

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute No. 2 for House Bill No. 1973, Page 1, Section A, Line 2,
2 by inserting after all of said section and line the following:

3
4 "644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations
5 promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

6 (1) "Aquaculture facility", a hatchery, fish farm, or other facility used for the production of
7 aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as
8 amended, 33 U.S.C. Section 1251, et seq.;

9 (2) "Commission", the clean water commission of the state of Missouri created in section
10 644.021;

11 (3) "Conference, conciliation and persuasion", a process of verbal or written
12 communications consisting of meetings, reports, correspondence or telephone conferences between
13 authorized representatives of the department and the alleged violator. The process shall, at a
14 minimum, consist of one offer to meet with the alleged violator tendered by the department. During
15 any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate
16 the alleged violation and shall attempt to agree upon a plan to achieve compliance;

17 (4) "Department", the department of natural resources;

18 (5) "Director", the director of the department of natural resources;

19 (6) "Discharge", the causing or permitting of one or more water contaminants to enter the
20 waters of the state;

21 (7) "Effluent control regulations", limitations on the discharge of water contaminants;

22 (8) "General permit", a permit written with a standard group of conditions and with
23 applicability intended for a designated category of water contaminant sources that have the same or
24 similar operations, discharges and geographical locations, and that require the same or similar
25 monitoring, and that would be more appropriately controlled pursuant to a general permit rather
26 than pursuant to a site-specific permit;

27 (9) "General permit template", a draft general permit that is being developed through a
28 public participation process;

29 (10) "Human sewage", human excreta and wastewater, including bath and toilet waste,
30 residential laundry waste, residential kitchen waste, and other similar waste from household or
31 establishment appurtenances;

32 (11) "Income" includes retirement benefits, consultant fees, and stock dividends;

33 (12) "Minor violation", a violation which possesses a small potential to harm the
34 environment or human health or cause pollution, was not knowingly committed, and is not defined
35 by the United States Environmental Protection Agency as other than minor;

36 (13) "Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned

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1 by the permit holder's compliance with commission rules;

2 (14) "Permit holders or applicants for a permit" shall not include officials or employees who
3 work full time for any department or agency of the state of Missouri;

4 (15) "Person", any individual, partnership, copartnership, firm, company, public or private
5 corporation, association, joint stock company, trust, estate, political subdivision, or any agency,
6 board, department, or bureau of the state or federal government, or any other legal entity whatever
7 which is recognized by law as the subject of rights and duties;

8 (16) "Point source", any discernible, confined and discrete conveyance, including but not
9 limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock,
10 concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or
11 may be discharged. Point source does not include agricultural storm water discharges and return
12 flows from irrigated agriculture;

13 (17) "Pollution", such contamination or other alteration of the physical, chemical or
14 biological properties of any waters of the state, including change in temperature, taste, color,
15 turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other
16 substance into any waters of the state as will or is reasonably certain to create a nuisance or render
17 such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic,
18 industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds,
19 fish or other aquatic life;

20 (18) "Pretreatment regulations", limitations on the introduction of pollutants or water
21 contaminants into publicly owned treatment works or facilities which the commission determines
22 are not susceptible to treatment by such works or facilities or which would interfere with their
23 operation, except that wastes as determined compatible for treatment pursuant to any federal water
24 pollution control act or guidelines shall be limited or treated pursuant to this chapter only as
25 required by such act or guidelines;

26 (19) "Residential housing development", any land which is divided or proposed to be
27 divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of
28 a common promotional plan for residential housing;

29 (20) "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other
30 structures, devices, appurtenances and facilities used for collecting or conducting wastes to an
31 ultimate point for treatment or handling;

32 (21) "Significant portion of his or her income" shall mean ten percent of gross personal
33 income for a calendar year, except that it shall mean fifty percent of gross personal income for a
34 calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to
35 retirement, pension, or similar arrangement;

36 (22) "Site-specific permit", a permit written for discharges emitted from a single water
37 contaminant source and containing specific conditions, monitoring requirements and effluent limits
38 to control such discharges;

39 (23) "Treatment facilities", any method, process, or equipment which removes, reduces, or
40 renders less obnoxious water contaminants released from any source;

41 (24) "Water contaminant", any particulate matter or solid matter or liquid or any gas or
42 vapor or any combination thereof, ~~[or any temperature change]~~ which is in or enters any waters of
43 the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or
44 otherwise, which causes or would cause pollution upon entering waters of the state, or which
45 violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to
46 644.141 or any federal water pollution control act, or is included in the definition of pollutant in
47 such federal act;

48 (25) "Water contaminant source", the point or points of discharge from a single tract of

1 property on which is located any installation, operation or condition which includes any point
2 source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water
3 pollution control act, which causes or permits a water contaminant therefrom to enter waters of the
4 state either directly or indirectly;

5 (26) "Water quality standards", specified concentrations and durations of water
6 contaminants which reflect the relationship of the intensity and composition of water contaminants
7 to potential undesirable effects;

8 (27) "Waters of the state", all waters within the jurisdiction of this state, including all rivers,
9 streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the
10 boundaries of the state which are not entirely confined and located completely upon lands owned,
11 leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in
12 common."; and

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.