



Notice of Open Meeting

Hazardous Waste Management Commission

To review minutes from previous meetings and learn about agenda items, please refer to the Department's website at <https://dnr.mo.gov/env/hwp/commission/>

AGENDA

Department of Natural Resources Conference Center
1730 East Elm Street
Roaring River/Bennett Springs Conference Rooms
Jefferson City, MO 65101
Nov. 1, 2019
10:00 a.m.

- | | | |
|--|---------------|-------------------|
| A. Call to Order | | Chair |
| 1. Roll Call | | |
| 2. Pledge | | |
| B. Minutes from | Aug. 30, 2019 | Chair |
| (Approval Needed) | | |
| C. Public Hearing | | Tim Eiken |
| (Information Only) | | |
| <p>The Commission to hear testimony from the department and any interested parties/stakeholders on the proposed amendment to 10 CSR 25-12.010, Hazardous Waste Fees and Taxes.</p> | | |
| D. DNR Reports and Updates | | |
| (Information Only) | | |
| 1. TCE Sites Under Remediation in Missouri | | John Jurgensmeyer |
| 2. Commission Operating Policy Review | | Commission |

3. Review for Adoption of Recent Federal Rules

Greg Snellen

E. Open Comment Session
(Information Only)

This segment of the meeting affords the public an opportunity to comment on any other issues pertinent to the Hazardous Waste Management Commission.

F. Future Meeting Dates
(Information Only)

Nov. 26, 2019 1:00 p.m.
1101 Riverside Drive
Gasconade Camp Conference Room
Jefferson City, MO 65101

Dec. 19, 2019 10:00 a.m.
1730 East Elm Street
Roaring River/Bennett Springs Conference Rooms
Jefferson City, MO 65101

Mar. 19, 2020 10:00 a.m.
1730 East Elm Street
Roaring River/Bennett Springs Conference Rooms
Jefferson City, MO 65101

G. Closed Session

Chair

This portion of the meeting may be closed if such action is approved by a majority vote of the Hazardous Waste Management Commission members who constitute a quorum, pursuant to Section 610.021, RSMo.

H. Meeting Adjournment
(Approval Needed)

Commission

People requiring special services at the meeting can make arrangements by calling 1-800-361-4827 or 573-751-3176. Hearing- and speech-impaired individuals may contact the department through Relay Missouri, 1-800-735-2966.

**MISSOURI DEPARTMENT OF NATURAL RESOURCES
HAZARDOUS WASTE MANAGEMENT COMMISSION**

Meeting Date: November 1, 2019

ROLL CALL ROSTER

	In Person:	By Phone:	Absent
Commissioner Jamie Frakes	_____	_____	_____
Chair - Elizabeth Aull	_____	_____	_____
Vice-Chair - Mark Jordan	_____	_____	_____
Commissioner Kevin Kamp	_____	_____	_____
Commissioner Andrea Farr	_____	_____	_____

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # A2

Pledge of Allegiance

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # B

Approval of Minutes

Issue:

Commission to review the General Session minutes from the August 30, 2019, Hazardous Waste Management Commission meeting.

Recommended Action:

Commission to approve the General Session minutes from the August 30, 2019, Hazardous Waste Management Commission meeting.

GENERAL

SESSION

MEETING

MINUTES

GENERAL SESSION
HAZARDOUS WASTE MANAGEMENT COMMISSION
August 30, 2019; 10:00 A.M.
1730 E. Elm Street
Bennett Springs/Roaring River Conference Rooms
Jefferson City, MO 65102

(Note: The minutes taken at Hazardous Waste Management Commission proceedings are just that, minutes, and are not verbatim records of the meeting. Consequently, the minutes are not intended to be and are not a word-for-word transcription.)

The meeting was streamed live from the Department's website at: dnr.mo.gov/videos/live.htm.

The phone line for those Commissioners calling in to today's meeting, was opened at 9:43 a.m.

COMMISSIONERS PRESENT IN PERSON

Due to the nature of this meeting, a single action item for vote, all Commissioners participated by phone.

COMMISSIONERS PRESENT BY PHONE

Chair Elizabeth Aull
Vice-Chair Mark Jordan
Commissioner Kevin Kamp
Commissioner Jamie Frakes
Commissioner Andrea Farr

A. CALL TO ORDER

Chairperson Elizabeth Aull called the General Session to order at approximately 10:00 a.m.

PLEDGE OF ALLEGIANCE

The recitation of the Pledge of Allegiance was made by the Hazardous Waste Management Commission (Commission) and guests.

ROLL CALL

A roll call was taken of the Commissioners. Chairperson Elizabeth Aull, Vice Chairperson Mark Jordan, Commissioner Kevin Kamp, Commissioner Jamie Frakes and Commissioner Andrea Farr were present by phone. A quorum was established at this time.

Chairperson Aull began the meeting with an introduction of the newly appointed member of the HWMC, Commissioner Andrea Farr. Chair Aull provided an overview of Commissioner Farr's resume and welcomed her to the Commission.

B. MINUTES

- General Session minutes from the December 20, 2018, meeting:

A motion was made by Commissioner Frakes and seconded by Vice-Chair Jordan to approve the December 20, 2018, General Session minutes.

A vote was taken; all were in favor, none opposed. Motion carried. Minutes were approved.

- General Session minutes from the March 21, 2019, meeting:

A motion was made by Commissioner Frakes and seconded by Vice-Chair Jordan to approve the March 21, 2019, General Session minutes.

A vote was taken; all were in favor, none opposed. Motion carried. Minutes were approved.

- General Session minutes from the August 15, 2019, meeting:

A motion was made by Commissioner Farr and seconded by Commissioner Kamp to approve the August 15, 2019, General Session minutes.

A vote was taken; all were in favor, none opposed. Motion carried. Minutes were approved.

C. REQUEST TO BEGIN RULEMAKING – COMMISSION VOTE

Mr. Chris Nagel, Waste Management Program Director, addressed the Commission and provided brief background information on the proposed increase to the generator fee structure. Mr. John Jurgensmeyer, Environmental Remediation Program Director, provided a PowerPoint presentation outlining the details of the proposed amendment to the fee structure that had been presented to the Commission at the August 15th meeting. Mr. Jurgensmeyer advised the Commission that the Department was before them at this time requesting approval to begin the rulemaking process regarding this amendment to the current fee structure.

Following his presentation Chairperson Aull requested a motion on the matter before them. Vice-Chairperson Jordan made the following motion:

“I move that the Commission approve the Department’s request to file a proposed amendment to 10 CSR 25-12.010, to change the hazardous waste fee structure, and further find that this rule is necessary to carry out the purposes of the Revised Statutes of Missouri.

The motion was seconded by Commissioner Frakes. There was no discussion on the matter.

A vote was taken; all were in favor, none opposed. Motion carried. Decision to approve the Request to Begin Rulemaking was certified by the Commission.

D. PUBLIC INQUIRIES AND ISSUES

The floor was opened to any public inquiries. Chairperson Aull noted that there were no requests received to speak at this time,

This was provided as information only and required no action on the part of the Commission.

E. FUTURE MEETINGS

It was determined that the September 19th meeting would be cancelled at this time.

Nov. 1, 2019 10:00 a.m.

Nov. 26, 2019 1:00 p.m.

F. CLOSED SESSION

No closed session was required. The new Commission counsel, Richard Groeneman, Attorney General's Office, was introduced to the Commission.

G. ADJOURNMENT

Commissioner Andrea Farr made a motion to adjourn the meeting at 10:27 a.m. It was seconded by Commissioner Kamp.

Respectfully Submitted,

Debra D. Dobson, Commission Assistant

APPROVED

Elizabeth Aull, Chair

Date

Hazardous Waste Management Commission Meeting

**Nov. 1, 2019
Agenda Item # C**

Public Hearing Amendment to Change the Hazardous Waste Fee Structure Found In: 10 CSR 25-12.010, Hazardous Waste Fees and Taxes

Issue:

The Missouri Department of Natural Resources is authorized by statute to utilize the rulemaking process to adjust fees paid by hazardous waste generators, with approval from stakeholders and from the Missouri Hazardous Waste Management Commission.

Through this stakeholder process, the Department is pursuing an increase to hazardous waste generator registration fees to address funding shortfalls after Fiscal Year 2022.

The temporary increase in the hazardous waste generator registration fee would generate \$599,970 per year for two years, minus a discounted amount of \$95,730 for generators claiming the multiple ID number discount. The net revenue increase would equal \$504,240 to the Department per year for 2 years.

The fee proposal was presented to the Commission at the August 15th commission meeting, and authorization to file this proposed amendment was approved at their August 30th meeting. The public comment period began on Oct. 1, 2019, and will end on Nov. 8, 2019.

This public hearing allows the Department and other interested parties/stakeholders an opportunity to provide testimony with regards to the proposed amendments.

Recommended Action:

Information only.

Presented by:

John Jurgensmeyer, Director – Environmental Remediation Program
Chris Nagel, Director – Waste Management Program

OPENING STATEMENT

Opening Statement for the Public Hearing on the proposed Amendment to 10 CSR 25-12.010, Hazardous Waste Fees and Taxes

I hereby call this public hearing to order. A public hearing is not a forum for debate of the issues. Rather, the purpose of this hearing is to provide the Department of Natural Resources and the public an opportunity to present testimony on the proposed amendments to 10 CSR 25-12.010.

At the request of the Commission, the Department will first present testimony on the proposed amendments. Following their testimony, the public will be given the opportunity to comment on the proposed rulemaking. A sign-up sheet is provided at the back of the room for anyone in attendance at the hearing, in addition to comment forms for those who wish to make any oral comments. Please fill out a comment form if you wish to be heard. This will aid us in recognizing speakers and calling them to testify. Additionally, we ask anyone who approaches the Commission to testify to please state their name and affiliation, if any, for the record and provide a business card, if available, to the court reporter and to the commission secretary.

Written comments will also be accepted at this hearing. Please provide them to the Environmental Remediation Program's Director, John Jurgensmeyer. Following the conclusion of the hearing, comments may be submitted by mail to the Director of the Environmental Remediation Program, P.O. Box 176, Jefferson City, Missouri 65102. Comments submitted by mail must be postmarked on or before the end of the public comment period, on Nov. 8, 2019. Email comments shall be sent to tim.eiken@dnr.mo.gov and must also be received no later than Nov. 8, 2019.

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # D

DNR Reports and Updates

Issue:

1. TCE Sites Under Remediation in Missouri
 - The Commission to be provided information on TCE contaminated sites in Missouri that are currently being remediated.
2. Commission Operating Policies Review
 - The Commission to discuss any changes/updates or edits they believe are needed to the *Hazardous Waste Management Commission Operating Policies and Procedures*, which was last updated in December 2014. Recent changes to the program structure may need to be outlined in the policies and procedures.
3. Rulemaking Update
 - The Commission to be provided updates on the Department's review of Federal rules available for state adoption: (1) the *Generator Improvement* rule; (2) the *Pharmaceutical* rule; and, (3) the *Air Bag* rule

Recommended Action:

Information only.

Presented by:

1. John Jurgensmeyer
2. Commissioners/Commission Staff/ Commission Counsel
3. Tim Eiken/Greg Snellen

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # E

Open Comment Session

Issue:

Opportunity for participants to speak to the Commission on relevant issues or matters before them.

Information:

Information Only.

Presented by:

John D. Jurgensmeyer, Director, Environmental Remediation Program

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # F

Future Meetings

Information:

Meeting Dates:

Date	Time	Location
Tuesday, Nov. 26, 2019	1:00 P.M.	Gasconade Camp Conference Room 1101 Riverside Drive Jefferson City, Missouri 65101
Thursday, Dec. 19, 2019	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, March 19, 2020	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, June. 18, 2020	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, September 17, 2020	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101

Recommended Action:

Information Only.

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # G

Closed Session

Issue:

This portion of the meeting may be closed if such action is approved by a majority vote of the Hazardous Waste Management Commission members who constitute a quorum, pursuant to Section 610.021, RSMo.

Information:

Information Only.

Missouri Hazardous Waste Management Commission Meeting

November 1, 2019

Agenda Item # H

Meeting Adjournment

Issue:

Motion and second to adjourn meeting.

Information:

Information Only.