



**Missouri  
Department of  
Natural Resources**

# **Financial Assurance for Hazardous Waste Treatment, Storage or Disposal Facilities**

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# The Issue

- A request has been made to amend the Missouri regulation requiring a facility that uses a letter of credit for financial assurance to provide a confirming bank located in Missouri under certain circumstances.

# Missouri Regulations

10 CSR 25-7.264(2)(H)6. and 265(2)(H)5.

“.... If the issuing institution is not located in Missouri, a bank or trust association located in Missouri shall confirm the letter of credit and the confirmation and the letter of credit shall be filed with the department.”

# Issue Status

- The Hazardous Waste Commission included a member of the regulated community on the October Commission meeting agenda to discuss the issue.
- Following the presentation, the Commission invited the facility to submit for consideration a variance request for exemption from the regulation until a decision is made on the issue.

# What are we doing?

- The department is considering the issue.
- The Attorney General's Office and department counsel are assessing the need for the regulation.
- The facility is drafting a variance petition.

# Timeline

- If the department were to decide to amend the requirement today, it would take an estimated 17 months before the amended regulation becomes effective.
- This timeframe is driven primarily by rulemaking and public participation requirements.
- For more information, please visit [www.sos.mo.gov/adrules/manual/manual.asp](http://www.sos.mo.gov/adrules/manual/manual.asp)