

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142, Page 1,
2 In the Title, Line 3, by deleting the words "implementation impact reports" and inserting in lieu
3 thereof the words "environmental protection"; and
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5 Further amend said bill, Page 4, Section 640.090, Line 108, by inserting after all of said section and
6 line the following:
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8 "643.055. 1. Other provisions of law notwithstanding, the Missouri air conservation
9 commission shall have the authority to promulgate rules and regulations, pursuant to chapter 536, to
10 establish standards and guidelines to ensure that the state of Missouri is in compliance with the
11 provisions of the federal Clean Air Act, as amended (42 U.S.C. Section 7401, et seq.). The
12 standards and guidelines so established shall not be any stricter than those required under the
13 provisions of the federal Clean Air Act, as amended, unless the Missouri air conservation
14 commission determines that stricter standards and guidelines would provide substantial additional
15 economic, employment, or environmental benefits beyond the benefits that would have resulted from
16 minimal compliance with the federal Clean Air Act, as amended; nor shall those standards and
17 guidelines be enforced in any area of the state prior to the time required by the federal Clean Air Act,
18 as amended, unless the Missouri air conservation commission determines that earlier compliance
19 would provide substantial additional economic, employment, or environmental benefits beyond the
20 benefits that would have resulted from minimal compliance with the federal Clean Air Act, as
21 amended. The restrictions of this section shall not apply to the parts of a state implementation plan
22 developed by the commission to bring a nonattainment area into compliance and to maintain
23 compliance when needed to have a United States Environmental Protection Agency approved state
24 implementation plan. The determination of which parts of a state implementation plan are not
25 subject to the restrictions of this section shall be based upon specific findings of fact by the air
26 conservation commission as to the rules, regulations and criteria that are needed to have a United
27 States Environmental Protection Agency approved plan.

28 2. The Missouri air conservation commission shall also have the authority to grant
29 exceptions and variances from the rules set under subsection 1 of this section when the person
30 applying for the exception or variance can show that compliance with such rules:

- 31 (1) Would cause economic hardship; or

Action Taken _____ Date _____

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1 (2) Is physically impossible; or

2 (3) Is more detrimental to the environment than the variance would be; or

3 (4) Is impractical or of insignificant value under the existing conditions.

4 3. The department shall not regulate the manufacture, performance, or use of residential
5 wood burning heaters or appliances through a state implementation plan or otherwise, unless first
6 specifically authorized to do so by the general assembly. No rule or regulation respecting the
7 establishment or the enforcement of performance standards for residential wood burning heaters or
8 appliances shall become effective unless and until first approved by the joint committee on
9 administrative rules.

10 4. New rules or regulations shall not be applied to existing wood burning furnaces, stoves,
11 fireplaces, or heaters that individuals are currently using as their source of heat for their homes or
12 businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014,
13 shall not be subject to any rules or regulations enacted after such date. No employee of the state or
14 state agency shall enforce any new rules or regulations against such existing wood burning furnaces,
15 stoves, fireplaces, and heaters."; and

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17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.
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