

Appendix I.2 "Hog Bill"

Sections 640.700-640.758, RSMo

This Appendix contains a very brief discussion of each section of the law establishing requirements for Concentrated Animal Feeding Operations (CAFOs), Sections 640.700 to 640.758, RSMo. This bill is commonly referenced as the "Hog Law". The purpose of this appendix is to help guide the reader to the appropriate sections of law. This summary should not be used to reach conclusions pertaining to requirements and authorities contained in this law. Conclusions should be made after reviewing the law, related regulations and judicial opinions.

640.700. Certain sections to apply only to facilities with a flush system.

This section lists those sections of this law that only apply to Class IA CAFOs that use a flush system to manage waste.

640.703. Definitions.

640.710. Department to regulate facilities--rules--setback--exemption.

This section authorizes the department to promulgate regulations and to regulate Class I CAFOs. This section also establishes the criteria for minimum buffers between CAFOs and neighbors.

640.715. Notification by owners or operators, information required--department to issue permit, when.

This section contains requirements for neighbor notice by the CAFO owner/operator. The section also contains permit timeframes for departmental review and issuance of CAFO permits.

640.725. Inspection of facility, when, records retention period--automatic shutoff system required.

This section only applies to Class IA concentrated animal feeding operations that use a flush system for waste management. It contains CAFO operator requirements for inspections and record keeping. This section also contains requirements for shutoff devices for manure handling systems.

640.730. Facility to have containment structure.

This section only applies to Class IA concentrated animal feeding operations that use a flush system for waste management. This section contains requirements for secondary containment for spills from certain pumps and lines.

640.735. Discharge to be reported, when, to whom.

This section only applies to Class IA concentrated animal feeding operations that use a flush system for waste management. It contains minimum notification requirements for manure spills that cross property lines.

640.740. Fund created--how money to be expended--abandoned property defined--transfer of fund to general revenue, prohibited.

This section establishes the "Concentrated Animal Feeding Operation Indemnity Fund". Moneys in this fund are to be used for closure of certain abandoned CAFOs.

640.745. Fee to be paid by facility owner/operator, when, amount--fund expended, how, limit--closure activities.

This section requires Class IA concentrated animal feeding operations that use a flush system for waste management to pay fees into the indemnity fund. Fees are based upon the number of permitted animal units. It also contains additional requirements regarding use of the fund.

640.747. Closure, funds to be returned, when.

This section requires the return of indemnity fund fees to those CAFOs that close their operations properly.

640.750. Department to inspect, when.

This section only applies to Class IA concentrated animal feeding operations that use a flush system for waste management. It requires the department to inspect these facilities quarterly.

640.755. Rulemaking, procedure--clean water commission to administer.

This section requires the commission to administer this law in accordance with the requirements and provisions of the clean water law, Chapter 644, RSMo.

640.758. Does not apply to livestock markets.

This section exempts livestock markets from the provisions of this law.