



## Notice of Open Meeting

The health and safety of all visitors to state office buildings are priority. Due to recent concerns regarding the novel coronavirus, or COVID-19, only remote participation is available.

### 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

**Public Participant Call-In Number: 866-230-0963 (no PIN needed)**

**August 7, 2020  
1:00 p.m.**

- A. Call to Order** Chair
1. Pledge
  2. Roll Call
- B. Minutes from:**  
(Approval Needed)
- **General Session**            June 18, 2020            Chair
  - **Executive Session**        June 18, 2020            Chair
- C. Public Hearing on the rulemaking for 10 CSR 25-12** Commission
- Commission to hear testimony on rulemaking for 10 CSR 25-12.
- D. 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.

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

**Sep. 17, 2020 10:00 a.m.**  
1730 East Elm Street  
Roaring River/Bennett Springs Conference Rooms  
Jefferson City, MO 65101

**Dec. 17, 2020 10:00 a.m.**  
1730 East Elm Street  
Roaring River/Bennett Springs Conference Rooms  
Jefferson City, MO 65101

**Mar. 18, 2021 10:00 a.m.**  
1730 East Elm Street  
Roaring River/Bennett Springs Conference Rooms  
Jefferson City, MO 65101

**F. 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.

**G. Meeting Adjournment** Commission  
(Approval Needed)

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: August 7, 2020**

**ROLL CALL ROSTER**

	<b>In Person:</b>	<b>By Phone:</b>	<b>Absent</b>
<b>Commissioner Jamie Frakes</b>	_____	_____	_____
<b>Chair Andrea Farr</b>	_____	_____	_____
<b>Vice-Chair - Mark Jordan</b>	_____	_____	_____
<b>Commissioner Kevin Kamp</b>	_____	_____	_____

**Missouri Hazardous Waste Management Commission Meeting**

**August 7, 2020  
Agenda Item # A2**

**Pledge of Allegiance**

**Missouri Hazardous Waste Management Commission Meeting**

**August 7, 2020  
Agenda Item # B**

**Approval of Minutes**

**Issue:**

Commission to review the General Session minutes from the June 18, 2020, Hazardous Waste Management Commission meeting.

Commission to review the Executive Session minutes from the June 18, 2020, Hazardous Waste Management Commission meeting.

**Recommended Action:**

Commission to approve the General Session minutes from the June 18, 2020, Hazardous Waste Management Commission meeting.

Commission to approve the Executive Session minutes from the June 18, 2020, Hazardous Waste Management Commission meeting.

GENERAL

SESSION

MEETING

MINUTES

GENERAL SESSION  
HAZARDOUS WASTE MANAGEMENT COMMISSION  
June 18, 2020 10:00 A.M.  
1730 E. Elm Street  
Audioconference  
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 phone line for those Commissioners calling in to today's meeting, was opened at 9:41 a.m.

COMMISSIONERS PRESENT IN PERSON

The health and safety of all visitors to state office buildings are priority. Due to recent concerns regarding the novel coronavirus, or COVID-19, meetings are held by remote participation; therefore, all Commissioners participated by phone.

COMMISSIONERS PRESENT BY PHONE

Chair Elizabeth Aull  
Vice-Chair Mark Jordan  
Commissioner Kevin Kamp  
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 and Commissioner Andrea Farr were present by phone. A quorum was established at this time.

B. MINUTES

- General Session minutes from the March 19, 2020, meeting:

A motion was made by Vice Chairperson Jordan and seconded by Commissioner Farr to approve the March 19, 2020, General Session minutes.

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

### C. ELECTION OF OFFICERS

Chairperson Aull made a motion to nominate Mark Jordan to the position of Vice-Chair.

Chairperson Aull then accepted a motion by Commissioner Kamp to nominate Commissioner Andrea Farr to the position of Chairperson. Commissioner Farr accepted the nomination and Vice-Chairperson Mark Jordan seconded the motion. No other nominations were received.

*A vote was taken; all participating Commissioners voted “aye,” none were opposed. The motion carried.*

The Commission returned to the nominations for Vice-Chairperson. Chairperson Aull had earlier nominated Commissioner Mark Jordan for the position of Vice-Chairperson. No other nominations were received.

*A vote was taken; all participating Commissioners voted “aye,” none were opposed. The motion carried.*

Chairperson Andrea Farr assumed control of the meeting.

\*\*The Commission moved to Agenda Item H – Closed Session

### H. CLOSED SESSION

Commissioner Aull made a motion to go into Closed (Executive) Session. Vice-Chairperson Jordan seconded the motion.

10:16 a.m. The Commission went into Executive Session

11:02 a.m. Chairperson Andrea Farr made a motion to return to General Session. Vice-Chairperson Jordan seconded the motion. The Commission returned to General Session.

### D. COMMISSION OPERATING POLICIES AND PROCEDURES

Commissioner Aull made the motion to table discussion and vote on the Policies and Procedures pending a response to questions posed to the Commission’s Counsel during the Executive Session.

Commissioner Kevin Kamp seconded the motion.

*A vote was taken; all participating Commissioners voted “aye,” none were opposed. The motion carried.*

### E. 10 CSR 25-12 RULEMAKING UPDATE

Mr. Chris Nagel, Director, Waste Management Program, provided a brief overview of the rulemaking to 10 CSR 25-12 that was approved by the Commission in 2019. He noted that in August 2019, the Hazardous Waste Management Commission voted to allow the Department to move forward with the rulemaking process on a proposed fee increase. The Missouri General

Assembly disapproved the Hazardous Waste Management Commission's rulemaking to temporarily increase fees. Senate Concurrent Resolution (SCR) 38 was signed by both Chambers on March 5, 2020. Pursuant to SCR 38, the Department filed an emergency rulemaking with the Secretary of State to remove the proposed temporary increase. The Department has now filed the regular rulemaking to revert the fee language to its previous version. A public hearing is scheduled for Aug. 7, 2020, to allow for any public comment on this proposed rulemaking.

Mr. Nagel provided the Commission with the opportunity to any questions on the issue. Vice-Chairman Jordan inquired if there was any action required by the Commission, to which Mr. Nagel advised that this was merely a formality under the circumstances, and no action would be required by the Commission.

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

#### F. PUBLIC INQUIRIES AND ISSUES

The floor was opened to any public inquiries. Chairperson Farr 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.

#### G. FUTURE MEETINGS

It was noted that the next meeting would be held:

Public hearing on the rulemaking for 10 CSR 25-12  
August 7, 2020                      1:00 p.m.  
Remote Call In Access Only -  
866-230-0963 (no pin needed)

(H) An Executive Session (Closed Session) was held earlier in the meeting.

#### I. ADJOURNMENT

Commissioner Elizabeth Aull addressed the Commission and participants and noted that this would be her last meeting, as she was retiring from the Commission. Ms. Aull provided an overview of her history on the Commission and was thanked by all for her service over the past 12 plus years.

Chairperson Farr provided additional accolades for her service on behalf of the Commission and herself.

Commissioner Andrea Farr made a motion to adjourn the meeting at 11:20 a.m. It was seconded by Commissioner Aull and Vice-Chairperson Jordon simultaneously.

*A vote was taken; all were in favor, none opposed. Motion carried. Meeting adjourned.*

Respectfully Submitted,

\_\_\_\_\_  
Debra D. Dobson, Commission Assistant

APPROVED

\_\_\_\_\_  
Andrea Farr, Chair

\_\_\_\_\_  
Date

## **Missouri Hazardous Waste Management Commission Meeting**

**August 7, 2020  
Agenda Item # C**

### **Public Hearing - 10 CSR 25-12.010, Hazardous Waste Fees and Taxes**

#### **Issue:**

In August 2019, the Hazardous Waste Management Commission voted to allow the Department to move forward with the rulemaking process on a proposed fee increase. The Missouri General Assembly disapproved the Hazardous Waste Management Commission's rulemaking to temporarily increase fees. Senate Concurrent Resolution (SCR) 38 was signed by both Chambers on March 5, 2020. Pursuant to SCR 38, the Department filed an emergency rulemaking with the Secretary of State to remove the proposed temporary increase. The Department has now filed the regular rulemaking to revert the fee language to its previous version. This public hearing allows for any public comment on this proposed rulemaking.

#### **Recommended Action:**

The Hazardous Waste Management Commission to provide a public forum for any comments on the regular rulemaking to revert the fee language to its previous version found in:

10 CSR 25-12.010, Hazardous Waste Fees and Taxes

#### **Presented by:**

Chris Nagel, Director, Waste Management Program  
John D. Jurgensmeyer, Director, Environmental Remediation Program

**Missouri Hazardous Waste Management Commission Meeting**

**August 7, 2020  
Agenda Item # D**

**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  
Chris Nagel, Director, Waste Management Program

**Missouri Hazardous Waste Management Commission Meeting**

**August 7, 2020  
Agenda Item # E**

**Future Meetings**

**Information:**

**Meeting Dates:**

Date	Time	Location
Thursday, September 17, 2020	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, December. 17, 2020	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, March 18, 2021	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, June 17, 2021	10:00 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, September 16, 2021	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**

**August 7, 2020  
Agenda Item # F**

**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**

**August 7, 2020  
Agenda Item # G**

**Meeting Adjournment**

**Issue:**

Motion and second to adjourn meeting.

**Information:**

Information Only.