

**Title 10—DEPARTMENT OF  
NATURAL RESOURCES  
Division 130—State Environmental  
Improvement and Energy Resources  
Authority  
Chapter 1—Applications**

**PROPOSED AMENDMENT**

**10 CSR 130-1.010 Definitions** The State Environmental Improvement and Energy Resources Authority is amending section (1) through (4), (6), (10), (13), (20) and (24); deleting sections (5), (7), (8), (9), (11), (12), (14) through (19), (22) and (23); and renumbering sections (6), (10), (13), (20), (21) and (24). Proposed amendments will reference state statutes in section (1); delete language that is duplicative with state statutes in sections (5), (7), (8), (9), (11), (12), (14) through (19), (22) and (23); and delete restrictive words in sections (1) through (4), (6), (10), (13), (20), and (24).

*PURPOSE: This rule is being amended because it has not been amended since 1986 and contains definitions duplicative with state statute. The proposed amendments to 10 CSR 130-1.010 were identified during the Red Tape Reduction review pursuant to Executive Order 17-03.*

(1) Except where the context indicates otherwise, *[the following]* terms as used in these rules *[shall]* have the meaning ascribed to them in this rule **or the Act**.

(2) Act *[shall]* means sections 260.005 to 260.125, inclusive, *[Revised Statutes of Missouri]***RSMo** and Appendix B(1) thereto.

(3) Air pollution *[shall]* means the presence in the ambient air of one (1) or more air contaminants in quantities, of characteristics and a duration which directly and proximately cause or contribute to injury to human, plant, or animal life or health or to property or which unreasonably interferes with the enjoyment of life or use of property.

(4) Application fee *[shall]* means the fee payable upon filing of an application.

*[(5) Authority shall mean the State Environmental Improvement and Energy Resources Authority created by the Act.]*

*[(6)]***(5)** Authorized representative *[shall]* means with respect to a corporation that person designated to act on its behalf by written certificate of authority furnished to the authority containing the specimen signature of the person and signed on behalf of the corporation by its president or any vice president and attested to by its secretary or an assistant secretary.

*[(7) Bonds shall mean bonds issued by the authority pursuant to the provisions of the Act.]*

*(8) Cost shall mean the expense of the acquisition of land, rights of way, easements and other interests in real property and the expense of acquiring or construction of buildings, improvements, machinery and equipment relating to any project, including the cost of demolishing or removing any existing structures, interest during the construction of any project and engineering research, legal, accounting, underwriting, consulting and other expenses necessary or incident to determining the feasibility or practicability of any project and in carrying out the same, all of which are to be paid out of the proceeds of the loans, bonds or notes authorized by the Act.*

*(9) Disposal of solid waste or sewage shall mean the entire process of storage, collection, transportation, processing and disposal of solid waste or sewage.]*

*[(10)](6) Loans [shall] means loans made by the authority pursuant to the provisions of the Act.*

*[(11) Notes shall mean notes issued by the authority pursuant to the provisions of the Act.*

*(12) Pollution shall mean the placing of any noxious substance in the air or waters or on the lands of the state in sufficient quantity and of amounts, characteristics and duration so as to injure or harm the public health or welfare or animal life or property.]*

*[(13)](7) Pollution control facility [shall] means any facility, including land, disposal areas, incinerators, buildings, fixtures, machinery, and equipment financed, acquired, or constructed or to be financed, acquired or constructed by the authority for the purpose of preventing or reducing pollution or providing for the disposal of solid waste or sewage.*

*[(14) Project shall mean any facility, including land, disposal areas, incinerators, buildings, fixtures, machinery and equipment financed, acquired or constructed or to be financed, acquired or constructed by the authority for the purpose of developing energy resources or preventing or reducing pollution or the disposal of solid waste or sewage or providing water facilities or resource recovery facilities.*

*(15) Resource recovery shall mean the recovery of material or energy from solid waste.*

*(16) Resource recovery facility shall mean any facility at which solid waste is processed for the purpose of extracting, converting to energy or otherwise separating and preparing solid waste for reuse.*

*(17) Resource recovery system shall mean a solid waste management system which provides for collection, separation, recycling and recovery of solid wastes, including disposal of nonrecoverable waste residues.*

*(18) Sewage shall mean any liquid or gaseous waste resulting from industrial, commercial, agricultural or community activities in amounts, characteristics and duration so as to injure or harm the public health or welfare or animal life or property.*

*(19) Solid waste shall mean garbage, refuse, discarded materials and undesirable solid and semi-solid residual matter resulting from industrial, commercial, agricultural or community activities in amounts, characteristics and duration so as to injure or harm the public health or welfare or animal life or property.]*

*[(20)](8) Solid waste or sewage disposal area [shall] means any area used for the disposal of solid waste or sewage from more than one (1) residential premises or one (1) or more commercial, industrial, manufacturing, recreational, or governmental operations.*

*[(21)](9) Solid waste or sewage processing facility means incinerator, compost plant, transfer station, or any facility where solid wastes or sewage are salvaged.*

*[(22) Synthetic fuels shall mean any solid, liquid or gas or combination thereof, which can be used as a substitute for petroleum or natural gas (or any derivatives thereof, including chemical feedstocks) and which is produced by chemical or physical transformation (other than washing, coking or desulfurizing) of domestic sources of coal, including lignite and peat, shale, tar, sands, including heavy oils, water as a source of hydrogen only through electrolysis and mixtures of coal and combustible liquids including petroleum.*

*(23) Water facilities shall mean any facilities for the furnishing of water for industrial, commercial, agricultural or community purposes including, but not limited to, wells, reservoirs, dams, pumping stations, water lines, sewer lines, treatment plants, stabilization ponds, storm sewers, related equipment and machinery.]*

*[(24)](10) Water pollution [shall] means contamination or other alteration of the physical, chemical or biological properties, of any waters of the state, including change in temperature, taste, color, turbidity or odor of the waters or the discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render the waters harmful, detrimental or injurious to public health, safety, or welfare or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses or to wild animals, birds, fish, or other aquatic life.*

*AUTHORITY: section 260.035.1(23), RSMo 1986.\* Original rule filed Sept. 3, 1986, effective Nov. 28, 1986. Amended: Filed July 2, 2018.*

*\*Original authority: 260.035, RSMo 1972, amended 1980, 1982, 1983, 1985, 1995.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the State Environmental Improvement and Energy Resources Authority, PO Box 744, Jefferson City, MO 65102. To be considered, comments must be received within thrity (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*