the basis of the claim occurred; and
- 4) Copies of any other supporting data.

Pursuant to section 351.482, RSMo as amended, any claim against XNR LOGISTICS CO will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the last publication of the notices required by the statute.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 48 (2023) and 49 (2024). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				47 MoReg 1457
DEPARTMENT OF AGRICULTURE					
2 CSR 30-1.020	Animal Health		49 MoReg 272	49 MoReg 912	
2 CSR 30-10.010	Animal Health	49 MoReg 395	49 MoReg 397	49 MoReg 1153	
2 CSR 70-25.005	Plant Industries		49 MoReg 848		
2 CSR 70-25.010	Plant Industries		49 MoReg 848		
2 CSR 70-25.020	Plant Industries		49 MoReg 850		
2 CSR 70-25.030	Plant Industries		49 MoReg 851		
2 CSR 70-25.050	Plant Industries		49 MoReg 851		
2 CSR 70-25.060	Plant Industries		49 MoReg 852		
2 CSR 70-25.070	Plant Industries		49 MoReg 853		
2 CSR 70-25.080	Plant Industries		49 MoReg 854		
2 CSR 70-25.090	Plant Industries		49 MoReg 854		
2 CSR 70-25.100	Plant Industries		49 MoReg 855		
2 CSR 70-25.110	Plant Industries		49 MoReg 857		
2 CSR 70-25.120	Plant Industries		49 MoReg 864		
2 CSR 70-25.130	Plant Industries		49 MoReg 865		
2 CSR 70-25.140	Plant Industries		49 MoReg 866		
2 CSR 70-25.150	Plant Industries		49 MoReg 866		
2 CSR 70-25.153	Plant Industries		49 MoReg 870		
2 CSR 70-25.156	Plant Industries		49 MoReg 871		
2 CSR 70-25.160	Plant Industries		49 MoReg 873R		
2 CSR 70-25.170	Plant Industries		49 MoReg 873		
2 CSR 70-25.180	Plant Industries		49 MoReg 873		
2 CSR 90	Weights, Measures and Consumer Protection				49 MoReg 1194
2 CSR 90-10.011	Weights, Measures and Consumer Protection		49 MoReg 874		
2 CSR 90-10.012	Weights, Measures and Consumer Protection		49 MoReg 874		
2 CSR 90-10.020	Weights, Measures and Consumer Protection		49 MoReg 875		
2 CSR 90-10.040	Weights, Measures and Consumer Protection		49 MoReg 876		
2 CSR 90-36.005	Weights, Measures and Consumer Protection		49 MoReg 603		
2 CSR 90-36.010	Weights, Measures and Consumer Protection		49 MoReg 604		
2 CSR 90-36.015	Weights, Measures and Consumer Protection		49 MoReg 605		
2 CSR 100-14.010	Missouri Agricultural and Small Business Development Authority		49 MoReg 329	49 MoReg 824	
2 CSR 110-4.010	Office of the Director	49 MoReg 263	49 MoReg 272	49 MoReg 912	
2 CSR 110-4.020	Office of the Director	49 MoReg 263	49 MoReg 273	49 MoReg 912	
2 CSR 110-4.040	Office of the Director	49 MoReg 264	49 MoReg 273	49 MoReg 913	
2 CSR 110-4.050	Office of the Director	49 MoReg 265	49 MoReg 274	49 MoReg 913	
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.113	Conservation Commission		49 MoReg 448	49 MoReg 1008	
3 CSR 10-4.117	Conservation Commission		49 MoReg 452	49 MoReg 1008	
3 CSR 10-5.205	Conservation Commission		49 MoReg 452	49 MoReg 1008	
3 CSR 10-5.210	Conservation Commission		49 MoReg 731	This Issue	
3 CSR 10-5.215	Conservation Commission		49 MoReg 452	49 MoReg 1009	
3 CSR 10-5.430	Conservation Commission		49 MoReg 955		
3 CSR 10-5.435	Conservation Commission		49 MoReg 957		
3 CSR 10-5.440	Conservation Commission		49 MoReg 959		
3 CSR 10-5.445	Conservation Commission		49 MoReg 961		
3 CSR 10-5.540	Conservation Commission		49 MoReg 963		
3 CSR 10-5.545	Conservation Commission		49 MoReg 965		
3 CSR 10-5.551	Conservation Commission		49 MoReg 967		
3 CSR 10-5.552	Conservation Commission		49 MoReg 969		
3 CSR 10-5.554	Conservation Commission		49 MoReg 971		
3 CSR 10-5.559	Conservation Commission		49 MoReg 973		
3 CSR 10-5.560	Conservation Commission		49 MoReg 973		
3 CSR 10-5.565	Conservation Commission		49 MoReg 975		
3 CSR 10-5.567	Conservation Commission		49 MoReg 977		
3 CSR 10-5.570	Conservation Commission		49 MoReg 979		
3 CSR 10-5.576	Conservation Commission		49 MoReg 981		
3 CSR 10-5.579	Conservation Commission		49 MoReg 983		
3 CSR 10-5.580	Conservation Commission		49 MoReg 985		
3 CSR 10-5.605	Conservation Commission		49 MoReg 987		
3 CSR 10-5.800	Conservation Commission		49 MoReg 453	49 MoReg 1009	
3 CSR 10-5.805	Conservation Commission		49 MoReg 455	49 MoReg 1009	
3 CSR 10-6.415	Conservation Commission		49 MoReg 457	49 MoReg 1009	
3 CSR 10-7.410	Conservation Commission		49 MoReg 457	49 MoReg 1009	
3 CSR 10-7.431	Conservation Commission		49 MoReg 458	49 MoReg 1010	
3 CSR 10-7.433	Conservation Commission			49 MoReg 1010	
3 CSR 10-7.435	Conservation Commission			49 MoReg 1011	
3 CSR 10-7.437	Conservation Commission			49 MoReg 1011	
3 CSR 10-7.700	Conservation Commission		49 MoReg 458	49 MoReg 1012	
3 CSR 10-7.900	Conservation Commission		49 MoReg 793	This Issue	
3 CSR 10-10.705	Conservation Commission		49 MoReg 459	49 MoReg 1012	

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
3 CSR 10-10.707	Conservation Commission		49 MoReg 459	49 MoReg 1012	
3 CSR 10-10.708	Conservation Commission		49 MoReg 462	49 MoReg 1012	
3 CSR 10-10.800	Conservation Commission		49 MoReg 464	49 MoReg 1012	
3 CSR 10-10.805	Conservation Commission		49 MoReg 466	49 MoReg 1012	
3 CSR 10-10.810	Conservation Commission		49 MoReg 468	49 MoReg 1013	
3 CSR 10-11.130	Conservation Commission		49 MoReg 471	49 MoReg 1013	
3 CSR 10-11.155	Conservation Commission		49 MoReg 471	49 MoReg 1013	
3 CSR 10-12.140	Conservation Commission				This Issue
3 CSR 10-20.805	Conservation Commission		49 MoReg 471	49 MoReg 1014	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-100.110	Division of Learning Service		49 MoReg 731		
5 CSR 20-200.180	Division of Learning Services		49 MoReg 876		
5 CSR 20-400.385	Division of Learning Services		49 MoReg 539		
5 CSR 20-400.540	Division of Learning Services		49 MoReg 540		
5 CSR 20-400.580	Division of Learning Services		49 MoReg 276	49 MoReg 914	
5 CSR 20-400.610	Division of Learning Services		49 MoReg 877		
5 CSR 20-400.650	Division of Learning Services		49 MoReg 879		
5 CSR 20-400.660	Division of Learning Services		49 MoReg 880		
5 CSR 20-400.670	Division of Learning Services		49 MoReg 882		
5 CSR 20-500.120	Division of Learning Services		49 MoReg 336	49 MoReg 1153	
5 CSR 20-500.130	Division of Learning Services		49 MoReg 1051		
5 CSR 20-500.140	Division of Learning Services		49 MoReg 337	49 MoReg 1153	
5 CSR 20-500.150	Division of Learning Services		49 MoReg 337	49 MoReg 1154	
5 CSR 20-500.160	Division of Learning Services		49 MoReg 338	49 MoReg 1154	
5 CSR 20-500.170	Division of Learning Services		49 MoReg 1052		
5 CSR 20-500.180	Division of Learning Services		49 MoReg 1052		
5 CSR 20-500.190	Division of Learning Services		49 MoReg 1053		
5 CSR 20-500.200	Division of Learning Services		49 MoReg 1054		
5 CSR 30-660.090	Division of Financial and Administrative Services		49 MoReg 607R		
DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT					
6 CSR 10-1.010	Commissioner of Higher Education		49 MoReg 735		
6 CSR 10-5.010	Commissioner of Higher Education		49 MoReg 540R	49 MoReg 1154R	
			49 MoReg 541	49 MoReg 1154	
MISSOURI DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.030	Missouri Highways and Transportation Commission		49 MoReg 89	49 MoReg 914	
7 CSR 10-25.060	Missouri Highways and Transportation Commission		49 MoReg 90	49 MoReg 914	
7 CSR 10-25.071	Missouri Highways and Transportation Commission		49 MoReg 90	49 MoReg 915	
7 CSR 10-25.072	Missouri Highways and Transportation Commission		49 MoReg 91	49 MoReg 915	
7 CSR 10-25.073	Missouri Highways and Transportation Commission		49 MoReg 91	49 MoReg 915	
7 CSR 60-2.010	Highway Safety and Traffic Division		49 MoReg 276	49 MoReg 1015	
7 CSR 60-2.030	Highway Safety and Traffic Division		49 MoReg 278	49 MoReg 1016	
7 CSR 60-2.040	Highway Safety and Traffic Division		49 MoReg 279	49 MoReg 1017	
7 CSR 60-2.050	Highway Safety and Traffic Division		49 MoReg 279	49 MoReg 1017	
7 CSR 60-2.060	Highway Safety and Traffic Division		49 MoReg 280	49 MoReg 1018	
7 CSR 265-10.015	Motor Carrier and Railroad Safety		49 MoReg 91	49 MoReg 915	
7 CSR 265-10.030	Motor Carrier and Railroad Safety		49 MoReg 92	49 MoReg 915	
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-7.030	Director, Department of Mental Health		49 MoReg 555		
9 CSR 45-7.010	Division of Developmental Disabilities	49 MoReg 943	49 MoReg 477		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-6.060	Director's Office		49 MoReg 1054		
10 CSR 10-6.065	Director's Office		49 MoReg 1067		
10 CSR 10-6.110	Director's Office		49 MoReg 1082		
10 CSR 10-6.241	Director's Office		49 MoReg 1094		
10 CSR 10-6.250	Director's Office		49 MoReg 1103		
10 CSR 10-6.255	Director's Office		49 MoReg 1115		
10 CSR 20-6.030	Clean Water Commission		49 MoReg 1121		
10 CSR 20-8.130	Clean Water Commission		49 MoReg 1123		
10 CSR 20-8.200	Clean Water Commission		49 MoReg 1125		
10 CSR 23-1.010	Well Installation		49 MoReg 607		
10 CSR 23-1.140	Well Installation		49 MoReg 608		
10 CSR 23-3.030	Well Installation		49 MoReg 608		
10 CSR 23-3.050	Well Installation		49 MoReg 612		
10 CSR 23-3.080	Well Installation		49 MoReg 612		
10 CSR 23-3.090	Well Installation		49 MoReg 615		
10 CSR 23-3.110	Well Installation		49 MoReg 631		
10 CSR 23-4.060	Well Installation		49 MoReg 632		
10 CSR 23-5.050	Well Installation		49 MoReg 633		
10 CSR 25-3.260	Hazardous Waste Management Commission		This Issue		
10 CSR 25-4.261	Hazardous Waste Management Commission		This Issue		
10 CSR 25-5.262	Hazardous Waste Management Commission		This Issue		
10 CSR 25-7.264	Hazardous Waste Management Commission		This Issue		
10 CSR 25-7.265	Hazardous Waste Management Commission		This Issue		
10 CSR 25-7.266	Hazardous Waste Management Commission		This Issue		
10 CSR 25-7.268	Hazardous Waste Management Commission		This Issue		
10 CSR 25-7.270	Hazardous Waste Management Commission		This Issue		
10 CSR 25-11.279	Hazardous Waste Management Commission		This Issue		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
10 CSR 25-12.010	Hazardous Waste Management Commission		This Issue		
10 CSR 25-12.020	Hazardous Waste Management Commission		This Issue		
10 CSR 25-16.273	Hazardous Waste Management Commission		This Issue		
10 CSR 40-10.025	Missouri Mining Commission		49 MoReg 884		
10 CSR 60-10.040	Safe Drinking Water Commission		49 MoReg 558		
10 CSR 140-2.020	Division of Energy				49 MoReg 825
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-1.010	Adjutant General <i>moved to 23 CSR 10-1.010</i>				This Issue
11 CSR 10-1.020	Adjutant General <i>moved to 23 CSR 10-1.020</i>				This Issue
11 CSR 10-2.010	Adjutant General <i>moved to 23 CSR 10-2.010</i>				This Issue
11 CSR 10-3.015	Adjutant General <i>moved to 23 CSR 10-3.015</i>				This Issue
11 CSR 10-4.010	Adjutant General <i>moved to 23 CSR 10-4.010</i>				This Issue
11 CSR 10-5.010	Adjutant General <i>moved to 23 CSR 10-5.010</i>				This Issue
11 CSR 10-5.015	Adjutant General <i>moved to 23 CSR 10-5.015</i>				This Issue
11 CSR 10-6.010	Adjutant General <i>moved to 23 CSR 10-6.010</i>				This Issue
11 CSR 10-7.010	Adjutant General <i>moved to 23 CSR 10-7.010</i>				This Issue
11 CSR 30-1.010	Office of the Director		49 MoReg 987		
11 CSR 30-8.010	Office of the Director		49 MoReg 987R		
11 CSR 30-8.020	Office of the Director		49 MoReg 988R		
11 CSR 30-8.030	Office of the Director		49 MoReg 988R		
11 CSR 30-8.040	Office of the Director		49 MoReg 988R		
11 CSR 30-19.010	Office of the Director		49 MoReg 988		
11 CSR 50-2.010	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.020	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.060	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.070	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.090	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.100	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.110	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.120	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.140	Missouri State Highway Patrol		This Issue		
11 CSR 70-2.010	Division of Alcohol and Tobacco Control	49 MoReg 601	49 MoReg 154	49 MoReg 915	
11 CSR 70-2.020	Division of Alcohol and Tobacco Control	49 MoReg 601	49 MoReg 154	49 MoReg 916	
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		49 MoReg 155	49 MoReg 1018	
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		49 MoReg 156	49 MoReg 1019	
11 CSR 70-2.190	Division of Alcohol and Tobacco Control		49 MoReg 156	49 MoReg 1019W	
11 CSR 90-4.010	Missouri 911 Service Board		49 MoReg 793		
11 CSR 90-4.020	Missouri 911 Service Board		49 MoReg 794		
11 CSR 90-4.030	Missouri 911 Service Board		49 MoReg 794		
11 CSR 90-4.040	Missouri 911 Service Board		49 MoReg 794		
11 CSR 90-4.050	Missouri 911 Service Board		49 MoReg 795		
11 CSR 90-4.060	Missouri 911 Service Board		49 MoReg 795		
11 CSR 90-4.080	Missouri 911 Service Board		49 MoReg 796		
11 CSR 90-4.090	Missouri 911 Service Board		49 MoReg 796		
11 CSR 90-4.100	Missouri 911 Service Board		49 MoReg 796		
11 CSR 90-4.150	Missouri 911 Service Board		49 MoReg 797		
DEPARTMENT OF REVENUE					
12 CSR 10-2.030	Director of Revenue		49 MoReg 157	49 MoReg 916	
12 CSR 10-2.150	Director of Revenue		49 MoReg 559		
12 CSR 10-2.155	Director of Revenue		49 MoReg 887		
12 CSR 10-2.165	Director of Revenue		49 MoReg 340	49 MoReg 1191	
12 CSR 10-2.190	Director of Revenue		49 MoReg 342	49 MoReg 1191	
12 CSR 10-2.240	Director of Revenue		49 MoReg 158	49 MoReg 916	
12 CSR 10-2.710	Director of Revenue		49 MoReg 160	49 MoReg 916	
12 CSR 10-2.730	Director of Revenue		49 MoReg 397	49 MoReg 1191	
12 CSR 10-2.740	Director of Revenue		49 MoReg 345	49 MoReg 1191	
12 CSR 10-4.622	Director of Revenue		49 MoReg 398R	49 MoReg 1192R	
12 CSR 10-10.135	Director of Revenue		49 MoReg 162R	49 MoReg 917R	
12 CSR 10-10.140	Director of Revenue		49 MoReg 486R	49 MoReg 1192R	
12 CSR 10-23.160	Director of Revenue <i>moved to 12 CSR 10-26.221</i>		49 MoReg 280	49 MoReg 1019	
12 CSR 10-23.465	Director of Revenue <i>moved to 12 CSR 10-26.021</i>		49 MoReg 281	49 MoReg 917	
12 CSR 10-23.475	Director of Revenue		49 MoReg 398	49 MoReg 1192	
12 CSR 10-24.060	Director of Revenue		49 MoReg 888		
12 CSR 10-24.160	Director of Revenue		49 MoReg 281		
12 CSR 10-24.190	Director of Revenue		49 MoReg 282		
12 CSR 10-24.200	Director of Revenue		49 MoReg 637		
12 CSR 10-24.325	Director of Revenue		49 MoReg 736		
12 CSR 10-24.330	Director of Revenue		48 MoReg 1544	49 MoReg 101	
12 CSR 10-24.340	Director of Revenue		49 MoReg 353	49 MoReg 1192	
12 CSR 10-24.350	Director of Revenue		49 MoReg 283		
12 CSR 10-24.390	Director of Revenue		49 MoReg 736		
12 CSR 10-24.402	Director of Revenue		49 MoReg 737		
12 CSR 10-24.405	Director of Revenue		49 MoReg 738		
12 CSR 10-24.420	Director of Revenue		49 MoReg 888		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
12 CSR 10-24.430	Director of Revenue		49 MoReg 738		
12 CSR 10-24.440	Director of Revenue		49 MoReg 637R		
12 CSR 10-24.480	Director of Revenue		49 MoReg 739		
12 CSR 10-25.140	Director of Revenue		49 MoReg 399	49 MoReg 1192	
12 CSR 10-26.020	Director of Revenue		49 MoReg 283		
12 CSR 10-26.021	Director of Revenue <i>formerly 12 CSR 10-23.465</i>		49 MoReg 281	49 MoReg 917	
12 CSR 10-26.120	Director of Revenue		49 MoReg 284		
12 CSR 10-26.221	Director of Revenue <i>formerly 12 CSR 10-23.160</i>		49 MoReg 280	49 MoReg 1019	
12 CSR 10-26.231	Director of Revenue	49 MoReg 395	49 MoReg 400	49 MoReg 1192	
12 CSR 10-41.040	Director of Revenue		49 MoReg 284R		
12 CSR 10-44.010	Director of Revenue		49 MoReg 162	49 MoReg 917	
12 CSR 10-44.100	Director of Revenue		49 MoReg 162	49 MoReg 917	
12 CSR 10-400.200	Director of Revenue		49 MoReg 353R	49 MoReg 1193R	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-38.010	Children's Division	49 MoReg 1043	49 MoReg 1129		
13 CSR 35-60.040	Children's Division	48 MoReg 1673	49 MoReg 400R 49 MoReg 400	49 MoReg 1156R 49 MoReg 1156	
13 CSR 35-60.050	Children's Division	48 MoReg 1674	49 MoReg 353R 49 MoReg 354	49 MoReg 1156R 49 MoReg 1156	
13 CSR 35-71.015	Children's Division		49 MoReg 798		
13 CSR 35-71.020	Children's Division	48 MoReg 1675	49 MoReg 356R 49 MoReg 356	49 MoReg 1156R 49 MoReg 1157	
13 CSR 35-71.045	Children's Division	48 MoReg 1676	49 MoReg 560R 49 MoReg 560		
13 CSR 35-71.300	Children's Division		49 MoReg 802		
13 CSR 40-100.020	Family Support Division		49 MoReg 1134		
13 CSR 70-1.010	MO HealthNet Division		49 MoReg 1140		
13 CSR 70-3.200	MO HealthNet Division		49 MoReg 638		
13 CSR 70-3.320	MO HealthNet Division		49 MoReg 804		
13 CSR 70-8.020	MO HealthNet Division		49 MoReg 989		
13 CSR 70-10.020	MO HealthNet Division	49 MoReg 435	49 MoReg 486	49 MoReg 1157	
13 CSR 70-10.120	MO HealthNet Division	49 MoReg 441	49 MoReg 492	49 MoReg 1157	
13 CSR 70-15.220	MO HealthNet Division		49 MoReg 358	49 MoReg 1157	
13 CSR 70-20.320	MO HealthNet Division		49 MoReg 495	49 MoReg 1157	
13 CSR 70-25.160	MO HealthNet Division		49 MoReg 638		
13 CSR 70-94.030	MO HealthNet Division	49 MoReg 785	49 MoReg 810		
13 CSR 70-98.020	MO HealthNet Division		49 MoReg 888R		
ELECTED OFFICIALS					
RETIREMENT SYSTEMS					
16 CSR 10-5.010	The Public School Retirement System of Missouri		49 MoReg 359	49 MoReg 1020	
16 CSR 10-6.060	The Public School Retirement System of Missouri		49 MoReg 360	49 MoReg 1020	
16 CSR 20-1.010	Missouri Local Government Employees' Retirement System (LAGERS)		49 MoReg 642		
16 CSR 20-2.150	Missouri Local Government Employees' Retirement System (LAGERS)		49 MoReg 642		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 20-80.010	Division of Community and Public Health		49 MoReg 990		
19 CSR 30-1.064	Division of Regulation and Licensure		49 MoReg 497	49 MoReg 1157	
19 CSR 30-40.600	Division of Regulation and Licensure		49 MoReg 990		
19 CSR 30-40.810	Division of Regulation and Licensure	49 MoReg 444	49 MoReg 498	49 MoReg 1158	
19 CSR 60-50	Missouri Health Facilities Review Committee				49 MoReg 1021 49 MoReg 1162 49 MoReg 1194
19 CSR 60-50.430	Missouri Health Facilities Review Committee		49 MoReg 815		
19 CSR 60-50.440	Missouri Health Facilities Review Committee		49 MoReg 818		
19 CSR 60-50.450	Missouri Health Facilities Review Committee		49 MoReg 818		
DEPARTMENT OF COMMERCE AND INSURANCE					
20 CSR	Applied Behavior Analysis Maximum Benefit				49 MoReg 304
20 CSR	Construction Claims Binding Arbitration Cap				49 MoReg 304
20 CSR	Non-Economic Damages in Medical Malpractice Cap				49 MoReg 305
20 CSR	Notice of Periodic Rule Review				49 MoReg 922
20 CSR	Sovereign Immunity Limits				49 MoReg 45
20 CSR	State Legal Expense Fund Cap				49 MoReg 305
20 CSR 400-5.900	Life, Annuities and Health		49 MoReg 285	49 MoReg 1159	
20 CSR 400-13.100	Life, Annuities and Health		49 MoReg 295	49 MoReg 917	
20 CSR 2010-4.020	Missouri State Board of Accountancy		49 MoReg 499	49 MoReg 1161	
20 CSR 2030-14.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		49 MoReg 739		
20 CSR 2030-14.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		49 MoReg 740		
20 CSR 2030-14.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		49 MoReg 740		
20 CSR 2040-5.040	Office of Athletics		49 MoReg 741		
20 CSR 2063-1.015	Behavior Analyst Advisory Board		49 MoReg 1143		
20 CSR 2085-3.010	Board of Cosmetology and Barber Examiners		49 MoReg 889		
20 CSR 2085-8.070	Board of Cosmetology and Barber Examiners		49 MoReg 819		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
20 CSR 2085-12.010	Board of Cosmetology and Barber Examiners		49 MoReg 819		
20 CSR 2110-2.130	Missouri Dental Board		49 MoReg 642		
20 CSR 2110-2.134	Missouri Dental Board		49 MoReg 643		
20 CSR 2115-1.040	State Committee of Dietitians		This Issue		
20 CSR 2115-2.040	State Committee of Dietitians		48 MoReg 317	48 MoReg 964	
20 CSR 2120-2.106	State Board of Embalmers	49 MoReg 789	49 MoReg 819		
20 CSR 2120-3.210	State Board of Embalmers		49 MoReg 1189		
20 CSR 2145-1.040	Missouri Board of Geologist Registration		49 MoReg 1145		
20 CSR 2150-2.080	State Board of Registration for the Healing Arts		49 MoReg 645	This Issue	
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The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

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24-10	Directs the Department of Health and Senior Services to address foods containing unregulated psychoactive cannabis products and the Department of Public Safety Division of Alcohol and Tobacco to amend regulations on unregulated psychoactive cannabis products	August 1, 2024	Next Issue
24-09	Orders executive branch state offices closed on Friday, July 5, 2024	July 1, 2024	49 MoReg 1188
24-08	Extends Executive Order 24-06 and the State of Emergency until July 31, 2024	June 26, 2024	49 MoReg 1187
24-07	Extends Executive Order 23-06 and the State of Emergency until June 30, 2024	May 30, 2024	49 MoReg 954
24-06	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	May 2, 2024	49 MoReg 847
24-05	Extends Executive Order 23-05 to address drought-response efforts until September 1, 2024	April 26, 2024	49 MoReg 792
24-04	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 29, 2024	49 MoReg 447
24-03	Declares a State of Emergency and declares Missouri will implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Texas to provide support with border operations	February 20, 2024	49 MoReg 446
24-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted winter storm systems	January 11, 2024	49 MoReg 270
24-01	Orders the Dept. of Agriculture to establish rules regarding acquisitions of agricultural land by foreign businesses	January 2, 2024	49 MoReg 136
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23-10	Extends Executive Order 23-05 to address drought-response efforts until May 1, 2024	November 17, 2023	48 MoReg 2267
23-09	Orders state offices to be closed on Friday, November 24, 2023	November 9, 2023	48 MoReg 2149
23-08	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	August 5, 2023	48 MoReg 1684
23-07	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	July 28, 2023	48 MoReg 1595
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23-05	Declares drought alerts for 60 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan	May 31, 2023	48 MoReg 1179
23-04	Designates members of the governor's staff as having supervisory authority over each department, division, or agency of state government	April 14, 2023	48 MoReg 911
23-03	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	March 31, 2023	48 MoReg 795
23-02	Extends Executive Order 22-08, the State of Emergency, and waivers until February 28, 2023	January 24, 2023	48 MoReg 433
23-01	Orders the commencement of the Missourians Aging with Dignity Initiative, with directives to support all citizens as they age	January 19, 2023	48 MoReg 431

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