



## Necessity Finding

**10 CSR 10-5.240**, *Additional Air Quality Control Measures May be Required in a Small Land Area*. The purpose of this rulemaking is to rescind an outdated rule originally written in 1967, prior to the federal Clean Air Act. This rule's purpose was to provide the Missouri Air Conservation Commission authority to regulate particulate matter (PM) and sulfur dioxide (SO<sub>2</sub>) emissions from concentrated sources in the St. Louis area. Since section 643.050, RSMo provides the commission authority to promulgate regulations necessary to enforce the provisions of the Clean Air Act, this rule is no longer necessary. In addition, the U.S. Environmental Protection Agency (EPA) has since established National Ambient Air Quality Standards (NAAQS) for these pollutants. Examples of state rules developed to address PM and SO<sub>2</sub> NAAQS are 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*, and 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*. For those reasons, the outdated rule should be rescinded to avoid confusion.

- No 60-day comment period was necessary since this rule action does not prescribe any environmental limits or standards. This rulemaking is an administrative cleanup of an outdated state air rule that is no longer necessary.
- Not aware of any sources affected by this rulemaking
- Public hearing expected early next year
- Expected to be effective July of next year