

**MINUTES**  
**MISSOURI AIR CONSERVATION COMMISSION**  
**FEE STAKEHOLDER MEETING**  
**CONFERENCE CALL**

**July 8, 2020**

**9:00 a.m.**

**Commissioners Present**

Ron Boyer, Member  
Mark Fohey, Vice Chairman  
Gary Pendergrass, Member  
Richard Rocha, Chairman  
Kevin Rosenbohm, Member

**Staff Members Present**

Deedra Beye-Stegeman, Fiscal and Budget Section Chief, Air Pollution Control Program (APCP)  
Van Beydler, Public Information Coordinator, Soil and Water Conservation Program  
Dru Buntin, Deputy Director, Director's Office  
Darcy Bybee, Director, APCP  
Rich Germinder, Director of Policy and Legislative Affairs, Director's Office  
David Gilmore, Director's Office, APCP  
Sara Green, Director's Office, APCP  
Kyra Moore, Deputy Director, Division of Environmental Quality  
Paul Myers, Air Quality Planning Section, APCP  
Kathy Nancy, Budget Program, Division of Administrative Support  
Shelly Reimer, Air Quality Planning Section, APCP  
Brenda Wansing, Air Quality Planning Section, APCP  
Richard Waters, Assistant General Counsel, Department of Natural Resources  
Will Wetherell, Environmental Services Program  
Emily Wilbur, Air Quality Planning Section Chief, APCP

**Others Present (per virtual meeting registration)**

Stacy Allen  
Kimberly Bauman  
Andrew Baumgarth  
Robert Brundage, Newman, Comley & Ruth, PC  
Robert Budnik  
Jeff Burkett  
Bob Cheever, EPA Region VII  
Richard Groeneman, Attorney General's Office  
Tadd Henry  
Lacey Hirschvogel, Missouri Public Utilities Alliance  
Michael Hutcheson, Ameren Missouri

John Kinter, Nucor  
David Little, City Utilities of Springfield  
Ray McCarty, Associated Industries of Missouri  
Kim Rich  
Laura Schubert  
Michael Siefert, Missouri Public Utilities Alliance  
Meredith Springs, Environmental Operations Inc.  
Courtney Tieman  
Roger Walker, Regulatory Environmental Group for Missouri  
Steve Whitworth, Ameren Missouri  
Warren Wood  
Russ Worsley  
Dave Zoghby

**A. Call to Order**

Chairman Richard Rocha called the July 8, 2020, meeting of the Missouri Air Conservation Commission to order. The following commissioners were present by phone: Gary Pendergrass, Ron Boyer, Mark Fohey, Richard Rocha, and Kevin Rosenbohm.

**B. New Business**

Ms. Darcy Bybee began by thanking the commission for being able to meet for these additional meetings. She stated that she gave a general presentation at the May commission meeting, and that today's meeting was a formal presentation of the results of the last several months of discussions in meetings with stakeholders. She would explain the program's future insolvency projections, how the program was working on short- and long-term solutions, and the program's recommendation and path forward.

Ms. Bybee stated that this was the second official step under the statute, the first being the meetings with the stakeholders. The next step will be the meeting on July 10, 2020, where they will ask the commissioners to vote to allow the program to move forward with the regular rulemaking process.

Ms. Bybee thanked all those who helped with the entire fee stakeholder process so far and moving forward, and acknowledged that this has been an interesting experience while in the middle of the COVID-19. She also mentioned that the increases they would discuss today would not take effect for roughly two years.

Ms. Bybee shared a presentation for the commission on the fee stakeholder process and Proposed Fee Rule. The slides from this presentation can be seen in Attachment A to these minutes. The video of this presentation is available at <https://dnr.mo.gov/videos/archive-meetings.htm>. Please note that the video will be removed 90 days after the date of the commission meeting.

Chairman Rocha stated that he believed being proactive was going to pay off, and thanked Ms. Bybee and her staff for all their work.

Commissioner Pendergrass stated that he also appreciated everyone's hard work.

### **C. Open Comment Session**

Mr. Robert Brundage stated that he participates in many of the commission meetings, and historically has always supported the department's air fees, as well as the entire department staff. Mr. Brundage stated that he believes there are outstanding issues that still need to be addressed in writing by the department. Mr. Brundage is a member of the Associated Industries of Missouri, and mentioned that a letter was sent to both Ms. Bybee and the commission Chairman outlining concerns. As a stakeholder, at this time, he was not ready to give his personal stakeholder agreement to an air fee increase until a number of the issues were either addressed or explained. Mr. Brundage stated that in the short term, he would however support the commission moving ahead with the rulemaking because there was a certain timeline that needed to be met. He is hopeful that when it is time for the commission to vote on the fee increase, the department and commission will have his fee stakeholder agreement at that time. He restated that he is not currently ready to give that agreement. Mr. Brundage explained that a few of the issues he had included: low pay for the staff at the program, and how he doesn't recall any type of concrete commitment in writing that the staff would be paid more. In addition, revisiting a start-up, shut-down, malfunction regulation change; as well as the department's permitting process on parent company issues, and its need to be clarified and changed. The interplay between the department attorneys and the Attorney General's Office is also something he believes should be clarified in writing. Specifically regarding which attorney represents what program, and how funds are being paid for and handled, and guidance documents and how they will be used. Mr. Brundage thanked the commission for their time and stated he looked forward to working on this.

Mr. Roger Walker with the Regulatory Environmental Group for Missouri stated that they have been active in all the stakeholder meetings, and that they have previously sent letters to Ms. Bybee in general support. Mr. Walker said they have a lot of respect for the Air Pollution Control Program, and that he believes the program has done a stellar job in being responsive to stakeholders and their issues. He stated that they support the need for fees, and that they have sent a letter regarding things that need to be discussed, especially given the short-term nature of the proposal. This letter can be seen in Attachment B to these minutes. Mr. Walker stated that in his group, none of the issues they saw rose to the level of needing to place a hold on the rise in fees, and that they would support the program going forward with discussions.

Ms. Lacey Hirschvogel, representing the Missouri Public Utilities Alliance, stated that she wanted to go on record in support of the proposed fee increase and that understands it is a short-term fix. She looks forward to more discussions and meetings in regards to the long-term issues. The MPUA has drafted a letter of support that they plan to send to the Director. This letter can be seen in Attachment C to these minutes.

Mr. Ray McCarty, representing Associated Industries of Missouri, stated that he wanted to reiterate some of the items brought up by Mr. Brundage, and that they too had sent a letter. This letter can be seen in Attachment D to these minutes. AIM has outlined issues that they believe need to be addressed if the process moves forward. They do not want to block the

process moving forward, and they hope to have many of the issues resolved before the formal regulation process. This would bring their support, as well as solve issues they view as problems that could appear during the legislative regulation process.

Chairman Rocha thanked everyone for their comments and noted that the fee increase is not done lightly. The commission appreciates the input from stakeholders regarding their concerns.

Letters submitted to the commission or the department regarding the fee increases appear as Attachments B-E to these minutes.

**D. Future Meeting Dates**  
(Information Only)

**July 10, 2020 – Friday**  
Virtual Meeting

**July 30, 2020 – Thursday**  
Virtual Meeting

**August 27, 2020 – Thursday**  
Elm Street Conference Center  
1730 East Elm Street  
Lower Level  
Bennett Springs Conference Room  
Jefferson City, MO 65101

**September 24, 2020 – Thursday**  
Southwest Regional Office  
2040 West Woodland  
East and West Conference Rooms  
Springfield, MO 65807

**October 29, 2020 – Thursday**  
Elm Street Conference Center  
1730 East Elm Street  
Lower Level  
Bennett Springs Conference Room  
Jefferson City, MO 65101

**December 3, 2020 – Thursday**  
Elm Street Conference Center  
1730 East Elm Street  
Lower Level  
Bennett Springs Conference Room  
Jefferson City, MO 65101

**E. Meeting Adjournment**

Commissioner Boyer moved to adjourn the July 8, 2020, Missouri Air Conservation Commission meeting. Vice Chairman Fohey seconded the motion. All commissioners voted to adjourn the July 8, 2020, Missouri Air Conservation Commission meeting.

Chairman Rocha adjourned the July 8, 2020, Missouri Air Conservation Commission meeting.

Respectfully submitted,

*Signature on File*

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Darcy A. Bybee, Director  
Air Pollution Control Program

Approved:

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Richard Rocha, Chairman  
Missouri Air Conservation Commission



# Fee Review and Discussion MACC Meeting

July 8, 2020

## Agenda

- Background
- Overview
- Average Annual Shortfall Projection
- Air Program Fee Recommendation
- Timeline



## Background

### Air Program and fee authority:

- Missouri Air Conservation Law, 643.079 RSMo

‘... the DNR may review fees and propose changes *after holding stakeholder meetings...*’

‘... the DNR shall submit a proposed fee structure with stakeholder agreement to the air conservation commission...’

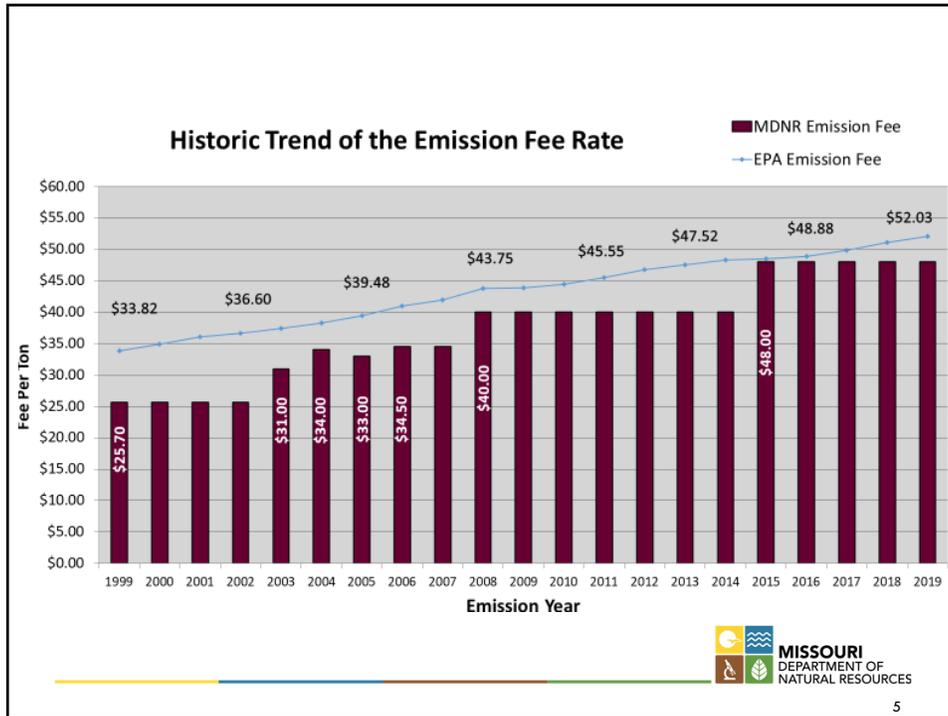


## Background

### Fees adjusted based on 2014/2015 Fee Stakeholder discussions:

- Emission Fee – \$48/ton (increased from \$40), effective 2016
- Permit Fees – effective 2017
  - \$75 per hour for construction permit review (increased from \$50)
  - New tiered approach for operating permit
  - New filing fees for construction permits and portable plants
- Asbestos Fees – effective 2017
- GVIP Fees – unchanged





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## Background

- Meetings:
  - March 2 – in-person and virtual kickoff
  - April 6 - virtual
  - May 5 – virtual
  - May 28 – virtual
- Averaged nearly 50 attendees each meeting

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## Background

- All fee stakeholder items posted:



<https://dnr.mo.gov/env/apcp/airadvisory/index.html>

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Programs Forms and Permits Publications Laws and Regulations Online Services Calendar of Events

### Air Program Advisory Forum

**What is the Air Program Advisory Forum?**

The Air Program Advisory Forum consists of people in industry, consulting, regulatory agencies and environmental groups who want to exchange information regarding air quality. The forum helps maintain open communication as well as identify, evaluate and develop ways to better protect human health and the environment. Anyone with an interest in air quality may participate.

**Upcoming Meetings**

**Notice:** The health and safety of all visitors to state office buildings are a priority. Due to recent concerns regarding novel coronaviruses, or COVID-19, we encourage remote participation at meetings. The department will livestream the meetings at YouTube TV. Participants can use the chat feature of this platform to ask questions or comments and relaying those to the group. The department will also make a call-in number available for the meeting.

**May 28 - 1 p.m.**  
Call in number: 866-289-6713 - Note: If you call in you must mute the speakers on your computer to avoid audio feedback.  
Watch the Livestream on HDNR-TV

**June (tentative)**

**Email bulletins**

The air program regularly sends email bulletins about rule changes. Subject matter includes rules and amendments on which the public may comment as well as upcoming public hearings and votes during meetings of the Missouri Air Conservation Commission. Subscribers to the topic "Air Public Notices" regularly receive these notices. Click on the above envelope to sign up for emails. Click to review your subscriptions and update it, if necessary.

**Forum and Stakeholder Meetings, 2014-2020**

**REGFORM Air Seminars, 2014-2018**

**Additional Links**

**Program Home Page**  
Air Conservation Commission  
Air Pollutants  
Air Program Advisory Forum  
Air Quality  
Asbestos  
Forms and Applications  
Gateway Vehicle Inspection Program  
Laws and Regulations  
Ozone  
Permits  
Publications and Reports  
Public Notices-Comment Periods  
QAAPP Template  
Air Pollution Compliance/Regulatory Assistance  
State Plans and Boundary Designations  
Vapor Recovery Information and Compliance Requirements  
Walkways Treat

**Contact Information**

Air Pollution Control Program  
P.O. Box 176  
Jefferson City, MO 65102  
800-361-4827  
573-753-4812  
Contact Us

Report an Environmental Concern  
Meet the Air Pollution Control Program Director



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## Background

- Anticipating an average annual shortfall of \$2.9 million in Fiscal Year 2023 to 2027 using updated projections
- FY23 begins July 1, 2022
- Any changes made to fees this year will be collected starting Jan-Jun 2022



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## What We've Done – Examples (1 of 3)

- ✓ Rule Changes:
  - ✓ Removed Basic Operating permits
  - ✓ Removed Open Burning permits
  - ✓ Red Tape Reduction process eliminated rule backlog
- ✓ Monitoring network savings
  - ✓ Outsourced filter weighing, remote quality checks, discontinued sites and equipment, plan for equipment replacement, reduce sample frequency
- ✓ Discontinued evaluation of certain federal area source rules

## What We've Done – Examples (2 of 3)

- ✓ Shared lease of building will save rent
- ✓ Continue and expand electronic systems
  - ✓ Scanning hardcopy reports
  - ✓ Converting to electronic fileroom
  - ✓ Electronic correspondence
- ✓ Eliminated one copier and one printer
  - ✓ Multi-function machines save under contract
- ✓ General streamlining of workflows

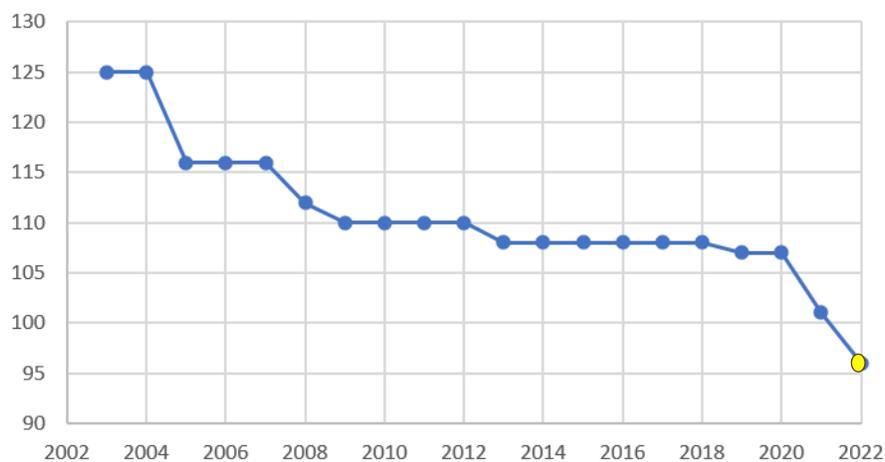
## What We've Done – Examples (3 of 3)

- ✓ Only essentials:
  - ✓ Training costs, electronic options when possible
  - ✓ Office supplies
  - ✓ “Core function duty” travel
- ✓ Reduced spending on commission meetings
- ✓ Scrutinize every vacancy prior to filling

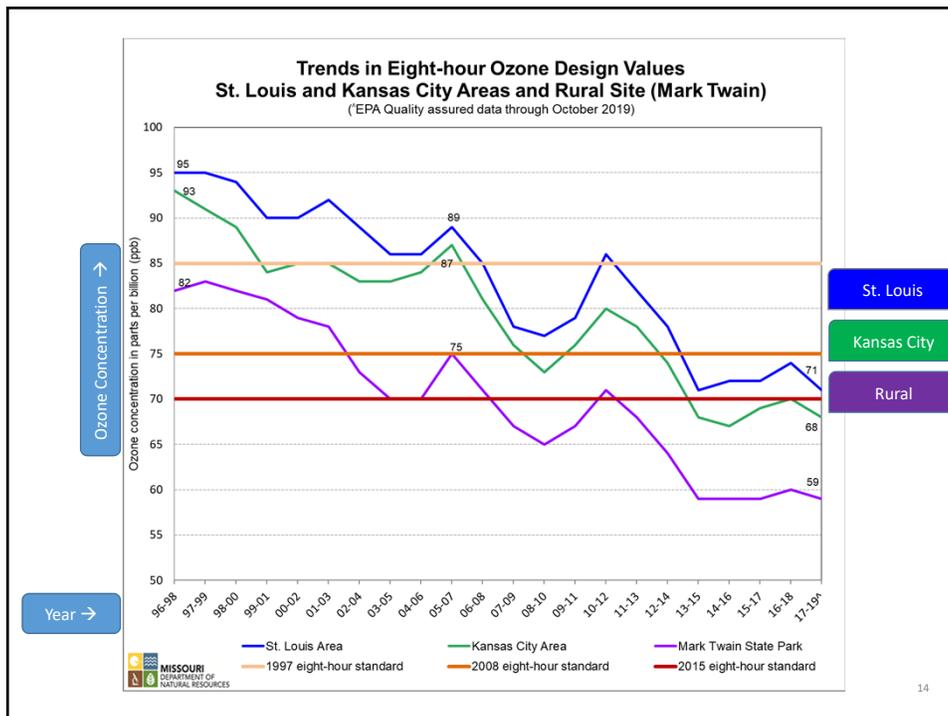
These are some of the items we've done, and we'll continue to look for

## Efficiencies at APCP

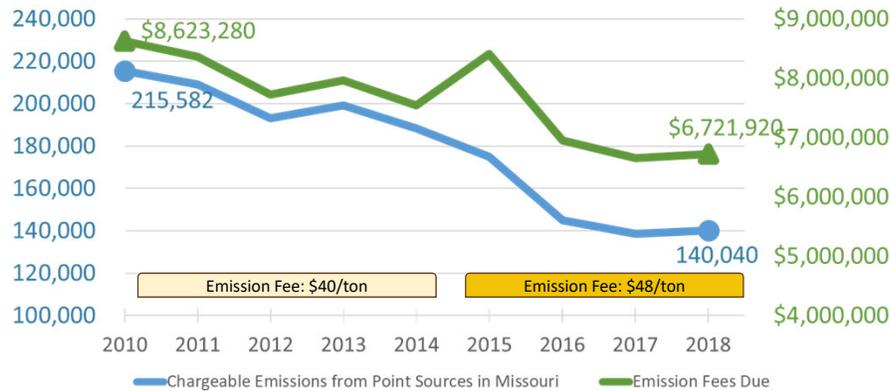
APCP FTE by Year



# Overview



## Chargeable Emissions and Fees Due

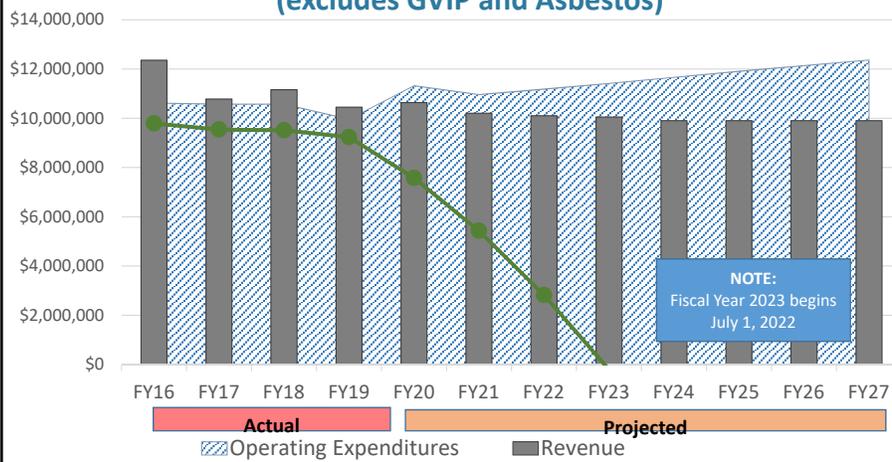


## Goal for Fee Stakeholder Process: Long term funding viability

- While air quality continues to improve...fee revenues to operate program decrease
- We've reduced workload where we can, but it is not reducing proportionally.
  - Still have Clean Air Act requirements to maintain delegation such as planning, monitoring, permitting
- We have projected for an increase in expenditures due to factors outside our control while limiting expenditures that are within our control.

## Average Annual Shortfall Projection

## Projected Revenues, Expenditures and Fund Balances (excludes GVIP and Asbestos)



## Air Program Fee Recommendation

## Air Program Fee Recommendation

- Amend the emission fee per ton
  - Increase from current \$48 per ton to:
    - \$53 per ton for emission year 2021
    - \$55 per ton for emission years 2022 and after
- Expected to move fiscal cliff from Fiscal Year 2023 to Fiscal Year 2025

## Air Program Fee Recommendation

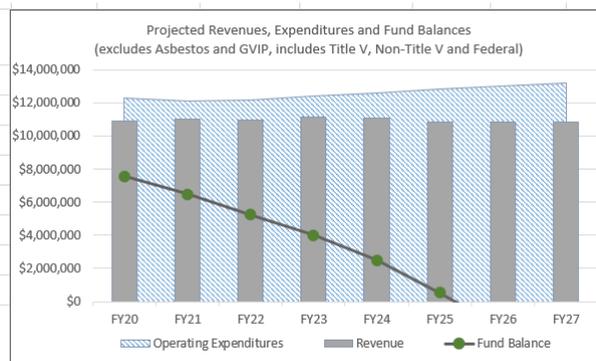
Continue discussions on fees

- Need a long-term solution
- Additional outreach and analysis
  - Base fee
  - Exempt sources
  - Emission cap
  - Permit fees
  - Mobile source surrogate



## Air Program Fee Recommendation

Emission Fee Rate	
Emission Fee Rate 2020	\$ 48.00
Emission Fee Rate 2021	\$ 53.00
Emission Fee Rate 2022	\$ 55.00
Emission Fee Rate 2023	\$ 55.00
Emission Fee Rate 2024	\$ 55.00
Emission Fee Rate 2025	\$ 55.00
Emission Fee Rate 2026	\$ 55.00
Emission Fee Rate 2027	\$ 55.00



## Timeline

## Timeline

- **Step 1: Now.** Move forward with initial fee increases by December 2020 (for fees payable by June 2022)
- **Step 2: This fall/next spring.** Continue Air Forum Fee Workgroup to continue fee work in 2020 and 2021
  - Items for discussion:
    - Base/Filing Fee
    - Air program efficiencies/billing
    - Other sources of revenue

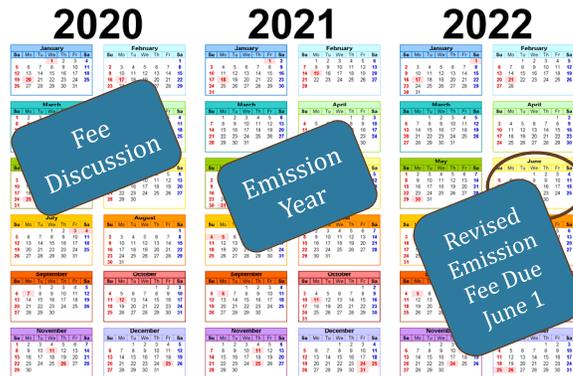
## Timeline – Step 1 Initial Fee Increases

- Stakeholder Meetings
- Present to MACC: July 8 & 10, 2020
- Public Hearing: September 24, 2020
- Adoption Vote: November 17-25, 2020
  - *Note: one special meeting*
- File by: December 1, 2020
- Legislative Review: January-March 2021
- Fees Collected by: June 1, 2022 (for emission/calendar year 2021)



## Timeline – Step 1 Initial Fee Increases

- For any fee discussions today, July 2020, the fees will not be due for 2 years
- Today's discussion would affect fees due by June 1, 2022



## Timeline – Step 2 Ongoing Workgroup

- Stakeholder Meetings:
  - Late 2020 to early 2021
- Present to MACC: spring 2021
- File by: December 1, 2021
- Legislative Review: 2023
- Fees Collected by: June 1, 2023  
(for emission/calendar year 2022)



## Questions?

Darcy A. Bybee, Director  
Air Pollution Control Program  
1659 E. Elm Street  
Jefferson City, MO 65102  
(573) 751-7840  
(573) 751-7946 direct line  
[darcy.bybee@dnr.mo.gov](mailto:darcy.bybee@dnr.mo.gov)  
Call toll-free (800) 361-4827



# REGFORM

REGULATORY ENVIRONMENTAL  
GROUP FOR MISSOURI

July 7, 2020

Ms. Darcy Bybee  
Director, Air Pollution Control Program  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, MO 65102-0176

Subject: REGFORM Support for Air Fee Recommendation

Dear Director Bybee:

REGFORM is a business association that works closely with regulated facilities in Missouri on environmental policy and regulatory issues in all media. Our members consist of regulated facilities in manufacturing, utility, mining, higher education, chemical industry, and others. We provide compliance and regulatory information to our diverse membership and advocate on their behalf.

Collectively, our REGFORM members pay 80-85 percent of the Title V fees and represent 23 of the 30 largest fee-paying sources. We have had an excellent professional relationship with the Air Pollution Control Program (APCP) for many years and support fees necessary to properly administer the Title V program in Missouri.

We support the proposed increase in the emissions fee rate from \$48 per ton of chargeable emissions to \$53 per ton of chargeable emissions in 2021, and \$55 per ton of chargeable emissions in 2022 and beyond. While significant, we also recognize that this proposal is a short-term “fix” that extends the “fiscal cliff” only a couple of years.

While we fully support the current (short-term) fee proposal we also recognize the importance of (and will actively pursue):

1. Continuing stakeholder fee discussions as early as Spring 2021;
2. Creating and implementing a “Base Fee” based on annual Emissions Inventory Questionnaires (EIQs) to allow more stable and more equitable funding;
3. Examining and eliminating where appropriate all exemptions from the payment of Title V fees;

4. Additional review and consideration of amending construction permit rates and permit application fees for the purpose of increasing equity among industry customers;
5. Additional research and implementation of APCP efficiency measures;
6. Retention of talented engineers and staff salaries commensurate with performance and surrounding states; and,
7. Review and use of guidance documents in the place of statutes and regulations throughout MDNR.

In sum, we highly value the professional work of APCP leadership and staff and support the current air fee proposal.

Thank you for your time and consideration of our comments.

Sincerely,

Roger Walker JD LLM  
Executive Director, REGFORM  
573.415.7699

cc: Richard Rocha, Chair, Missouri Air Conservation Commission  
cc: Carol S. Comer, Director, MDNR  
cc: Ed Galbraith, Director, DEQ, MDNR  
cc: Kyra Moore, Deputy Director DEQ, MDNR

# Attachment C

July 9, 2020

Missouri Department of Natural Resources  
Attn: Carol Comer, Director  
PO Box 176; 1101 Riverside Drive  
Jefferson City, MO 65102-0176

## **RE: Missouri Department of Natural Resources Air Fee Proposal**

Dear Director Comer,

We support the proposed increase to the emission fee per ton presented during the May 28, 2020 stakeholder meeting.

We are appreciative of the opportunity to attend and participate during the air fee stakeholder meetings held over the past several months. The meetings provided significant detail and provided stakeholders with adequate and pertinent information, enabling the group to understand the financial situation of the Air Pollution Control Program (APCP). The stakeholder meetings provided ample time for both discussion and question and answer session.

The information presented during the May 28<sup>th</sup> stakeholder meeting provided a clear and agreeable plan to increase fees over the next several years to an amount similar to the federal fee structure. The emission fee amount of \$53.00 per ton for 2021 and \$55.00 per ton thereafter is an appropriate short-term effort to resolve the current and impending budget shortfall. We agree it is necessary to continue the discussion over the next several years to monitor budgetary changes and consider long-term solutions to fund the APCP.

We realize and benefit from the efficient and professional services provided by the staff serving in the Air Program. As stakeholders and program fee payers, we have a common interest in receiving fast and implementable permits and maintaining adequate and professional APCP staff that provide reliable compliance assistance when needed.

We very much appreciate the efforts of the APCP to inform industry stakeholders of the current budgetary concerns and to provide open and transparent opportunities to discuss solutions that safeguard essential services benefiting the industry and the entire State of Missouri.

Sincerely,

Missouri Public Utility Alliance

Ameren Missouri

Evergy

Associated Electric

Empire District – A Liberty Utilities Company

REGFORM

City Utilities of Springfield

Sikeston BMU

Independence Power & Light

ELANTAS PDG, INC.

Valley Minerals, LLC

Continental Cement

cc: Darcy Bybee, Director, Air Pollution Control Program  
Kyra Moore, Deputy Director, Division of Environmental Quality  
Richard Rocha, Chairman, Missouri Air Conservation Commission  
Warren Wood, Vice President, Ameren Missouri  
Geoffrey Greene, Senior Director, Evergy  
Brent Ross, EHS Manager, Associated Electric Cooperative, Inc.  
Jeff Burkett, Empire District – Liberty Utilities  
Roger Walker, Executive Director, REGFORM  
Dan Hedrick, Director, City Utilities of Springfield  
Rick Landers, General Manager, Sikeston BMU  
Eric Holder, EHS Supervisor, Independence Power & Light  
Todd Thomas, Manager of Regulatory Affairs, ELANTAS PDG, INC.  
Ed Banfield, President, Valley Minerals, LLC  
Robert Budnik, Environmental Manager, Continental Cement



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Jefferson City, MO 65109  
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www.aimo.com

## Associated Industries of Missouri

### Position Statement on Air Fee Increases

July 7, 2020

Associated Industries of Missouri (AIM) appreciates the opportunity to participate in the MDNR's Air Fee Stakeholder meetings. AIM is supportive of Missouri retaining its permitting authority. However, there are several issues that AIM would like to be addressed by the Department. Unless and until these issues are resolved or answered to AIM's satisfaction, we are not yet in a position to support any fee increase. AIM would like to enter into a dialogue with the Department on the following issues:

1. Guidance Documents: The MDNR needs to clarify to what extent it will follow guidance documents. AIM suggests that all guidance documents that have a significant fiscal impact on the regulated community undergo rulemaking. AIM further requests the MDNR cease activities across all programs that are based on guidance documents only and focus their limited resources on activities required by specific state or federal statute or properly promulgated state or federal regulations.
2. MDNR In-house Attorneys: Over the last several years, the department has experienced a significant increase in the number of in-house attorneys. At the same time, there has not been a corresponding decrease in the number of Assistant Attorneys General that are paid for by MDNR funds. MDNR should justify the increase of in-house attorneys if there has been no corresponding decrease in the number of attorneys paid for by the program in the Office of the Attorney General.
3. Attorney General's Office: During the hazardous waste fee process it was discovered that some programs were paying for assistant attorneys general that did not work for the corresponding MDNR program or fee program. For the last two fiscal years, AIM would like to see an accounting of the names and MDNR program assignments of all assistant attorneys general assigned to MDNR and how many hours each such attorney worked for each corresponding MDNR program during the fiscal year.
4. Low Pay for Permitting Staff: At a recent Missouri Air Conservation Commission meeting, permit chief Kendall Hale reported that he currently has four open permit engineer positions out of a total of nine positions. Permitting staff has experienced chronic turnover due to low pay for permitting staff. The department must work with the Office of Administration to get these positions reclassified at a higher pay grade. Without higher pay, the APCP will not be able to retain permitting staff and timely permit issuance will

- continue to suffer. Higher pay would be an incentive to attract and retain quality staff and give the Department the ability to increase efficiency by eliminating less-productive staff.
5. Start-up Shut-down Malfunction (SSM) Regulation: Several years ago, EPA issued a SIP call requiring states to change their SSM regulations to provide fewer affirmative defenses to enforcement actions. As a result, Missouri eliminated some affirmative defenses from the state's SSM rule. Earlier this year, EPA issued a final rule allowing Texas to avoid the SIP call and retain affirmative defenses. In the rulemaking EPA said that it is "reasonable to determine that a SIP can provide for an affirmative defense against civil penalties for circumstances where it is not feasible to meet the applicable emission limits, and the narrowly tailored criteria that the source must prove can ensure that the source has made every effort to comply with those admission limitations." On June 22, 2020, EPA published in the Federal Register a rule to allow Region VII state Iowa to retain SSM defenses for its SO2 NAAQS. AIM requests the ACP and the Commission reinstate its former SSM rule and petition EPA to adopt the revised rule into Missouri's SIP. During the last several years, Texas challenged EPA's SIP call and EPA has subsequently withdrawn the SSM SIP call. After the initial SIP call, the MACC revised the SSM rule removing protections. Now that the SIP call has been withdrawn, AIM asks the ACP to work with the MACC to initiate a rulemaking reinstating former SSM protections.
  6. Permitting of "Parent Company": The department continues to require permit applicants and EIQs to identify the Parent Company. There appears to be no law or regulation that requires a corporate permit applicant to disclose whether it has a parent company or the identity of its parent company. The department needs to address why it requires this information on forms and issuing permits jointly to a company and its Parent Company which should not be a co-permittee. The department should make clear in regulation and in permit application and EIQ instructions if and when a Parent Company is required to be disclosed and if the Parent Company is considered a permittee and is legally liable for permit compliance of a subsidiary.

Thank you for allowing us the opportunity to offer comments and please let me know if you have any questions.

Sincerely,



Ray McCarty  
President/CEO



MISSOURI LIMESTONE PRODUCERS ASSOCIATION

P.O. Box 1725 • Jefferson City, MO 65102 • Phone (573) 635-0208 • FAX (573) 634-8006 • www.molimestone.com

Missouri Department of Natural Resources  
Director Carol Comer  
1101 Riverside Drive  
Jefferson City, Missouri 65102

Dear Director Comer,

The Missouri Limestone Producers Association is the statewide service organization that represents 158 member companies engaged in the production of crushed stone aggregate for commercial, residential, agricultural and infrastructure needs. The total amount of crushed stone produced in Missouri is nearly 70 million tons representing a value of about \$550 million, with a total economic impact of over \$1 billion.

During the May 28, 2020 stakeholder Air Program fee meeting, a proposal was presented to increase emission fees to \$53.00 per ton in 2021 and \$55 per ton in years after. The Missouri Limestone Producers Association would like to express its support regarding this proposal.

Over the course of the last several months, the Air Pollution Control Program has conducted a series of public stakeholder meetings to inform Missouri businesses on the financial situation facing the APCP and presented us with possible solutions. The MLPA applauds the Missouri Department of Natural Resources and this approach to keep Missouri industry informed on what the APCP is considering regarding fees. This process has been incredibly productive and informative and the MLPA appreciates being included in the discussion. We would also like to commend the APCP Director, Darcy Bybee, on conducting efficient and educational meetings.

The proposed emission fee amounts of \$53.00 per ton for 2021 and \$55.00 per ton thereafter is an acceptable solution to address the financial shortfall. While the MLPA understands that this is a short term solution, we look forward to working with APCP in the years to come to ensure that the program has the resources it needs to recruit and retain staff for the program.

Please do not hesitate in contacting me if the MLPA can help in supporting this proposal through the various administrative and legal processes it must go through to be implemented.

Sincerely,

Morgan Mundell  
MLPA Executive Director

cc: Darcy Bybee, APCP Director