

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1084
98TH GENERAL ASSEMBLY

2214H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 643, RSMo, is amended by adding thereto one new section, to be
2 known as section 643.650, to read as follows:

**643.650. 1. Any owner of an electric generating source in a one-hour sulfur dioxide
2 National Ambient Air Quality Standards nonattainment area in any county with a charter
3 form of government and with more than two hundred thousand but fewer than three
4 hundred fifty thousand inhabitants shall develop an ambient air quality monitoring or
5 modeling network to characterize the sulfur dioxide air quality surrounding the electric
6 generating source. The network shall adequately monitor the ambient air quality for
7 sulfur dioxide surrounding the entire electric generating source and shall operate for not
8 less than twelve consecutive quarters. The owner of such electric generating source shall
9 notify the department of the manner in which it intends to characterize by either modeling
10 or monitoring the air quality around such source. The location of any monitoring network
11 installed by the owner of such electric generating source within a one-hour sulfur dioxide
12 National Ambient Air Quality Standards nonattainment area shall be approved by the
13 department.**

**14 2. Affected sources located in undesignated areas that elect to use monitoring to
15 evaluate ambient air quality shall be consulted by the department on the use of existing
16 monitors as well as the location of any new monitors intended to comprise the sulfur
17 dioxide monitoring network. The department shall not submit a recommendation to the
18 Environmental Protection Agency on the manner in which data will be gathered for the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 second phase designation process that is inconsistent with the elections made by affected
20 sources under this section. Where affected sources have elected to monitor under this
21 section, the department shall submit recommendations for the second phase designation
22 process by the date set by a final, effective, and applicable Environmental Protection
23 Agency requirement relating to state attainment designations, and not prior.

24 3. The department shall consider all ambient air quality monitoring network data
25 collected under subsection 1 of this section and under any agreement authorized under this
26 subsection prior to proposing to the commission any sulfur dioxide limitation, emission
27 reduction requirement, or other requirement for purposes of the one-hour sulfur dioxide
28 National Ambient Air Quality Standard for any electric generating source that has elected
29 to install a monitoring network under this section, except:

30 (1) The department may propose to the commission any sulfur dioxide limitations
31 or emission reduction requirements specifically agreed to in any voluntary agreement
32 entered into between the department and any owner of an electric generating source that
33 has elected to install a monitoring network under this section; and

34 (2) The department may propose to the commission any adjustments to the sulfur
35 dioxide limitations or emission reduction requirements applicable to any electric
36 generating source located in a sulfur dioxide nonattainment area and subject to an
37 agreement under subdivision (1) of this subsection, as justified by an ambient air quality
38 analysis relying on no fewer than two quarters of monitored data collected through the
39 monitoring network allowable in subsection 1 of this section and consistent with such
40 agreement.

41 4. Nothing in this section shall prohibit the department from entering into an
42 agreement with an owner of an electric generating source to limit or reduce sulfur dioxide
43 emissions at such affected source that is below the source's permitted sulfur dioxide
44 emission rate.

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