Volume 51, Number 2
Pages 55—182

January 15, 2026

MISSOURI

REGISTER

John R. Ashcroft Secretary of State

The *Missouri Register* is published semi-monthly by

Secretary of State
Denny Hoskins

Administrative Rules Division
James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

ISSN 0149-2942

The *Missouri Register* and *Code of State Regulations* (CSR) are available on the Internet. The *Register* address is sos.mo.gov/adrules/moreg/moreg and the CSR is available at sos.mo.gov/adrules/csr/csr. The Administrative Rules Division may be contacted by email at rules@sos.mo.gov.

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.

MISSOURI REGISTER

January 15, 2026 Vol. 51 No. 2 Pages 55—182

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
November 3, 2025	**December 1, 2025**	December 31, 2025	January 30 2026
November 17, 2025	**December 15, 2025**	December 31, 2025	January 30, 2026
December 1, 2025	**January 2, 2026**	January 29, 2026	February 28, 2026
December 15, 2025	**January 15, 2026**	January 29, 2026	February 28, 2026
January 2, 2026	**February 2, 2026**	February 28, 2026	March 30, 2026
January 15, 2026	**February 17, 2026**	February 28, 2026	March 30, 2026
February 2, 2026	**March 2, 2026**	March 31, 2026	April 30, 2026
February 17, 2026	**March 16, 2026**	March 31, 2026	April 30, 2026
March 2, 2026	**April 1, 2026**	April 30, 2026	May 30, 2026
March 16, 2026	**April 15, 2026**	April 30, 2026	May 30, 2026
April 1, 2026	**May 1, 2026**	May 31, 2026	June 30, 2026
April 15, 2026	**May 15, 2026**	May 31, 2026	June 30, 2026
May 1, 2026	**June 1, 2026**	June 30, 2026	July 30, 2026
May 15, 2026	**June 15, 2026**	June 30, 2026	July 30, 2026
June 1, 2026	**July 1, 2026**	July 31, 2026	August 30, 2026
June 15, 2026	**July 15, 2026**	July 31, 2026	August 30, 2026
July 1, 2026	**August 3, 2026**	August 31, 2026	September 30, 2026
July 15, 2026	**August 17, 2026**	August 31, 2026	September 30, 2026
August 3, 2026	**September 1, 2026**	September 30, 2026	October 30, 2026
August 17, 2026	**September 15, 2026**	September 30, 2026	October 30, 2026
September 1, 2026	**October 1, 2026**	October 31, 2026	November 30, 2026
September 15, 2026	**October 15, 2026**	October 31, 2026	November 30, 2026

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES
The rules are codified in the *Code of State Regulations* in this system–

Title	CSR	Division	Chapter	Rule
3	*Code of*	10-	4	115
Department	*State*	Agency	General area	Specific area
	Regulations	division	regulated	regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and *Register* on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

EXECUTIVE ORDER 25-36

WHEREAS, Missouri winters often bring extreme cold and severe storm systems that have the potential to cause damage associated with rain, freezing rain, snow, sleet, ice, and low temperatures, impacting communities throughout the State of Missouri; and

WHEREAS, winter conditions can cause distress and hazards to the safety, welfare, and property of the people of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, Missourians depend on residential heating fuel such as propane, natural gas, and heating oil to heat their homes, businesses, and other buildings during the winter months; and

WHEREAS, a portion of the pipeline distribution system that supplies Missouri, and other Midwest states, with critical heating fuel has experienced significant disruptions that are restricting heating fuel availability at distribution terminals across the State of Missouri; and

WHEREAS, this disruption in the residential heating fuel supply chain has the potential to cause significant delays for carriers in acquiring and transporting residential heating fuel in and across Missouri; and

WHEREAS, heating fuel carriers have to travel longer distances and are waiting longer periods at distribution terminals in order to secure product to meet consumer demand; and

WHEREAS, this disruption comes at a time when severe winter weather is a common occurrence in Missouri and poses a serious risk to Missourians by increasing difficulty in receiving delivery of heating fuels critical to keeping their families warm this winter; and

WHEREAS, the temporary suspension of current regulations on maximum driving times is necessary for the safety and welfare of the citizens of the State of Missouri in order to ensure that operators of commercial motor carriers who are assisting in the aforementioned efforts within the State of Missouri can transport residential heating fuel in and across Missouri.

NOW, THEREFORE, I, MIKE KEHOE, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri within the meaning of Title 49, Code of Federal Regulations Section 390.23.

I further order vehicles used in support of the transportation of residential heating fuels be exempt from the hours-of-service requirements in Title 49, Code of Federal Regulations, Parts 390 through 399, as incorporated in state law, including but not limited to Sections 307.400, 390.201, and 622.550, RSMo, and 11 CSR 30-6.010, for the duration of this Order.

This Order applies only to residential heating fuel such as propane, natural gas, and heating oil. No other petroleum products or other fuels are covered by the exemption and suspension under this Order.

Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. Part 382, the commercial driver's license requirements in 49 C.F.R. Part 383, the financial responsibility requirements in 49 C.F.R. Part 387, applicable size and weight requirements, or any portion of Federal and State regulations not specifically identified.

Additionally, nothing in this Order shall require or allow an ill or fatigued driver to operate a commercial motor vehicle as described in 49 C.F.R. § 390.23(b). Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.

This Order shall terminate on January 2, 2026, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 15th day of December, 2025.

MIKE KEHOE
GOVERNOR

ATTEST:

DENNY HOSKINS
SECRETARY OF STATE

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register.* If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 4 – Wildlife Code: General Provisions

PROPOSED RESCISSION

3 CSR 10-4.200 Chronic Wasting Disease; Management Zone. This rule established Chronic Wasting Disease (CWD) Management Zones and placed a restriction on activities that are likely to unnaturally concentrate white-tailed deer, thus increase the potential spread and prevalence of CWD. This rule also required mandatory disease sampling during designated dates within CWD Management Zones.

PURPOSE: A rescission of this rule and subsequent readoption will allow for renaming of the title, removal of the CWD Management Zone designation, and maintaining of the prohibition on placement of feed and minerals for deer and the mandatory disease surveillance requirement.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Dec. 15, 2015, effective May 30, 2016. For intervening history, please consult the ***Code of State Regulations****. Rescinded: Filed Dec. 12, 2025.*

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

PRIVATE COST: This proposed rescission 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 of or in opposition to this proposed rescission with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 4 – Wildlife Code: General Provisions

PROPOSED RULE

3 CSR 10-4.200 Chronic Wasting Disease

PURPOSE: This rule places a restriction on activities that are likely to unnaturally concentrate white-tailed deer, and thus increase the potential spread and prevalence of CWD. This rule also requires mandatory disease sampling during designated dates within designated counties.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Within any designated county within ten (10) miles of a confirmed Chronic Wasting Disease-positive test result for any cervid, the placement of grain, salt products, minerals, and other consumable natural and manufactured products is prohibited. See the current *Fall Deer & Turkey Hunting Regulations and Information* booklet, hereby incorporated in this Code by reference, for designated counties. This booklet is published annually in August by, and a printed copy can be obtained from, the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and is also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions. The following exceptions apply:

(A) Feed placed within one hundred (100) feet of any residence or occupied building; or

(B) Feed placed in such a manner to reasonably exclude access by deer; or

(C) Feed placed as part of a feral hog or CWD management effort authorized by an agent of the department; or

(D) Feed and minerals present solely as a result of normal agricultural or forest management or crop and wildlife food production practices.

(2) The head from any deer taken within a designated county on the first Saturday and Sunday of the November portion of the deer firearms hunting season must be presented by the taker to a designated disease surveillance sampling station on the day taken. See the current *Fall Deer & Turkey Hunting Regulations and Information* booklet, hereby incorporated in this Code by reference, for designated counties and sampling station locations. This booklet is published annually in August by, and a printed copy can be obtained from, the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and is also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Dec. 15, 2015, effective May 30, 2016. For intervening history, please consult the ***Code of State Regulations****. Rescinded and readopted: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.410 Hunting Methods. The commission is amending subsections (1)(I) and (1)(R).

PURPOSE: This amendment removes reference to the CWD portion of firearms deer season.

(1) Wildlife may be hunted and taken only in accordance with the following:

(I) Special Firearms Provision. During the November portion and the antlerless *[and CWD]* portions of the firearms deer season in counties open to deer hunting, other wildlife may be hunted and feral hogs may be taken only with a pistol, revolver, or rifle firing a rimfire cartridge .22 caliber or smaller or a shotgun and shot not larger than No. 4, except that waterfowl hunters, trappers, landowners on their land may use other methods as specified in subsection (1)(H) of this rule;

(R) Hunter Orange. During the antlerless, youth, **and** November*[, and CWD]* portions of the firearms deer hunting season, all hunters shall wear a cap or hat and a shirt, vest, or coat having the outermost color commonly known as hunter orange, which shall be plainly visible from all sides while being worn. Camouflage orange garments do not meet this requirement. This requirement shall not apply to migratory game bird hunters, to hunters using archery methods while hunting within municipal boundaries where discharge of firearms is prohibited, to hunters on federal or state public hunting areas where deer hunting is restricted to archery methods, or to hunters in closed counties during the antlerless *[and CWD]* portions of the firearms deer hunting season;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.431 Deer Hunting Seasons: General Provisions. The commission is amending subsection (8)(C) of this rule.

PURPOSE: This amendment removes reference to the CWD portion of firearms deer season.

(8) During the firearms deer hunting season and during managed firearms deer hunts on those areas where such hunts are held, all persons hunting any game, and also adult mentors accompanying them, must wear a cap or hat and a shirt, vest, or coat of the color commonly known as hunter orange, which must be plainly visible from all sides. Camouflage orange garments do not meet this requirement. The following are exempt from this requirement:

(C) All hunters in counties closed during the antlerless *[and CWD]* portions;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.432 Deer: Archery Hunting Season. The commission is amending subsection (2)(B).

PURPOSE: This amendment adds one prerequisite permit to the list of permits that allow the purchase of a Nonresident Archery Antlerless Deer Hunting Permit.

(2) Archery Deer Hunting Permits.

(B) Resident or Nonresident Archery Antlerless Deer Hunting Permit. Valid for one (1) antlerless deer in any open county. Persons may purchase and fill any number of these permits, where valid. A Nonresident Archer's Hunting Permit **or a Nonresident Landowner Archer's Hunting Permit** must be purchased before purchasing Nonresident Archery Antlerless Deer Hunting Permits.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.433 Deer: Firearms Hunting Season. The commission is amending subsections (1)(B), (3)(A)-(C), and (4)(B).

PURPOSE: This amendment clarifies the age requirements of hunters to be able to participate in the youth portions of firearms deer season and removes reference to the CWD portion of firearms deer season.

(1) The firearms deer hunting season is comprised of seven (7) portions.

(B) Youth portions: November 1 through 2, 2025, and November 28 through 30, 2025; for persons at least six (6) but not older than fifteen (15) years of age **on the opening day of the early youth portion**; use any legal deer hunting method to take deer statewide.

(3) Other wildlife may be hunted during the firearms deer hunting season except as further restricted in this section –

(A) During the November portion statewide and the antlerless *[and CWD]* portions in open counties, other wildlife (except furbearers) may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(H); and except that elk hunters may use other methods as specified in 3 CSR 10-7.700(4) during the firearms portion of the elk season;

(B) During the November portion statewide and the antlerless *[and CWD]* portions in open counties, furbearers may be hunted within the established furbearer hunting seasons during daylight hours using any legal deer hunting method by persons holding an unfilled Firearms Deer hunting permit, and –

1. A Resident Small Game Hunting Permit; or
2. A Nonresident Furbearer Hunting and Trapping Permit;

(C) Furbearers may not be chased, pursued, or taken with the aid of dogs during daylight hours from November 1 through the end of the November portion statewide and the antlerless *[and CWD]* portions in open counties; and

(4) Feral hogs may be taken in any number during the firearms deer hunting season as follows:

(B) During the November portion statewide and the antlerless *[and CWD]* portions in open counties –

1. Firearms deer permittees may only use methods allowed for deer;
2. Small game permittees may only use pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun with shot not larger than No. 4; and
3. Dogs may not be used;

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED RESCISSION

3 CSR 10-7.435 Deer: Special Harvest Provisions. This rule established special deer harvest limits and restrictions for certain counties.

PURPOSE: This rescission eliminates the requirement for antlered bucks to have at least four antler points on at least one antler beam to be harvested in designated counties.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This version of rule filed June 30, 1975, effective July 10, 1975. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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

PRIVATE COST: This proposed rescission 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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.439 Deer: Chronic Wasting Disease Management Program; Permit Availability, Methods, Limits. The commission is amending section (1) .

PURPOSE: This amendment removes mention of the Chronic Wasting Disease (CWD) Management Zone given removal of the CWD Management Zone designation from 3 CSR 10-4.200 and increases the minimum acreage requirement to be able to obtain no-cost Chronic Wasting Disease Management Permits from five (5) acres to twenty (20) acres.

(1) Landowners *[with property located within a Chronic Wasting Disease (CWD) Management Zone as defined in 3 CSR 10-4.200]* may enroll property in the department-sponsored Chronic Wasting Disease Management Program to obtain no-cost Chronic Wasting Disease Management Permits in accordance with the following:

(A) For the purposes of this rule a landowner shall include any person owning at least *[five (5)]* **twenty (20)** contiguous acres within two (2) miles of a confirmed Chronic Wasting Disease-positive;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Aug. 26, 2019, effective Feb. 29, 2020. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods. The commission is amending section (5) of this rule.

PURPOSE: This amendment removes reference to the CWD portion of firearms deer season.

(5) No furbearers may be chased, pursued, or taken during daylight hours with the aid of dogs from November 1 through the prescribed November portion of the firearms deer hunting season, during the antlerless *[and CWD]* portions of the firearms deer hunting season in counties open to deer hunting, or with firearms from a boat at night.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Aug. 16, 1972, effective Dec. 31, 1972. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 500 – Office of Adult Learning and Rehabilitation Services

PROPOSED AMENDMENT

5 CSR 20-500.140 Minimum Standards. The State Board of Education is amending sections (2) and (6).

PURPOSE: This amendment changes accreditation standards required for training service providers.

(2) *[An educational]* **A training** service provider must *[comply with the provisions found in 5 CSR 20-500.370.]* **meet the following qualifications:**

(A) Colleges and universities must be accredited by a nationally recognized accrediting agency or association approved by the U.S. Department of Education; and

(B) Career and technical training programs, proprietary training programs, and other training courses must be accredited or approved by the U.S. Department of Veterans Affairs, the Veterans Education and Training Section (State Approving Agency) under the Missouri Department of Elementary and Secondary Education, Missouri Higher Education and Workforce Development, and in accordance with applicable state law and/or regulations.

(6) 34 CFR section 361.5(7) and 34 CFR section 361.18(c) are hereby incorporated by reference and made part of this rule as published by the U.S. Government Publishing Office, 732 N. Capitol Street NW, Washington, DC 20401-0001, in *[January 2024]* **December 2026**. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Office of Adult Learning and Rehabilitation Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 161.092, 178.600, 178.610, and 178.620, RSMo 2016. This rule previously filed as 5 CSR 90-4.120. Original rule filed Dec. 17, 1999, effective Aug. 30, 2000. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 15, 2025.*

P*UBLIC 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 of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Chris Clause, Ph.D., Assistant Commissioner, Office of Adult Learning and Rehabilitation Services, 3024 Dupont Circle, Jefferson City, MO 65109, or by email to info@vr.dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 500 – Office of Adult Learning and Rehabilitation Services

PROPOSED AMENDMENT

5 CSR 20-500.370 Standards for the Approval of Courses for the Education of Persons Under Veterans' Education *[and Vocational Rehabilitation]*. The State Board of Education is amending the title of the rule, purpose statement, and sections (1), (2), and (3), removing and adding new section (4), renumbering as necessary, and adding material incorporated by reference.

PURPOSE: This amendment updates, adds, and removes language to align with federal and state code, and incorporates by reference applicable federal regulations.

PURPOSE: The State Board of Education has the authority to establish standards for the approval of courses for the education of eligible persons as provided by [Chapters 32–36,] Title 38[, United States Code and the Rehabilitation Act of 1973] ***of the Code of Federal Regulations, part 21****. This rule proposes common approval standards for [these]* ***this*** *program[s].*

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) All references to the State Board of Education (the board) in this rule may be construed to include the Department of Elementary and Secondary Education (DESE) and the appropriate program section*[s]*. The provisions of this section apply to accredited courses and nonaccredited courses.

(A) A course shall not be approved unless the institution has operated that course successfully for a period of twenty-four (24) calendar months for veterans' education courses *[or six (6) calendar months, or for one (1) graduating class for vocational rehabilitation courses]*. Successful operation shall mean an operation which is sound educationally**, legally,** and financially. The following are exceptions:

1. Any course to be pursued in a public or other tax-supported educational institution;

2. Any course which is offered for veterans' education

[or vocational rehabilitation] by a non-college **degree** (NCD) institution and/or a non-accredited institution of higher learning (IHL) where at least one (1) course is already approved;

3. Any course which has been offered by an educational institution for a period of more than two (2) years *[or six (6) calendar months, whichever is appropriate,]* notwithstanding the institution has moved to another location within the same general locality or has made a complete move with substantially the same faculty, curricula**,** and students, without change in ownership; **or**

4. Any course which is offered by an educational institution of college level and which is recognized for credit toward a standard college degree*[; or]***.**

[5. Any course for vocational rehabilitation when a needed course is not available at any other institution offering approved courses within a forty-five (45)-mile commuting distance as approved by DESE.]

(F) Advertising must be completely truthful and factual and must avoid leaving any misleading, false, or exaggerated impression, either by actual statement, omission**,** or intimation.

1. Institutions, which have courses approved for eligible persons, shall limit their advertisement of this fact to a statement such as Approved for Veterans' Education by DESE, Approved for Veterans, or G*[.]*I*[.]* **Bill®** Approved. Statements such as Approved by the Department of Veterans Affairs (VA) or VA Approved are not acceptable as the Department of Veterans Affairs is not the approving agency.

2. The VA owns United States Trademark Registration 4,225,784 for the phrase "GI Bill®." Third-party use of the trademark is restricted to education and training institutions eligible to receive VA education benefits, state approving agencies, and recognized veterans service organizations. These authorized third parties may use the registered trademark "GI Bill®" in print, electronic, digital, radio, or other media as established by the terms of use. Parties not identified are prohibited from using "GI Bill®" in any manner that directly or indirectly implies a relationship, affiliation, or endorsement with the United States Department of Veterans Affairs.

3. The trademark symbol "®" should be placed at the upper right corner of the trademarked phrase in the most prominent place at first usage, such as the title of a brochure, form, or webpage and include the trademark attribution notice prominently visible: "GI Bill®" is a registered trademark of the U.S. Department of Veterans Affairs.

*[2.]***4.** Advertising must clearly indicate that training or education and not employment*[.]* is being offered. Advertising under help wanted classifications is prohibited.

*[3.]***5.** Advertising must include the correct name and location of the institution.

*[4.]***6.** Institutions shall assume full responsibility for the actions, statements, and conduct of their field representatives.

*[5.]***7.** Institutions with courses approved by DESE must comply with the advertising criteria of state-approving agencies in the states in which advertising is used.

(J) The charges for tuition, fees, and other charges for the course or program of education shall be reasonable, based on the services to be rendered*[;]***,** the books, supplies**,** and equipment to be furnished*[;]***,** and the operating costs of the institution *[and may be reimbursed pursuant to the rules promulgated by the board for vocational rehabilitation courses]*.

(2) The provisions of this section apply to accredited courses.

(D) Applications for initial approval or for approval of additional courses shall be made on the application provided by DESE. The application form and attachments should be submitted to the director of Veterans' Education, DESE, *[PO Box 480, Jefferson City, MO 65102. Courses approved under Veterans' Education guidelines may be accepted for vocational rehabilitation]* **electronically to mosaa@dese.mo.gov**. Courses for program-specific purposes will be approved by the respective program. The application shall include the required copies of the school's catalog or bulletin**,** which must be certified as true and correct in content and policy by an authorized representative of the school. The catalog, bulletin**,** or separate publication must specifically state the following:

1. Institution policy and regulations relative to standards of progress required of the student by the institution. This policy will define the grading system of the institution, the minimum grade considered satisfactory, conditions for the interruption for unsatisfactory grades or progress, and a description of the probationary period, if any, allowed by the institution and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished **to** the student;

2. Institution policy and regulations relating to student conduct, conditions for dismissal for unsatisfactory conduct, **and** conditions of reentrance of students dismissed for unsatisfactory conduct; and

3. Institution policy and regulations relating to student attendance for resident courses not leading to a standard college degree, conditions for dismissal for unsatisfactory attendance, and conditions of reentrance of students dismissed for unsatisfactory attendance.

(E) DESE may approve the application of the school when the school and the courses are found to have met the following criteria:

1. Adequate records are kept by the school to show the progress of each eligible person.

A. The records must be sufficient to show continued pursuit at the rate for which enrolled and the progress being made.

B. They must include a final grade in each subject for each term, quarter**,** or semester; record of withdrawal from any subject to include the last day of attendance for a resident course; and record of reenrollment in subjects from which there was a withdrawal.

C. The school must provide a system for establishing and reporting promptly to DESE, Department of Veterans Affairs**,** or other appropriate federal agency*[.]* the last date of attendance or the last date of pursuit of an eligible person who discontinues a subject(s) or fails to comply with the school's withdrawal procedures.

D. They may include records such as attendance for resident courses, periodic grades**,** and examination results;

2. The school maintains a written record of previous education and training of the eligible person, which clearly indicates that appropriate credit has been given by the school for previous education and training, with the training period shortened proportionately and the person and the Department of Veterans Affairs *[and vocational rehabilitation so notified]*. The record must be cumulative in that the results of each enrollment period, whether term, quarter**,** or semester, must be included so that it shows each subject undertaken and the final result – that is, passed, failed, incomplete, or withdrawn;

3. The school enforces a policy relative to standards of conduct and progress required of the eligible persons.

A. The school policy relative to standards of progress must be specific enough to determine the point in time

when educational benefits should be discontinued, when the eligible person ceases to make satisfactory progress.

B. No eligible person will be considered to have made satisfactory progress when *[s/]*he **or she** fails all subjects undertaken, except when there is a showing of mitigating circumstances, when enrolled in two (2) or more unit subjects.

C. The policy must include the grade or grade point average that will be maintained if the student is to graduate. For example, a college must require a 1.5 grade point average the first year, a 1.75 average at mid-year the second year**,** and a cumulative average of 2.0 thereafter on the basis of 4.0 for an A. The policy may include a probationary period of two (2) quarters or semesters when the student falls below the required average. If a probationary period is allowed, it will not be necessary to report unsatisfactory progress to the Department of Veterans Affairs until the completion of the probationary period.

D. The enrollment of a veteran or other person eligible for veterans' benefits shall not be considered valid under applicable federal law and/or regulation*[,]* for a course for which the grade assigned is not used in computing the requirements for graduation*[;]***,** including a course from which a student withdraws after an official drop-add period, not to exceed thirty (30) days, unless there are mitigating circumstances;

4. The school maintains adequate attendance records for eligible persons enrolled in resident courses not leading to a standard college degree; and

5. The school must provide, upon request by DESE, an authenticated copy of the latest report of accreditation from the appropriate accreditation agency(ies).

(3) The provisions of this section apply to courses*[, which]* **that** cannot be considered as accredited courses pursuant to this rule.

(H) The institution must provide adequate facilities.

1. All classroom, laboratory**,** and shop areas must be well-lighted, heated**,** and ventilated.

2. Adequate space must be provided in classrooms, laboratories**,** and shops for the number to be trained.

3. Separate toilet facilities must be provided for both sexes, if both sexes are enrolled in the institution. At least one (1) stool must be provided for each twenty-five (25) students and at least one (1) urinal for each thirty-five (35) male students. Adequate lavatory facilities must be provided in those institutions involving work with laboratory or shop tools.

4. Adequate locker space must be provided each student in those institutions where needed for storage of student tools, supplies**,** and/or clothing.

5. Classrooms must be equipped with comfortable chairs and tables or armchairs and with a blackboard of sufficient size for use by the instructors. Classrooms must be separate from shops and laboratories and must be partitioned so that there is a minimum of noise from shops and laboratories.

6. An adequate library**, learning resource center, or quiet study area** must be provided *[which]* **that** is easily accessible and which contains sufficient reference materials so that each student will be provided with essential related information.

7. Tools and/or laboratory equipment must be provided in sufficient quantities and in good quality.

8. Teaching materials must include modern teaching aids, **smartboards, computers,** charts, films, projectors, mock-ups, models, and the like, when those materials are necessary to the teaching of the trade, occupation**,** or subject.

9. Institutions may not be operated in connection with a commercial enterprise unless approved by DESE.

10. Institutions shall not be located in conjunction with living quarters.

11. Accommodations for the disabled shall be provided by the institution in accordance with applicable federal and state laws and/or regulations.

(I) The course of study must be adequate to prepare the student for the stated course objective.

[1. The course of study applicable to veterans and other persons eligible for veterans' benefits shall provide for a minimum of twelve (12) weeks and a minimum of three hundred (300) hours of instruction. Shorter courses will not be approved unless an exception is granted by DESE pursuant to the rules promulgated by the board.]

*[2.]***1.** The course of study shall be consistent in quality, content**,** and length with similar courses offered by public and private schools in the state which have recognized accepted standards.

*[3.]***2.** The course of study shall provide for a schedule of the tests and examinations to be given.

*[4.]***3.** The grading policy must provide for periodic evaluation of the student's proficiency and progress.

(L) The school must maintain adequate records, which include the following:

1. A written record of the previous education and training of the eligible person that clearly indicates that appropriate credit has been given for previous education and training, with the training period shortened proportionately and the eligible persons*[,]* **and** the Department of Veterans Affairs*[and vocational rehabilitation]* so notified;

2. Accurate and current records of attendance, tardiness, makeup work, proficiency**,** and progress;

3. Individual instructor's class records and permanent office records for each student;

4. Placement or location records for graduates;

5. The institution shall maintain financial records in accordance with generally accepted accounting principles and which accurately reflect and support the receipts and charges applicable to veterans *[and vocational rehabilitation supported students]*. Further, *[that]* all these records and supporting documents shall be retained in accordance with current state and/or federal laws*[,]* and/or regulations; and

6. The institution shall submit any records, documents, reports**,** and/or data requested by DESE necessary for the administration of the veterans *[and vocational rehabilitation]* program*[s]*.

(M) The charges for tuition, fees**,** and other charges for the course or program of education shall be reasonable, based on the services to be rendered, the books, supplies**,** and equipment to be furnished**,** and the operating costs of the institutions. *[These charges may be reimbursed pursuant to the rules promulgated by the board for vocational rehabilitation courses.]* The following referral policy applies only to eligible persons receiving veterans' benefits:

1. The institution shall establish and maintain a policy for the refund of the unused portion of tuition, fees**,** and other charges in the event an eligible person fails to enter the course or withdraws or is discontinued at any time prior to completion and the policy shall provide that the amount charged to the eligible person for tuition, fees**,** and other charges for a portion of the course does not exceed the approximate pro rata portion of the total charges for tuition, fees**,** and other charges that the length of the completed portion of the course bears to its total length.

[(4) The provisions of this section apply to charges and reimbursements for accredited and nonaccredited courses. For the purpose of administering this rule, an individual referral is a student referred by a sponsoring agency for skill training or training-related service for which DESE has contracted to reimburse a public, not-for-profit, or for-profit institution pursuant to the rules promulgated by the board for vocational rehabilitation. The cost of training for individual referrals with the Division of Vocational Rehabilitation shall be reimbursed in the following way:

(A) DESE shall enter into written agreements with public, not-for-profit, and for-profit institutions for the purpose of administering individual referrals and shall develop and provide procedures, which assist in administering the program;

(B) Courses which meet the following conditions are eligible to be included in the individual referral program:

1. Courses which are approved under this rule; and

2. Courses which are offered outside of the boundaries of Missouri may be utilized when they are approved by a comparable agency as determined by DESE;

(C) Tuition payments shall be made on the basis of the school's instructional periods, (that is, quarters, terms or semesters) and will be reimbursed pursuant to the rules promulgated by the board for vocational rehabilitation. However, the following guidelines shall apply:

1. Any instructional period that is at least twenty (20) weeks but no more than thirty-nine (39) weeks, will be treated as having a minimum of two (2) equal instructional periods;

2. Any instruction period that is at least forty (40) weeks but no more than fifty-nine (59) weeks, will be treated as three (3) equal instructional periods. Programs of instruction in licensed practical nursing, surgical technology, respiratory therapy, dental technology, emergency medical technician-paramedic, radiology and massage therapy are excluded;

3. Courses with instructional periods that are at least sixty (60) weeks or more will be divided into additional segments of twenty (20) weeks; and/or

4. The total instructional program for licensed practical nursing, surgical technology, respiratory therapy, dental technology, emergency medical technician-paramedic, radiology and/or massage therapy will be treated as one (1) instructional period;

(D) Costs for equipment, fees and supplies are to be reimbursed separately as those costs are incurred. Registration fees are limited to a maximum of one hundred dollars ($100) per student;

(E) In case of a student termination, the following refund policy shall apply to funds received from DESE:

1. Within the first week of each instructional period, the school may retain ten percent (10%) of the tuition;

2. Within the second and third week of each instructional period, the school may retain twenty percent (20%) of the tuition;

3. After the beginning of the fourth week in each instructional period but prior to twenty-five percent (25%) of each instructional period, the school may retain twenty-five percent (25%) of the tuition;

4. After completing twenty-five percent (25%) but prior to completing fifty percent (50%) of the instructional period, the school may retain fifty percent (50%) of the tuition;

5. After completing fifty percent (50%) of the instructional period, the school may retain one hundred percent (100%) of the tuition;

6. For short courses where there is a conflict in the refund pursuant to this rule, the school will retain the greater amount; or

7. For courses offered by an accredited school that lead toward an associate or higher degree or programs of instruction in licensed practical nursing, surgical technology, respiratory therapy, dental technology, emergency medical technician-paramedic, radiology and/or massage therapy the refund policy of the institution will be applied;

(F) Services provided prior to or after dates approved by the authorizing document will not be reimbursed;

(G) Institutions shall submit reimbursement request for tuition payments of individual referrals for each instructional period pursuant to the rules promulgated by the board for vocational rehabilitation; and

(H) Due to the short-term, intense nature of proprietary, trade or technical school courses, and the close involvement by vocational rehabilitation counselors and others in the vocational training process, monthly progress reports to the vocational rehabilitation counselor are required.]

(4) Title 38 of the Code of Federal Regulations, part 21, is hereby incorporated by reference and made part of this rule as published by the U.S. Government Publishing Office, 732 N. Capitol Street NW, Washington, DC 20401-0001, June 2024. Copies of this regulation can also be obtained from the Department of Elementary and Secondary Education, Office of Adult Learning and Rehabilitation Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials. This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY: sections 161.092, [RSMo Supp. 2003, and] 161.172, 178.430, [178.530,] 178.590, and 178.610, RSMo [2000] **2016, and section 178.530, RSMo Supp. 2025**. This rule previously filed as 5 CSR 60-900.050. Original rule filed July 7, 2000, effective Feb. 28, 2001. Amended: Filed Sept. 24, 2002, effective April 30, 2003. Amended: Filed May 2, 2003, effective Dec. 30, 2003. Moved to 5 CSR 20-500.370, effective Aug. 16, 2011. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Chris Clause, Ph.D., Assistant Commissioner, Office of Adult Learning and Rehabilitation Services, 3024 Dupont Circle, Jefferson City, MO 65109, or by email to info@vr.dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT
Division 10 – Commissioner of Higher Education
Chapter 2 – Student Financial Assistance Programs

PROPOSED RULE

6 CSR 10-2.220 Public Safety Recruitment and Retention Scholarship

PURPOSE: This rule sets forth the policies of the Coordinating Board for Higher Education regarding institutional and student eligibility for student financial assistance under the Public Safety Recruitment and Retention Scholarship program.

(1) Definitions.

(A) Academic year shall be from July 1 of any year through June 30 of the following year.

(B) Applicant means a student who has filed a complete and accurate application by December 15 to receive a Public Safety Recruitment and Retention Scholarship as prescribed by the department.

(C) Application deadline shall be December 15 for applicants intending to enroll in the upcoming academic year

(D) Department shall mean the Department of Higher Education and Workforce Development.

(E) Governmental sources of funding shall mean federal, state, and any other governmental grant or scholarship aid excluding federal work-study and aid classified as a loan and any other aid that can be converted to a loan.

(F) Initial recipient shall mean any applicant who qualifies under section 173.2655, RSMo, has filed an accurate and complete application by the deadline of December 15, and has not received a Public Safety Recruitment and Retention Scholarship in any prior academic year.

(G) Institution of higher education shall mean a public community college, state college, or state university located in Missouri as defined in section 173.1102, RSMo; or an approved private institution, as such term is defined in section 173.1102, RSMo, that chooses to accept any tuition award money pursuant to section 173.2655.7(2), RSMo; or an emergency medical services training entity accredited or certified by the Missouri Department of Health and Senior Services pursuant to the provisions of section 190.131, RSMo.

(H) Legal dependent shall mean a biological child, stepchild, or adopted child consistent with how such term is defined by the United States Department of Education for purposes of the Free Application for Student Financial Aid.

(I) Line of duty shall mean any action that public safety personnel is authorized or obligated by law, rule, or regulation to perform, related to or as a condition of employment or service.

(J) Open seat shall mean a vacant position in a class, course, or program that is available for enrollment, and which may become available when a student drops out or transfers, or when a class, course, or program has unused capacity, allowing new students to register or enroll.

(K) Public safety personnel shall mean any police officer, firefighter, paramedic, telecommunicator first responder, emergency medical technician, or advanced emergency medical technician who is trained and authorized by law or rule to render emergency medical assistance or treatment as further defined below.

1. Advanced emergency medical technician, as such term is defined in section 190.100, RSMo.

2. Emergency medical technician, as such term is defined in section 190.100, RSMo.

3. Firefighter, any officer or employee of a fire department who is employed for the purpose of fighting fires, excluding volunteer firefighters and anyone employed in a clerical or other capacity not involving fire-fighting duties.

4. Paramedic, as such term is defined in section 190.100, RSMo.

5. Police officer, any person who, by virtue of office or public employment, is vested by law with the power and duty to make arrests for violation of the laws of the state of Missouri or ordinances of any municipality thereof, while acting within the scope of his or her authority as an employee of a public law enforcement agency, as such term is defined in section 590.1040, RSMo.

6. Telecommunicator first responder, as such term is defined in section 650.320, RSMo.

(L) Renewal recipient shall mean any applicant who received a Public Safety Recruitment and Retention Scholarship who meets the requirements set forth in section 173.2655, RSMo, and who has filed an accurate and complete application by the deadline of December 15.

(M) Satisfactory academic progress shall mean meeting the requirements established by the approved institution in which the student is enrolled for students at the approved institution to receive assistance under Title IV financial aid programs included in the Higher Education Act of 1965. For institutions that do not administer federal student aid, students must be completing coursework on a time frame that will result in graduation within the expected time frame.

(N) Tuition shall mean the charges and cost of tuition as set by the governing body of an institution of higher education, including fees such as course fees, activity fees, technology fees, and mandatory fees charged by such institution to all full-time students as a condition of enrollment, but excluding the costs of room, board, books, and any other educational materials, equipment, or supplies.

(2) Responsibilities of Education Providers.

(A) Institutions and training providers participating in the program must meet the institutional responsibilities set forth in 6 CSR 10-2.140(5).

(B) Before requesting disbursement for an initial or renewal recipient, the enrolling institution must verify –

1. The recipient has met the eligibility requirements listed in section (3) of this rule;

2. The amount of the reimbursement request, including the number of hours in which the eligible student is enrolled and the credit hour rate for those hours;

3. The eligible student is a U.S. citizen, permanent resident, or lawfully present in accordance with section 173.1110, RSMo;

4. The recipient is enrolled in an eligible program, as defined in section 173.2655, RSMo, and as outlined by the Coordinating Board for Higher Education; and

5. Governmental sources of non-loan aid are applied correctly to tuition and fees.

(3) Eligibility Policy.

(A) To qualify for a Public Safety Recruitment and Retention Scholarship, an initial and renewal recipient, at the time of application and throughout the period during which the recipient receives the award, must meet the requirements set forth in section 173.2655, RSMo.

(4) Application and Evaluation Policy.

(A) Applicants must submit a completed application by December 15 annually to be considered for the upcoming academic year, which begins on July 1 of the following calendar year for the Public Safety Recruitment and Retention Scholarship.

(B) In addition to the application, the public safety personnel must submit the following annually to be considered for the scholarship:

1. Verification of the professional license or certificate;

2. Certificate of verification signed by the individual's supervisor or employer verifying that such individual is currently employed full-time as public safety personnel and trained and authorized by law or rule to render emergency medical assistance or treatment;

3. Proof of Missouri residence, as outlined by the Department of Revenue to determine Missouri residence for a drivers license, which may include but is not limited to utility bills, federal/state/local government documents, financial documents, insurance policies/medical documents, educational/professional licensing documents; and

4. Initial recipients must provide documentation showing proof of service as public safety personnel for at least six (6) years from all eligible employers; this can include full- or part-time employment, but excludes volunteer service.

(C) In addition to the application, the legal dependent(s) of public safety personnel must submit the following annually to be considered for the scholarship:

1. Verification of the professional license or certificate of the parent, who is public safety personnel and claims the applicant as a dependent on the Free Application for Federal Student Aid, as defined by the United States Department of Education;

2. Certificate of verification signed by the supervisor or employer of the parent verifying that such individual is currently employed full-time as public safety personnel and trained and authorized by law or rule to render emergency medical assistance or treatment;

3. Proof of Missouri residence;

4. Initial recipients must provide documentation showing proof of service of the parent as public safety personnel for at least ten (10) years from all eligible employers, which can include full- or part-time employment, but excludes volunteer service; and

5. Loan documentation is required for legal dependents of public safety personnel because the scholarship can potentially convert to a loan requiring repayment if the dependents fail to meet the residency requirements as outlined in subsection (6)(B) of this rule. Such documents are required for the processing of the award, which include –

A. Application disclosure, which includes information about potential repayment and estimated interest rates; must be completed at the time of application, or the application is considered incomplete;

B. Approval disclosure, in which students can accept, deny, or reduce the award amount; must be completed and returned to the department within ten (10) business days, or the award will not be disbursed; and

C. Promissory note, or agreement that the student agrees to repay the award if the scholarship converts to a loan; must be completed and returned to the department within ten (10) business days, or the award will not be disbursed.

(D) A dependent may still qualify for the scholarship following the death of a public safety personnel in the line of duty if, in lieu of the documentation required in subsection (4)(C), the dependent submits a statement attesting that –

1. At the time of death, the public safety personnel satisfied the requirements of subsection (4)(C); and

2. The public safety personnel died in the line of duty, which means any action of an employee directly connected to their employment as public safety personnel who is authorized or obligated by law, rule, regulation, or condition of employment or service to perform such function.

(E) The department shall notify applicants by no later than March 1 annually of the applicant's eligibility or ineligibility for the tuition award in the upcoming academic year, and state whether the application has been approved or denied. If the applicant is determined not to be eligible for the tuition award, the notice shall include the reason or reasons for such determination. If the application is denied, the notice shall include the reason or reasons for the denial.

(5) Award Policy.

(A) The Public Safety Recruitment and Retention Scholarship will be allotted for one (1) award year.

(B) Subject to appropriation, the scholarship awards will be based on prioritization, which the department will determine by March 1 for the upcoming academic year. The awards shall be made in the following order of priority:

1. Priority class one shall include public safety personnel in the following order:

A. Public safety personnel in departments located wholly or partially in counties or cities not within a county with the highest crime rate per capita, as determined by the most recent uniform crime reporting statistics from the Federal Bureau of Investigation; and

B. Public safety personnel with the most years of service; and

C. Renewal applicants will be prioritized over initial students;

2. Priority class two shall include dependents of public safety personnel, in the following order:

A. Dependents of public safety personnel in departments located wholly or partially in counties or cities not within a county with the highest crime rate per capita, as determined by the most recent uniform crime reporting statistics from the Federal Bureau of Investigation; and

B. Dependents of public safety personnel with the most years of service; and

C. Renewal applicants will be prioritized over initial students; and

3. In the event of a tie, the available funds shall be distributed on a pro rata basis considering the total tuition and fee cost of each individual that is tied.

(C) Student eligibility for the Public Safety Recruitment and Retention Scholarship expires at the earliest of the following, except a student who is eligible at the beginning of an enrollment or payment period may receive the award for the full enrollment or payment period in which the expiration criterion is met:

1. Receipt of a bachelor's degree;

2. Receipt of the grant for five (5) consecutive award years; or

3. Achievement of one hundred twenty (120) credit hours.

(D) The applicant's award will be sent to the approved institution to be delivered to the student's account.

(E) No Public Safety Recruitment and Retention Scholarship award will be made retroactive to a previous academic year. An award may be made retroactive to a previous semester only upon the sole discretion of the department.

(F) A student may transfer the Public Safety Recruitment and Retention Scholarship award from one (1) approved institution of higher education to another without losing eligibility for assistance, but the department shall make any necessary adjustments in the amount of the award.

(G) An initial or renewal applicant's failure to provide an accurate and complete application or any additional information by the deadline established in statute or by the department may result in the loss of the Public Safety Recruitment and Retention Scholarship for the period covered by the deadline.

(6) Grant Maintenance.

(A) The five- (5-) year residency requirement begins once the legal dependent applies for and receives the tuition award for the first time and continues until the tuition award recipient's—

1. Completion of the five- (5-) year tuition award eligibility period;

2. Completion of a baccalaureate degree at an institution of higher education;

3. Completion of an associate degree at a public community college and notification to the department that such recipient does not intend to pursue a baccalaureate degree or additional associate degree using tuition awards pursuant to the Public Safety Recruitment and Retention Act; or

4. Notification to the department that such recipient does not plan to use additional tuition awards pursuant to the Public Safety Recruitment and Retention Act.

(B) The grant shall remain a grant and repayment will not be required if the dependent(s) of public safety personnel—

1. Graduates from an approved institution with a bachelor's degree;

2. Resides in the state of Missouri for a period of five (5) years following the use of the award, and files state income taxes in Missouri;

3. Completes an associate degree at a Missouri public community college and notifies the department that the dependent does not intend to pursue additional education using the tuition awards under this program; or

4. Notifies the department that the dependent does not plan to use additional tuition awards under this program.

(C) The recipient shall annually provide certification to the department that the recipient meets the residency requirements by providing a copy of their Missouri state tax return.

(D) The recipient may apply to the department for a waiver of the conversion of the scholarship to a loan due to the total and permanent disability or death of the recipient, or the recipient's eligible dependent or if such recipient or recipient's spouse is providing service to any branch of the Armed Forces of the United States and is transferred out of state and is no longer able to maintain Missouri residency as a result of such service. The disability must be certified as permanent and total by the recipient's physician. In the event of the death of the recipient, the executor or other custodian of the deceased recipient's estate may submit an application.

(E) Recipients may defer conversion of the scholarship to a loan if their qualified employment is interrupted for one (1) of the following reasons:

1. Service in any branch of the Armed Forces of the United States; or

2. A temporary disability resulting from an injury or illness that renders the recipient unable to be employed. The recipient's physician must certify the nature of the disability, the date the disability began, and the expected duration of the recovery period, not to exceed twelve (12) months.

(F) The deferment shall begin on the date the recipient ceases to be a Missouri resident. The length of the deferment will be at the department's discretion based on individual circumstances. The recipient must notify the department at the beginning and end of the deferment period and provide any requested supporting documentation. The recipient must also return to Missouri residency following the interruption.

(G) Recipients must promptly report to the department any change of mailing address.

(7) Loan Conversion/Repayment Policy.

(A) If the recipient fails to satisfy any of the criteria for the award to remain a scholarship, the total aggregate scholarship awarded shall convert to a loan and the recipient shall repay the total grant funds received from the state with interest.

(B) Recipients must notify the department within thirty (30) days of a change in enrollment status that would trigger repayment.

(C) Interest shall be charged on the unpaid balance of the amount received from the date the recipient ceases to reside in Missouri until the amount received is paid back to the state. The interest rate shall be adjusted annually and shall be equal to one (1) percentage point over the prevailing United States prime rate in effect on January first of such year.

(D) The department shall mail a repayment schedule to the recipient.

(E) The payment amount will vary depending on the total amount received plus accrued interest. Under no circumstances shall the minimum monthly payment be less than fifty dollars ($50) or the minimum annual payment be less than six hundred dollars ($600).

(F) The repayment schedule shall be based on a ten- (10-) year repayment plan unless the minimum monthly payment amount results in a shorter repayment period.

(G) The recipient shall make the first payment no later than the last day of the month in which the repayment schedule is dated. Subsequent payment dates will be specified on the repayment schedule. Payments are delinquent if not received by the department within ten (10) business days of the payment due date.

(H) Payments shall be applied first to accrued interest with any remaining amount applied to principal.

(I) Recipients shall not be subject to penalty for early repayment.

(J) Recipients may defer principal and interest payments for a period approved by the department for the following reasons:

1. Experiencing economic hardship as determined by the department;

2. Medical condition limiting the recipient's ability to continue repayment including, but not limited to, illness, disability, or pregnancy, as certified by the recipient's physician; or

3. Service in any branch of the Armed Forces of the United States.

(K) The recipient must notify the department at the beginning and end of the deferment period and submit to the department any requested supporting documentation.

(L) Interest will not accrue during a deferment period.

(M) Payments made during a deferment period will be applied first to any interest accrued prior to the deferment period and then to principal.

(N) In the event a recipient becomes totally and permanently disabled as certified by a physician or dies, the requirements of the recipient to make any further payment of principal and interest will be discharged immediately upon department approval of the request for discharge. The recipient must apply to the department for loan discharge and provide any requested supporting documentation. In the event of the death of the recipient, the executor or other custodian of the deceased recipient's estate may submit an application.

(8) Default.

(A) A recipient's account will be in a default status when the recipient has failed to make three (3) consecutive scheduled payments.

(B) The department will notify the recipient of the default status by certified mail sent to the recipient's last known mailing address.

(C) Upon default, principal and interest are due in full immediately, unless –

1. The recipient makes satisfactory repayment arrangements within thirty (30) days from the date of the certified notice: and

2. The recipient makes three (3) consecutive on-time payments that are at least the minimum amount provided on the repayment schedule, resulting in the removal of default status.

(D) All loans in repayment, deferment, or default status will be monitored. All available legal remedies may be pursued to ensure full repayment of loans. The borrower may be responsible for reasonable collection costs, including but not limited to attorney fees, court costs, and other fees.

(9) Information Sharing Policy.

(A) All information on an individual's Public Safety Recruitment and Retention Scholarship application will be shared with the financial aid office of the institution to which the individual has applied or is attending, to permit verification of data submitted. Information may be shared with federal financial aid offices if necessary to verify data furnished by the state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. sections 552 and 552a.

AUTHORITY: sections 173.2655–173.2660, RSMo Supp. 2025. Original rule filed Dec. 2, 2025.

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

PRIVATE COST: This proposed rule 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 of or in opposition to this proposed rule with the Department of Higher Education and Workforce Development at PO Box 1469, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT
Division 10 – Commissioner of Higher Education
Chapter 5 – Regulation of Proprietary Schools

PROPOSED AMENDMENT

6 CSR 10-5.010 Certification of Proprietary Schools. The commissioner is amending sections (1), (3)–(5), and (8).

PURPOSE: This amendment updates the rule to reflect current statutes, updates definitions, requires schools to notify students when exemption status changes, requires schools to be accredited to offer degree programs, specifies certain fees, and provides when schools may reapply after revocation of certification.

(1) Definitions. Definitions are consistent with those set forth in the statutory authorization.

(G) "Certificate" means any award for successfully completing a program of instruction *[including a diploma]* that does not have a degree designation.

(O) "Degree" means any award, earned or honorary, conferred with the designation of associate, baccalaureate, master, education specialist, *[or]* doctorate**, or professional degree**.

(3) Exemption.

(B) Schools That Shall Be Exempted by the Coordinating Board. Upon application to the department and documentation of eligibility, as provided in this rule, the Coordinating Board shall exempt schools, training programs, and courses of instruction from the provisions of sections 173.600 through 173.619, RSMo.

1. Only schools that maintain a physical presence in Missouri are eligible to seek exemption under this rule.

2. Once granted, a status of exemption shall be subject to renewal every five (5) years. Renewal of an exemption is subject to review of documentation confirming the continuing exempt status of the school.

3. Decision on the application for exemption or exemption renewal shall be furnished to the school in writing by letter or other electronic means. If exemption is denied, the basis for the denial shall be stated and the school will be directed to seek certification to operate. Denial of exemption may be appealed to the Administrative Hearing Commission **within thirty (30) days of the denial**.

4. The exempted school must be the entity awarding the degrees or certificates and must establish the educational records of students who enroll in a program of study.

5. Schools shall be exempt under the following categories:

A. Religious exemption. A not-for-profit school owned, controlled, and operated by a bona fide religious or denominational organization that offers no programs or degrees and grants no degrees or certificates other than those specifically designated as religious degrees or programs shall be exempted upon satisfactory evidence of –

(I) The identity and bona fide nature of the religious denomination or organization, together with documentation of ownership, control, and operation of the school by the religious denomination or organization;

(II) The identity and designation of all degrees or certificates offered, including both honorary and earned, that are religious in nature and do not identify titles of secular or academic degrees such as associate of arts, bachelor of science, PhD, etc.; and

(III) Examples of promotional materials and a copy of the student handbook or catalog clearly stating the school's accreditation status;

B. Eleemosynary exemption. A not-for-profit school owned, controlled, and operated by a bona fide eleemosynary (charitable) organization that provides instruction with no financial charge to its students and at which no part of the instructional cost is defrayed by or through programs of governmental student financial aid, including grants and loans, provided directly to or for individual students shall be exempted upon satisfactory evidence of –

(I) The identity and bona fide nature of the eleemosynary organization; and

(II) The sources of income through which instructional costs are defrayed;

C. Nonvocational exemption. Personal improvement seminars and courses of instruction less than twenty-five (25) contact hours in length intended solely to enhance performance on examinations leading to occupational eligibility or admission to postsecondary education are

considered avocational for purposes of this exemption category. A school that offers instruction only in subject areas that are primarily for avocational or recreational purposes (as distinct from courses that are creditable toward a certificate or degree or that teach employable or marketable knowledge or skills) shall be exempted upon satisfactory evidence that the school does not –

(I) Advertise its instruction as having occupational objectives or as conveying employable or marketable skills or knowledge;

(II) Advertise or maintain placement services or cite placement rates; and

(III) Grant any form of certificate or degree other than a certificate of course completion or certificate of attendance;

D. Employer exemption. A course of instruction, study, or training program sponsored by an employer for the training and preparation of its own employees shall be exempted upon satisfactory evidence that –

(I) No form of certificate or degree, or credit toward a certificate or degree, is granted other than a certificate of course completion or certificate of attendance;

(II) The training or instruction is available exclusively to employees of the sponsoring employer;

(III) The training or instruction is provided at no cost to the employee;

(IV) The training or instruction is not the primary activity of the employer; and

(V) If the training or instruction is provided through a second-party school or other entity, a contract or agreement between the employer and the other entity shall exhibit that the training or instruction will be provided in compliance with parts (3)(B)5.D.(I)–(IV) of this rule;

E. Professional organization exemption. A course of study or instruction conducted by a trade, business, or professional organization with a closed membership where participation in the course is limited to bona fide members of the trade, business, or professional organization shall be exempted upon satisfactory evidence that –

(I) No form of certificate or degree, or credit toward a certificate or degree, is granted other than a certificate of course completion or certificate of attendance;

(II) The organization's membership is limited to bona fide members of the trade, business, or profession;

(III) The training or instruction is available exclusively to bona fide members of the trade, business, or professional organization; and

(IV) If the training or instruction is provided through a second-party school or other entity, a contract or agreement between the organization and the other entity shall exhibit that the training or instruction will be provided in compliance with parts (3)(B)5.E.(I)–(III) of this rule;

F. Yoga teacher training exemption. A course, program of study, or school may be exempted upon satisfactory evidence the school is appropriately registered and in good standing with the Missouri Secretary of State's Office and whose programs are in yoga or yoga teacher training;

G. Students primarily under age sixteen (16) exemption. A school or person whose clientele are primarily students aged sixteen (16) or under shall be exempt upon satisfactory evidence that students enrolled are primarily under the age of sixteen (16). Primarily, at a minimum, shall mean seventy-five percent (75%). The Coordinating Board shall exempt, without application, all pre-school, Montessori, and elementary and secondary schools subject to the standards of the Missouri Department of Elementary and Secondary Education. If, however, any private school with clientele primarily under the age of sixteen (16) offers any postsecondary degree or certificate, it shall not be eligible for this exemption; and

H. Licensed schools exemption. A school that is otherwise licensed and approved under and pursuant to any other licensing law of this state shall be exempted upon satisfactory evidence that the school has been lawfully licensed *[or]* **and** approved by another Missouri state agency. Such license *[or]* **and** approval must be conferred upon the school. Programmatic approval by another state agency does not constitute approval of the institution. A state certificate of incorporation or registration with the Office of the Secretary of State shall not constitute licensing *[or]* **and** approval for the purposes of eligibility for this exemption category. A school that offers programs of instruction other than those included within the license or approval of another state agency shall not be eligible for this exemption.

I. Registered apprenticeship exemption. A course of instruction or study or training program offered by a training provider as part of a registered apprenticeship, as approved by the United States Department of Labor.

J. Pre-apprenticeship exemption. A course of instruction or study or a training program offered by a training provider as part of a pre-apprenticeship approved by the Office of Workforce Development in the state Department of Higher Education and Workforce Development as determined by reference to standards promulgated by the department.

(D) Any school, training program, or course of instruction exempted herein must notify students within thirty (30) days if it changes or loses its exemption status.

(4) Application for Certificate of Approval to Operate.

(C) The applicant school must be an accredited school before completing initial certification to offer degree programs.

*[(C)]***(D)** The department may waive any part of the certification procedure in any instance where such procedure is deemed by the department to be unnecessary or inappropriate for a given school applicant.

*[(D)]***(E)** Incomplete or inaccurate initial applications will be *[reverted]* **returned** to the applicant for correction and resubmission.

1. Failure of the applicant to respond within six (6) months to a request for supplementary information or for resubmission of the application will result in a lapse of the application, and the school must reapply including payment of a new initial application fee.

2. Applications opened but not submitted for review within six (6) months of the last date the system was accessed by the school will be removed from the system; such applicant schools may reopen an application when they are prepared to submit for review.

*[(E)]***(F)** Annual Recertification.

1. Certificates to operate shall be issued for a maximum of a one- (1-) year period, and schools must be recertified annually, unless the school meets eligibility requirements for a two- (2-) year certificate as provided in this rule.

2. The annual certification year shall be from July 1 to June 30.

3. Schools initially certified shall be certified from the date of issuance of the certificate of approval to operate to the end of the current certification year, June 30.

4. The closing date for the submission of applications for annual recertification shall be the March 15 immediately preceding the beginning of the certification year, and, contingent upon a school submitting an acceptable application

on or prior to that closing date, a school's certification status shall not lapse in the event a recertification decision is delayed past the expiration of the then current certification year.

5. Failure to submit an annual or biennial recertification application by the prescribed closing date shall be grounds, without other considerations, for the assessment of a late fee and/or denial of a certificate of approval to operate for the next certification year.

6. Failure to completely and accurately disclose all material facts of the school's operation pertinent to the standards contained in this rule and the authorizing statute shall be grounds for denial of a certificate of approval to operate.

*[(F)]***(G)** Biennial Recertification.

1. Schools that meet eligibility criteria may request a certificate of approval to operate that is valid for a two- (2-) year period. To be eligible for a biennial certificate of approval, a school must –

A. Be continuously certified to operate in Missouri without lapse, inactivation, suspension, or revocation for a period of no less than five (5) years;

B. For accredited institutions, have no current disciplinary actions such as warnings, probation, show cause, or other negative actions from the accreditor, meaning any requirement imposed by an accrediting agency in response to a violation of accreditation criteria that requires a response by the institution or that results in the need for a follow-up visit by the accreditor;

C. For schools participating in Title IV, maintain a financial responsibility composite score of 1.5 or above as published by the U.S. Department of Education;

D. Have no findings from the school's most recent department site visit that have not been satisfactorily resolved within sixty (60) days of formal notification;

E. Have not been placed in a probationary status by the department within the previous five (5) years that was not resolved within the time frame provided by the probation notice;

F. Have no formal grievance in the five (5) years prior to application for biennial recertification that the department has officially determined constituted a violation of certification standards; and

G. Have not added more than one (1) new branch campus during the most recent term of biennial recertification granted by the department, if applicable.

2. Failure to maintain eligibility criteria will result in the school deemed ineligible to renew the two- (2-) year certificate of approval. Schools will be notified by the department of the loss of eligibility and will be required to renew the certificate of approval on an annual basis. Schools may not reapply for biennial recertification for two (2) years and must meet all eligibility criteria.

3. A school granted a biennial certificate of approval must annually submit to the department –

A. An annual certification fee;

B. Verification of the security deposit; and

C. Other data as determined by the department to be necessary to administer, supervise, and enforce the provisions of sections 173.600 to 173.619, RSMo.

*[(G)]***(H)** Temporary Certification. On decision of the department, a temporary certificate of approval may be issued to an applicant school or to a school applying for recertification and will expire at the end of sixty (60) days. At the expiration of the temporary certificate of approval, the department may –

1. Reissue a temporary certificate of approval for an additional sixty (60) days;

2. Issue a certificate of approval to operate for the remainder of the then current certification year; or

3. Place the school on probation or suspension or may revoke the certificate of approval for noncompliance with the provisions of sections 173.600 to 173.619, RSMo, or with this rule.

*[(H)]***(I)** Certification Fee. No certificate of approval to operate shall be issued except upon payment of the prescribed certification fee**s**.

1. The initial certification fee for a school upon application shall be six hundred sixty dollars ($660)**, which includes up to three (3) new program applications submitted concurrently**. **For each additional program to be offered, the applicant school shall pay a five hundred dollar ($500) new program application fee.**

2. The recertification fee for Missouri institutions shall be computed on the basis of seventeen thousandths ($.0017) per one (1) dollar of net tuition and fees income (excluding refunds, books, tools, and supplies), with a maximum of six thousand six hundred dollars ($6,600) and a minimum of six hundred sixty dollars ($660) per school. The Coordinating Board may increase the base fee and the related minimum and maximum amounts every five (5) years under the provisions of section 173.608, RSMo. Tuition and fees for schools that operate branch locations within Missouri may be reported separately or be combined for all locations for purposes of computing the certification fee. The fee shall be computed on the basis of data submitted by the institution, subject to verification by the department.

3. The annual recertification fee for a branch campus operated in Missouri by an out-of-state school shall be computed solely on the basis of applicable tuition and fee income at the Missouri branch campus.

4. For a school having a certificate of approval for the sole purpose of recruiting students in Missouri, the net tuition used for the annual recertification fee computation shall be only that paid to the school by students recruited from Missouri and the fee shall be six hundred sixty dollars ($660) plus seventeen thousandths ($.0017) per one (1) dollar of net tuition and fees income (excluding refunds, books, tools, and supplies) not to exceed six thousand six hundred dollars ($6,600).

*[(I)]***(J)** Security Deposit. Each proprietary school must file a security deposit with coverage consistent with the statutory requirements of section 173.612, RSMo.

1. The security deposit shall be executed on the prescribed form provided by the department for that purpose. The security deposit shall cover all facilities and locations included within the certificate of approval issued by the Coordinating Board and shall clearly state that it covers the school and all locations and agents of the school.

2. Any bonding company must be approved by the Missouri Department of Commerce and Insurance.

3. The amount of the security deposit shall be ten percent (10%) of the preceding year's gross tuition but in no event shall be less than five thousand dollars ($5,000) nor more than one hundred thousand dollars ($100,000), except that the school may deposit a greater amount at its own discretion.

4. The school may comply with the security deposit requirement through any of the following three (3) methods, at the discretion of the school: performance surety bond, irrevocable letter of credit, or cash bond secured by certificate of deposit.

5. The amount of the security deposit required must be computed and compliance verified with each annual

application for certification. Written verification of compliance with the security deposit requirement of the authorizing statute must be presented prior to the issuance of a certificate of approval. Failure of a school to post and maintain the required security deposit may result in denial, suspension, or revocation of certification to operate or the school being placed on probation.

6. Any school that operates one (1) or more branch campuses in the state may combine, or report separately, gross tuition for all Missouri locations for the purpose of determining the annual security deposit requirement. However, if the combined gross tuition calculates a security deposit requirement in excess of the one hundred thousand dollars ($100,000) maximum, the gross tuition shall be reported separately, and the requirement calculated separately.

7. The security deposit requirement for a branch campus operated in Missouri by an out-of-state school shall be computed solely on the basis of applicable tuition and fee income at the Missouri branch campus.

(5) Fees.

[(D) Unaccredited degree-granting schools seeking initial certification to operate in Missouri may be required to undergo a pre-certification site visit by department staff and external consultants with expertise in higher education. The applicant school is responsible for all reasonable costs associated with the site visit, including consultant fees.]

*[(E)]***(D)** Certified schools are responsible for travel expenses for all members of a department on-site review team when such review is scheduled in response to concerns raised by accreditors, students, or the general public.

(6) Certification Standards. The following standards are established as minimum requirements that must be met and maintained in order for a school to be issued a certificate of approval to operate in Missouri. As determined by the Coordinating Board, compliance with these standards shall be demonstrated and verified in the application for certification to operate and are subject to review and further determination by the department at any time. **The department may require assessments by independent experts or consultants to determine compliance with certification standards at the expense of the applicant school.**

(F) Student Services Standards.

1. The school shall maintain and fairly and equitably enforce the following policies and procedures:

A. Admission procedures and requirements which reasonably assure that the students admitted are capable of achieving and informed concerning the qualifications, competency levels, and/or proficiencies necessary to achieve the stated goals of the instruction offered and which are nondiscriminatory in their application;

B. Conduct, dress, attendance, grievance, and other policies governing students during their enrollment and the expectations of reprimand, punishment, or termination for violation of any policies;

C. A formal policy and procedure for students to withdraw from a program of instruction or the school; and

D. A formal policy and procedure for the issuance of transcript records, including disclosure of any associated fees.

2. The school must provide all students through a catalog or other printed or published informative material full disclosure of the following. The information also shall be provided to prospective students upon request.

A. Admission requirements and procedures for applying for admission.

B. Information on conduct, dress, attendance, grievance, and other policies governing students during their enrollment and the expectations of reprimand, punishment, or termination for violation of any policies.

C. Accurate description of instructional resources, including the physical facility, qualification of individual instructional faculty, equipment, and, if applicable, library.

D. Statement of any institutional or program accreditation or approval claimed.

E. Statement of the formal policy and procedure for students to withdraw from a program of instruction or the school.

F. Description of job placement assistance, counseling, or other related services available to students, if applicable.

3. Enrollment agreement. The school, through a written enrollment agreement, shall maintain and make available to all students, upon acceptance or enrollment, disclosure of the following:

A. The program in which the student is enrolled;

B. The beginning date of instruction;

C. Length of the period of enrollment, defined to be the time to which a student commits for completion of a course or program;

D. The cost of all charges made by the school or required for successful completion of the program during the period of enrollment;

E. Conditions of payment, meaning a description of when payments to the school are due and for what amount, regardless of the sources of funding, and additional fees for alternative payment plans;

F. The cancellation policy maintained in compliance with this rule;

G. The refund policy maintained in compliance with this rule;

H. Signature of the student and the date of signing; and

I. **Printed name, title, and** ***[S]s***ignature of an authorized school representative and the date of signing.

4. Transcript. The school shall maintain an individual transcript record for each student currently or formerly enrolled at the school. Unless the transcript is destroyed by an act of nature, the institution may not refuse to issue an official transcript on a student's written request, except for the reason of student nonpayment of a financial obligation to the school. The transcript shall minimally include the following:

A. Full name of the student;

B. Name and address of the school;

C. Notation of each course attempted or completed, including the term or dates of the course, credit or contact hours earned, and grade assigned;

D. Exact award conferred, if applicable;

E. Date of award conferral, if applicable;

F. Notation and date of withdrawal, if applicable; and

G. Upon issuance of an official transcript, the **printed** name, title, and signature of the school official authorized to issue the transcript and the date of issuance.

5. The institution may not refuse to issue a certificate or degree based solely on a graduate's financial obligation to the school.

(8) Operating Standards.

(F) Scope of Certificate of Approval.

1. Branch campuses and extension sites of Missouri schools.

A. Application for a certificate of approval to operate a branch campus shall be made by and through a location designated as the main campus of a school indigenous to

Missouri.

B. All certificates of approval to operate a branch campus shall specify the instructional locations and program(s) of instruction for which the certificate is valid.

C. Approval to operate locations as extension sites may be extended from the certificate of a main or branch campus.

D. If the certificate of approval to operate a main campus or any of its branches or extensions is denied, revoked, suspended, or placed in a status of probation, such action may be deemed by the department to apply to all locations of the school in Missouri.

2. Franchises of Missouri schools.

A. All locations at which instruction is proposed to be offered by a franchisee of a franchisor approved to operate shall be deemed a location within the scope of such franchisor's approval, provided that the franchisor provides the course curriculum and guidelines for teaching at each location and that a single location is identified as the principal facility for recordkeeping.

B. Denial, revocation, or suspension of certificates of approval to operate for a franchisor shall be deemed to apply to all franchisee locations. The certification of an individual franchisee may be denied, revoked, suspended, or placed in a status of probation for just cause.

3. Changes in physical location.

A. The department must be notified at least thirty (30) days prior to the effective date of proposed changes in or additions to the location(s) of the school operations.

B. Such changes shall not be effective except on review and authorization by the department.

C. As a condition of authorization for the implementation of changes and additions of location under the school's certificate to operate, accredited schools must provide written documentation of the approval of such changes by the accrediting association.

4. Programmatic additions, discontinuances, and revisions.

A. The school must submit non-substantive program name or CIP code changes to the department at least thirty (30) days prior to the effective date of such changes. Changes to tuition, fees, and/or costs of books and supplies may be submitted at any time.

B. Substantive revisions to existing programs of instruction and the initiation of proposed new program offerings must be submitted electronically for review by the department. The school must demonstrate that revised and additional programs are in compliance with certification standards, as described in this rule, in order for these programs to be approved for inclusion within the scope of the certificate of approval. Such changes shall not be effective except on authorization by the department.

C. As a condition of authorization for the implementation of programmatic changes under the school's certificate to operate, accredited schools must provide written documentation of the approval of such changes by the accrediting association.

D. Schools must submit a complete proposal for a new program to the department at least ninety (90) days prior to implementation. Incomplete proposals will be *[reverted]* **returned** without review. A complete proposal must include at least the following, as prescribed by the department:

(I) A complete new program request;

(II) All new program attachments in support of the request; and

(III) Payment of any required fees.

E. Schools must submit a complete proposal for a program change to the department at least sixty (60) days prior to implementation. Incomplete proposals will be *[reverted]* **returned** without review. A complete proposal must include at least the following, as prescribed by the department:

(I) A complete program change request;

(II) All program change request attachments in support of the request; and

(III) Payment of any required fees.

F. Upon receipt of a complete proposal for a new program or a substantive change to an existing program, the department will acknowledge the official date of receipt through the online workflow system.

G. The department must provide the school with a written response to a complete proposal for a new program within ninety (90) calendar days or a substantive change to an existing program within sixty (60) calendar days. The response may notify the school of final approval, tentative approval, or additional information that must be submitted to complete the review. If the response is not provided within the required time frame, the school may offer the program until the department completes its review and identifies a substantive issue or issues that need correction.

H. Upon notification by the department of substantive issues, the school will then have ninety (90) days from that notice to correct identified deficiencies without ceasing to offer the program. The school must cease offering the new or revised program if it fails to make the required corrections within the ninety- (90-) day time period.

5. Continuing education.

A. Certified schools may offer continuing education upon approval by the department and payment of a fee. Branch campuses and extension sites will be approved to offer the same continuing education as the main campus. Fees will be charged to the main campus only.

B. Certified schools may consolidate all qualifying continuing education offerings on the official program inventory under the title "Continuing Education." Schools are required to submit to the department a list of all continuing education to be offered during the upcoming certification period and pay an annual fee. Failure to submit a list of continuing education with the annual fee may result in denial of approval to offer continuing education for the next certification period for all Missouri locations of the school.

C. Certified schools holding recognized accreditation must provide documentation verifying either approval of the continuing education or documentation from the accrediting agency indicating the school is not required to obtain approval as the continuing education is outside the scope of accreditation.

D. Certified schools must disclose in school publications the continuing education is not offered for academic credit and may not be accepted in transfer to another postsecondary institution.

(I) Accredited schools must disclose in school publications if the continuing education is not within the scope of accreditation.

(II) School publications must include all pertinent policy disclosures, costs, and any equipment or technological requirements for participation in continuing education.

E. Continuing education offered by certified schools at no cost to the student, including employer-sponsored instruction or training available only to employees, is not required to be included on the annual program inventory submitted to the department.

(10) Probation, Suspension, and Revocation of a Certificate of

Approval.

(B) Suspension. A certificate of approval or a temporary certificate of approval may be suspended for up to twelve (12) months for noncompliance with provisions of sections 173.600 through 173.619, RSMo, or the provisions of this rule, and the following criteria and/or procedures shall apply. The purpose of suspension is to give the school the opportunity to correct the items of noncompliance within a set period of time.

1. The department shall suspend a school's certificate of approval or temporary certificate of approval by notification in writing for a fixed period with a termination date. Termination dates may be extended on decision of the department if the school has not attained compliance or upon request of the school; however, in no case shall the total time of suspension exceed twelve (12) months.

2. The notice shall specify the item or items of noncompliance and shall include specific criteria and/or procedures for the school to be removed from suspension.

3. Failure of a school to comply with statutory requirements or the requirements of this rule by the termination date of the suspension shall, on judgment and decision of the department, result in revocation of the certificate of approval.

4. A school in compliance with the specified suspension requirements may request removal from suspended status prior to the termination date of the suspension.

5. The school may appeal an assignment of suspension to the Administrative Hearing Commission **within thirty (30) days of the suspension**.

(C) Revocation. The department may revoke the certificate of approval or the temporary certificate of approval of any school for noncompliance with the provisions of sections 173.600 through 173.619, RSMo, or this rule. Revocation of a certificate to operate shall be governed by the following criteria and/or procedures:

1. The department shall revoke a school's certificate of approval or temporary certificate of approval by notification in writing;

2. The notice shall specify the item or items of noncompliance with sections 173.600 through 173.619, RSMo, or this rule, and shall specify an effective date of the revocation, revocation upon the completion of operational functions as may be prescribed by the department, or both an effective date and completion of operational functions;

3. Revocation of a certificate of approval shall not forgive a school of full compliance with the requirements contained in this rule which are applicable to any school ceasing operations, including but not limited to making refunds to students, completion of instructional programs of students, and the reposit of student instructional and financial records; *[and]*

4. The school may appeal a revocation to the Administrative Hearing Commission **within thirty (30) days of the revocation**; **and**

5. The school may reapply for initial certification after a period of six (6) months from the date of revocation.

*AUTHORITY: sections 173.600–173.619, RSMo 2016 and Supp. **[2023] 2025**. Original rule filed March 13, 1985, effective July 1, 1985. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 2, 2025.*

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 is estimated to cost private entities between zero dollars ($0) and two hundred thirty-three thousand seven hundred fifty dollars ($233,750) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Higher Education and Workforce Development at 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE

PRIVATE COST

I. Department title: Department of Higher Education and Workforce Development
Division title: Commissioner of Higher Education
Chapter title: Chapter 5 – Regulation of Proprietary Schools

Rule number/name:	6 CSR 10-5.010 Rules for Certification of Proprietary Schools
Type of rulemaking:	Proposed amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Up to 51 over six years	**Private proprietary schools seeking initial application to operate with more than 3 programs**	**$0 to 232,500 over six years**
Up to 5 over six years	**Private proprietary schools who applications for certification require assistance from outside evaluators.**	**$0 to $1250**

III. WORKSHEET

A school submitting an initial application for certification currently does not have to pay extra for each new program application submitted concurrently with the initial application for certification. Under the amendment, the initial certification fee would include up to three new program applications. Any additional program applications would be charged at the current fee of $500 per program. In addition, the regulation allows the department to charge applicants for the cost of a consultant.

IV. ASSUMPTIONS

Out of 66 initial applications for proprietary school certification filed since January 1, 2024, 17 have had more than 3 programs. If those schools were required to pay $500 for each program beyond the first three, the total cost for two years for 17 schools would be $77,500. Estimating the lifetime of this rule to be six years and based on information from 2024-2025, the estimated lifetime impact is $232,500 or $38,700 per year.

With regard to the assessments, the department has never required an entity to undergo such an assessment. However, the department estimates that it could need to request such an assessment 5 times over the course of the lifetime of the rule. The department reviewed the cost of independent assessments to accreditors, who hire such consultants frequently. Based on their costs, the department estimated each assessment will cost $250.

TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 100 – Safe Place for Newborns

PROPOSED RULE

19 CSR 30-100.020 Safe Place for Newborns Fund

PURPOSE: This rule establishes the requirements for facilities to receive matching funds for the installation of newborn safety incubators.

(1) The Safe Place for Newborns Fund consists of monies appropriated by the general assembly from general revenue and any gifts, requests, or donations.

(2) As used in this rule, the following terms and phrases shall mean –

(A) Department shall mean the Missouri Department of Health and Senior Services;

(B) Facility shall mean the entity registered with the department and approved to utilize an installed newborn safety incubator as set forth in 19 CSR 30-100.010 Newborn Safety Incubators/Devices;

(C) Newborn safety incubator shall be as defined in 19 CSR 30-100.010;

(D) Installation shall mean the purchase of a newborn safety incubator that meets the specifications in 19 CSR 30-100.010, delivery costs associated with a newborn safety incubator, labor costs associated with the installation of the newborn safety incubator, electrical wiring and alarm installation, necessary modifications to the facility for the installation of a newborn safety incubator that meets the requirements outlined in 19 CSR 30-100.010, and any necessary service fees associated with the installation of the newborn safety incubator; and

(E) Provider agreement shall mean a formal contract between the facility and the department that allows a facility to provide a service to the public. This agreement outlines the terms and conditions for the provision of goods or services, including the scope of services, payment terms, timelines, and quality standards.

(3) Facility Application Process.

(A) Pursuant to 19 CSR 30-100.010, a facility must meet all requirements for installation, registration, and approval from the department.

(B) A facility shall contact the Bureau of Genetics and Healthy Childhood to request the provider agreement for the Safe Place for Newborns Fund.

Bureau of Genetics and Healthy Childhood
930 Wildwood Dr.
Jefferson City, MO 65109
Phone: 573-751-6266
Fax: 573-751-6185
Email: SafePlace@health.mo.gov.

(4) Facility Reimbursement Requirements.

(A) The department may reimburse facilities up to ten thousand dollars ($10,000) in matching funds from funds appropriated for this purpose for newborn safety incubators installed on or after August 28, 2025.

(B) Matching funds are matched at the rate of one dollar ($1) for every one dollar ($1) contributed by the facility to the installation of a newborn safety incubator up to ten thousand dollars ($10,000) for each newborn safety incubator installed.

(C) The facility shall meet the following requirements:

1. The facility shall be registered with the department pursuant to 19 CSR 30-100.010;

2. The newborn safety incubator shall be approved by the department pursuant to 19 CSR 30-100.010;

3. The facility shall have a signed and fully executed provider agreement for the Safe Place for Newborns Fund;

4. The facility shall provide copies of itemized receipts for installation costs with the provider agreement; and

5. The facility shall be registered in MissouriBUYS or any successor system as required for vendors by the department.

(D) After the facility has met all requirements and the provider agreement is signed and fully executed, funds will be transferred via electronic funds transfer.

(E) Requests for reimbursement for installation costs will be considered on a first-come, first-served basis, subject to the availability of funds.

(F) Payment shall only be made from funds appropriated for this purpose.

(G) All records shall be maintained and available to the department for inspection for a period of three (3) years from the date the last payment is made to the facility under the provider agreement.

AUTHORITY: section 210.950, RSMo Supp. 2025. Original rule filed Dec. 11, 2025.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions two hundred fifty thousand dollars ($250,000) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities five hundred thousand dollars ($500,000) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Jami Kiesling, Department of Health and Senior Services, Division of Community and Public Health, PO Box 570, Jefferson City, MO 65102, or via email at Jami.Kiesling@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC COST

I. Department title: Safe Place for Newborns Fund
Division title: Division of Regulation and Licensure
Chapter title: Safe Place for Newborns

Rule number/name:	19 CSR 30-100.020 Safe Place for Newborns Fund
Type of rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Health and Senior Services	**$250,000**

III. WORKSHEET

The estimated cost of compliance for the Department of Health and Senior Services was calculated as follows:

There has been $250,000 appropriated for the purposes of the Newborn Safety Incubators. Statute allows for a reimbursement of up to $10,000 per applicant.

Twenty-five (25) facilities could be approved for matching funds from the Safe Place for Newborns Fund. This calculation is based on the following:

$250,000 in funds divided by $10,000 of matched funds (maximum amount of matching funds a facility can request from the Safe Place for Newborns Fund) = 25 facilities.

Each newborn safety incubator is anticipated to cost approximately $20,000 based upon the Safe Haven Baby Box website, with Safe Haven Baby Box currently being the only patented safe baby incubator for the state to get its estimated costs from.

From the Safe Haven Baby Box website:

> The box and associated fees for Safe Haven Baby Boxes start around $15,000 depending upon the installation and location.
>
> SERVICES, FEES, AND EXPENSES SCHEDULE FOR FULL TIME FIRE STATIONS*

Initial Fee: $11,000

1. "Pre-installation" Services:
   a. Examination of location
   b. Administrative/Legal resources
   c. Consultation on programs
   d. Assistance with raising funds to support the cost of the box (optional)

2. Installation Services:
   a. Inspection of installation
   b. Training to all emergency personnel

3. Post Installation Services:
   a. Marketing of the box
   b. 24/7 hotline available to the community
   c. Advertising of the box
   d. Efforts to support raising awareness on a local, state, and national level supporting the box in each community

Annual Fee: $300

1. Annual Fee Services
   a. Recertification of the box by a licensed contractor
   b. Maintenance of box from expected use
   c. Unlimited repairs and parts replacement as a result of a malfunction and not as a result of negligence or vandalism.

OTHER FEES NOT INCLUDED IN INITIAL FEE: (Estimated at $5,000-$7,500)

*Fees vary based on location and/or services donated by local community members. The below items are estimates and not a guarantee of cost.

1. Delivery: $500.00 to have the box delivered. Can be picked up at Fort Wayne IN manufacturing facility to waive the delivery charge.
2. Installation: Labor and materials~$2,000-$3,500
3. Electrical and Alarm: hook up to internal alarm system (Internal alarm must go to 911 dispatch for use with the baby box)~$1,200
4. Annual Alarm Service: Annual fee for monitoring~$300 annually paid by location to alarm company
5. Transportation: Cost based on location and transportation from Indiana.
6. Permits or other requirements prior to construction. (varies)

IV. ASSUMPTIONS

The proposed rule requires that facilities be registered with and certified by the Department of Health and Senior Services to utilize an installed newborn safety incubator prior to requesting matching funds from the Safe Place for Newborns Fund.

Each application requested would require staff time to send and review Provider Agreements and approve approximately 25 requests for matching funds.
Although the time and cost for each Provider Agreement would be negligible and will be absorbed by the Department.

It is assumed that each applicant will be applying for the full amount of the match based upon the estimated costs that each newborn safety incubator costs pursuant to Safe Haven Baby Box, which is currently the only patented safe baby incubator for the state to get its estimate from.

FISCAL NOTE
PRIVATE COST

I. Department Title: Health and Senior Services
Division Title: Division 30 – Division of Regulation and Licensure
Chapter Title: Chapter 100 – Safe Place for Newborns

Rule Number and Title:	19 CSR 30-100.020 Safe Place for Newborns Fund
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
25 Facilities	**Cost to obtain full match from the State**	**$500,000**
Estimate		**500,000.00**

III. WORKSHEET

25 Facilities x $20,000 = $500,000

The average cost of a newborn safety incubator with installation is $20,000 per the Save Haven Baby Box website, which is currently the only patented safe baby incubator for the state to get its estimated costs from.

From the Safe Haven Baby Box website:

> The box and associated fees for Safe Haven Baby Boxes start around $15,000 depending upon the installation and location.
>
> SERVICES, FEES, AND EXPENSES SCHEDULE FOR FULL TIME FIRE STATIONS*
>
> **Initial Fee: $11,000**
>
> 1. "Pre-installation" Services:
>   a. Examination of location
>   b. Administrative/Legal resources
>   c. Consultation on programs
>   d. Assistance with raising funds to support the cost of the box (optional)

2. Installation Services:
   a. Inspection of installation
   b. Training to all emergency personnel

3. Post Installation Services:
   a. Marketing of the box
   b. 24/7 hotline available to the community
   c. Advertising of the box
   d. Efforts to support raising awareness on a local, state, and national level supporting the box in each community

Annual Fee: $300

1. Annual Fee Services
   a. Recertification of the box by a licensed contractor
   b. Maintenance of box from expected use
   c. Unlimited repairs and parts replacement as a result of a malfunction and not as a result of negligence or vandalism.

OTHER FEES NOT INCLUDED IN INITIAL FEE: (Estimated at $5,000-$7,500)

*Fees vary based on location and/or services donated by local community members. The below items are estimates and not a guarantee of cost.

1. Delivery: $500.00 to have the box delivered. Can be picked up at Fort Wayne IN manufacturing facility to waive the delivery charge.
2. Installation: Labor and materials~$2,000-$3,500
3. Electrical and Alarm: hook up to internal alarm system (Internal alarm must go to 911 dispatch for use with the baby box)~$1,200
4. Annual Alarm Service: Annual fee for monitoring~$300 annually paid by location to alarm company
5. Transportation: Cost based on location and transportation from Indiana.
6. Permits or other requirements prior to construction. (varies)

IV. ASSUMPTIONS

RSMo 210.950.13 creates a “Safe Place for newborns Fund” with 210.950.14 creating a matching moneys system for the installation of newborn safety incubators. The state is allowed to match up to $10,000 per newborn safety incubator.

For the state to match up to the $10,000 as set forth in statute the facility would have had to spend a total of $20,000 for a 1 to 1 match. If the facility were to paid $10,000 they would be receive a match of $5,000, or if they were to have paid $5,000 they would receive a match of $2,500.

The average cost of the installation of a newborn safety incubator is approximately $20,000. The state anticipates that all individuals who apply for this match will be requesting the full match amount.

While initially the private costs to facilities will be $500,000.00, after the match the facilities will have paid out $250,000.00.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 200 – Insurance Solvency and Company Regulation
Chapter 18 – Warranties and Service Contracts

PROPOSED RULE

20 CSR 200-18.040 Prohibited Language for Motor Vehicle Extended Service Contract Providers and Producers

PURPOSE: This rule effectuates and aids in the interpretation of section 385.208, RSMo, regarding the registration of motor vehicle extended service contract providers and producers in this state.

(1) If a provider, administrator, producer, business entity producer, or other person applying for registration currently uses language prohibited by section 385.208.1(1), RSMo, in its name, it shall be permissible for the entity to register a fictitious name or "doing business as" (DBA) name that does not include the prohibited language for the purposes of doing business in the State of Missouri. The registration of such fictitious name or DBA name shall satisfy the requirements of section 385.208.1(1), RSMo.

(2) Upon registration of such fictitious name or DBA name, the provider, administrator, producer, business entity producer, or person shall use only the fictitious name or DBA name in any marketing materials intended for use in the state of Missouri.

AUTHORITY: sections 374.045 and 385.208, RSMo 2016. Original rule filed Dec. 15, 2026.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Commerce and Insurance, Attention: Shelley A. Woods, PO Box 690, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. A public hearing is scheduled for Feb. 17, 2026, at 10 a.m. The hearing will be held at 301 W. High Street, Suite 530, Jefferson City, MO 65101.*

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 500 – Property and Casualty
Chapter 4 – Rating Laws

PROPOSED AMENDMENT

20 CSR 500-4.300 Rate Variations (Consent Rate) Prerequisites. The director is deleting section (3).

PURPOSE: This amendment deletes section (3) to comply with the amendment of section 379.316.1(3), RSMo, during the 2023 legislative session.

[(3) Standards for the Use of Consent to Rate Applicable to Aircraft Insurance.

(A) This section applies to policies of insurance against liability, other than employers' liability, arising out of the ownership, maintenance, or use of aircraft.

(B) No insurance company or reciprocal interinsurance exchange using rates subject to section 379.318, RSMo, shall effect a policy of insurance or a renewal at a rate varying from the rate properly filed for its use on that specific risk unless the company documents the need to deviate from the filed rate based on the unique nature of the individual risk.

(C) All insurance companies subject to this section shall—

1. Collect and maintain documentation that demonstrates the unique characteristics of the risk and how the final premium was determined;

2. File and maintain the documentation in the company's policy file; and

3. Make the documentation available to the director upon request.]

*AUTHORITY: sections 374.045, 375.031, 375.136, 379.318(2), and 379.470(6), RSMo 2016, and section**s 379.316.1(3) and** 379.321.3, RSMo Supp. **[2022] 2025**. This rule was previously filed as 4 CSR 190-16.080. Original rule filed Dec. 20, 1974, effective Dec. 30, 1974. For intervening history, please consult the* ***Code of State Regulations****. Amended: Filed Dec. 15, 2025.*

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 OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Commerce and Insurance, 301 West High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register.*** *A public hearing is scheduled for 10 a.m., Feb. 17, 2026, in Room 530, Truman State Office Building, 301 West High Street, Jefferson City, MO 65101.*

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2070 – State Board of Chiropractic Examiners
Chapter 2 – General Rules

PROPOSED AMENDMENT

20 CSR 2070-2.080 Biennial License Renewal. The board is amending sections (3) and (4).

PURPOSE: This amendment clarifies in-person continuing education requirements.

(3) At least twenty-four (24) hours of the required forty-eight (48) hours of continuing education shall be earned by attending formal continuing education programs, seminars, and/or workshops that have been approved by the board**, with twelve (12) of the twenty-four (24) formal hours to be in actual physical attendance**.

(4) **Twelve (12) of the formal** *[C]***c**ontinuing education hours in compliance with 20 CSR 2070-2.080(3) *[may]* **must** be obtained **by actual physical attendance not** via the Internet *[pursuant to 20 CSR 2070-2.081(2)(B) and board approval]*.

AUTHORITY: sections 331.050 and 331.100.2, RSMo 2016. This rule originally filed as 4 CSR 70-2.080. This version of rule filed Dec. 17, 1975, effective Dec. 27, 1975. For intervening history, please consult the ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 of or in opposition to this proposed amendment with the State Board of Chiropractic Examiners, PO Box 672, Jefferson City, MO 65102-0672, by facsimile at (573) 751-0735 or via email at chiropractic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 2 – General Rules

PROPOSED AMENDMENT

20 CSR 2220-2.200 Sterile Compounding. The board is deleting sections (1)-(21) and adding new sections (1)-(9).

PURPOSE: This amendment adopts and incorporates USP Chapter 797 to align with national patient safety and practice standards for compounding of sterile pharmaceuticals.

[(1) Definitions.

(A) Aseptic processing: The technique involving procedures designed to preclude contamination of drugs, packaging, equipment, or supplies by microorganisms during processing.

(B) Batch: Compounding of multiple sterile preparation units in a single discrete process, by the same individuals, carried out during one (1) limited time period.

(C) Beyond-Use date: A date after which a compounded preparation should not be used and is determined from the date the preparation is compounded. Because compounded preparations are intended for administration immediately or following short-term storage, their beyond-use dates must be assigned based on criteria different from those applied to assigning expiration dates to manufactured drug products.

(D) Biological safety cabinet: Containment unit suitable for the preparation of low to moderate risk agents where there is a need for protection of the preparation, personnel, and environment, according to National Sanitation Foundation (NSF) International standards.

(E) Buffer area: An ISO Class 7 or better area where the primary engineering control is physically located that is constructed and used in a manner to minimize the introduction, generation, and retention of particles inside the room and in which other relevant variables (e.g., temperature, humidity, and pressure) are controlled as necessary.

(F) Compounding: For the purposes of this regulation, compounding is defined as in 20 CSR 2220-2.400(1). Compounded sterile medications may include, but are not limited to:

1. Compounded biologics, diagnostics, drugs, nutrients, and radiopharmaceuticals that must or are required to be sterile when they are administered to patients, including, but not limited to, the following dosage forms: bronchial and inhaled nasal preparations intended for deposition in the lung(s), baths and soaks for live organs and tissues, epidural and intrathecal solutions, bladder/wound solutions, injectables, implantable devices and dosage forms, inhalation solutions, intravenous solutions, irrigation solutions, ophthalmic preparations, parenteral nutrition solutions, and repackaged sterile preparations. Nasal sprays and irrigations intended for deposit in the nasal passages may be prepared as nonsterile compounds;

2. An FDA approved manufactured sterile product that is either prepared according to the manufacturers' approved labeling/recommendations or prepared differently than published in such labeling; and

3. Assembling point-of-care assembled systems.

(G) Compounding aseptic containment isolator (CACI): A restricted access barrier system (RABS) that is designed for compounding sterile hazardous drugs and designed to provide worker protection from exposure to undesirable levels of airborne drugs throughout the compounding and material transfer processes and to provide an aseptic environment for Compounded Sterile Preparation (CSPs).

(H) Compounding aseptic isolator (CAI): A RABS specifically designed for compounding sterile non-hazardous pharmaceutical ingredients or CSPs and designed to maintain an aseptic compounding environment within the isolator throughout the compounding and material transfer processes.

(I) Controlled area: For purposes of these regulations, a controlled area is a separate room designated for preparing sterile preparations or an area designated for preparing sterile preparations that is separated from other activities/operations by a line of demarcation that clearly separates the area from other operations.

(J) Critical area: Any area in the controlled area where preparations or containers are exposed to the environment.

(K) Critical site: Any surface, pathway, or opening (e.g., vial septa, injection ports, beakers, needle hubs) that provides a direct pathway between a compounded sterile preparation or other ingredient used to compound a sterile preparation and the air, environment or moisture, or that poses a risk of touch contamination.

(L) CSP: Compounded sterile preparation.

(M) Cytotoxic drugs: A pharmaceutical product that has the capability of direct toxic action on living tissue that can result in severe leukopenia and thrombocytopenia, depression of the immune system, and the alteration of a host's inflammatory response system.

(N) Emergency dispensing: Is a situation where a Risk Level 3 preparation is necessary for immediate administration of the preparation and no alternative product or preparation is available and the prescriber is informed that the preparation is being dispensed prior to appropriate testing. Documentation of the dispensing of the preparation, the prescriber's approval for dispensing prior to the receipt of test results and the need for the emergency must appear within the prescription record. A separate authorization from the prescriber is required for each emergency dispensing.

(O) High-Efficiency Particulate Air (HEPA) filter: A filter

composed of pleats of filter medium separated by rigid sheets of corrugated paper or aluminum foil that direct the flow of air forced through the filter in a uniform parallel flow. HEPA filters remove ninety-nine point ninety-seven percent (99.97%) of all particles three-tenths (0.3) microns or larger. When HEPA filters are used as a component of a horizontal- or vertical-laminar-airflow workbench, an environment can be created consistent with standards for an ISO Class 5 environment.

(P) In-use time/date: The time/date before which a conventionally manufactured product or a CSP must be used after it has been opened or needle-punctured.

(Q) ISO Class 5: An area with less than three thousand five hundred twenty (3,520) particles (0.5 µm and larger in size) per cubic meter.

(R) ISO Class 7: An area with less than three hundred fifty-two thousand (352,000) particles (0.5 µm and larger in size) per cubic meter.

(S) Multiple-dose container: A multiple unit container for articles or compounded sterile preparations that contains more than one (1) dose of medication and usually contains an antimicrobial preservative.

(T) Parenteral: A sterile preparation of drugs for injection through one (1) or more layers of skin.

(U) Point-of-care assembled system: A closed system device that creates a physical barrier between diluents, fluids, or other drug components and is designed to be activated by the end user by allowing the components to mix prior to administration.

(V) Primary engineering control (PEC): A system that provides an ISO 5 environment for the exposure of critical sites when compounding sterile preparations. PECs include, but may not be limited to, horizontal/vertical laminar airflow hoods, biological safety cabinets, and a RABS such as compounding aseptic isolators (CAIs), or compounding aseptic containment isolators (CACIs).

(W) Process validation or simulation: Microbiological simulation of an aseptic process with growth medium processed in a manner similar to the processing of the preparation and with the same container or closure system.

(X) Quality assurance: For purposes of these regulations, quality assurance is the set of activities used to ensure that the processes used in the preparation of sterile drug preparations lead to preparations that meet predetermined standards of quality.

(Y) Quality control: For the purposes of these regulations, quality control is the set of testing activities used to determine that the ingredients, components, and final sterile preparations prepared meet predetermined requirements with respect to identity, purity, nonpyrogenicity, and sterility.

(Z) Restricted access barrier system (RABS): A primary engineering control that is comprised of a closed system made up of four (4) solid walls, an air-handling system, and transfer and interaction devices. The walls are constructed so as to provide surfaces that are cleanable with coving between wall junctures. The air-handling system provides HEPA filtration of inlet air. Transfer of materials is accomplished through air locks, glove rings, or ports. Transfers are designed to minimize the entry of contamination. Manipulations can take place through either glove ports or half suits. Examples of a RABS may include, but is not limited to, a CAI or CACI.

(AA) Repackaging: The subdivision or transfer of a compounded preparation from one (1) container or device to a different container or device.

(BB) Single-dose/single-unit container/vial: A container/vial of medication intended for administration that is meant for use in a single patient for a single case, procedure, or injection.

(CC) Sterilization: A validated process used to render a preparation free of viable organisms.

(DD) Temperatures:

1. Frozen means temperatures between twenty-five degrees below zero and ten degrees below zero Celsius (-25 and -10°C) (thirteen degrees below zero and fourteen degrees Fahrenheit (-13 and 14°F));

2. Refrigerated means temperatures between two and eight degrees Celsius (2 and 8°C) (thirty-six and forty-six degrees Fahrenheit (36 and 46°F)); and

3. Controlled room temperature means a temperature maintained thermostatically that encompasses the usual and customary working environment 20° to 25° Celsius (68° to 78° F). Excursions between 15° and 30° Celsius (59° to 86° F) as commonly experienced in pharmacies and other facilities shall be deemed compliant.

(EE) USP: The United States Pharmacopeia and the National Formulary (USP-NF) as adopted and published by the United States Pharmacopeial Convention, effective May 2013. Copies of the USP-NF are published by, and available from, USP, 12601 Twinbrook Parkway, Rockville, MD 20852-1790 or online at http://www.usp.org/. The USP-NF is incorporated herein by reference. This rule does not include any later amendments or additions to the USP-NF.

(FF) Validation: Documented evidence providing a high degree of assurance that specific processes will consistently produce a preparation meeting predetermined specifications and quality attributes.

(GG) Definitions of sterile compounded preparations by risk level:

1. Risk Level 1: Applies to compounded sterile preparations that exhibit characteristics A., B., or C., stated below. All Risk Level 1 preparations shall be prepared with sterile equipment and sterile ingredients and solutions in an ISO Class 5 environment. Risk Level 1 includes the following:

A. Preparations:

(I) Stored at controlled room temperature and assigned a beyond-use date of forty-eight (48) hours or less; or

(II) Stored under refrigeration and assigned a beyond-use date of seven (7) days or less; or

(III) Stored frozen and assigned a beyond-use date of thirty (30) days or less;

B. Unpreserved sterile preparations prepared for administration to one (1) patient or batch-prepared preparations containing suitable preservatives prepared for administration to more than one (1) patient with an assigned beyond-use date that does not exceed the beyond-use date allowed under subparagraph (1)(GG)1.A. of this rule;

C. Preparations prepared by closed-system aseptic transfer of sterile, nonpyrogenic, finished pharmaceuticals (e.g., from vials or ampules) obtained from licensed manufacturers into sterile final containers obtained from licensed manufacturers with an assigned beyond-use date that does not exceed the beyond-use date allowed under subparagraph (1)(GG)1.A. of this rule;

2. Risk Level 2: Sterile preparations exhibit characteristic A., B., or C., stated below. All Risk Level 2 preparations shall be prepared with sterile equipment and sterile ingredients in an ISO Class 5 environment and with closed-system transfer methods. Risk Level 2 includes the following:

A. Preparations stored under refrigeration and assigned a beyond-use date greater than seven (7) days, or preparations stored frozen and assigned a beyond-use date greater than thirty (30) days, or preparations stored at controlled room temperature and assigned a beyond-use date greater than forty-eight (48) hours;

B. Batch-prepared preparations without preservatives

that are intended for use by more than one (1) patient;

C. Preparations compounded by complex or numerous manipulations of sterile ingredients obtained from licensed manufacturers in a sterile container or reservoir obtained from a licensed manufacturer by using closed-system aseptic transfer (e.g., automated compounder);

3. Risk Level 3: Sterile preparations exhibit either characteristic A. or B.:

A. Preparations compounded from nonsterile ingredients or compounded with nonsterile components, containers, or equipment before terminal sterilization;

B. Preparations prepared by combining multiple ingredients (sterile or nonsterile) by using an open-system transfer or open reservoir before terminal sterilization.

(2) Policy and Procedure Manual/Reference Manuals.

(A) A manual, outlining policies and procedures encompassing all aspects of Risk Level 1, 2, and 3 compounding performed, shall be available for inspection at the pharmacy. The manual shall be reviewed on an annual basis. The pharmacy shall have current reference materials related to sterile preparations.

(3) Personnel Education, Training, and Evaluation.

(A) Risk Level 1: All pharmacy personnel preparing sterile preparations must receive suitable didactic and experiential training in aseptic technique and procedures and shall be skilled and trained to accurately and competently perform the duties assigned. Additional training must be provided if the risk level of sterile activity conducted by the individual changes or if there is a change in compounding methods performed. To ensure competency, individuals preparing sterile preparations must successfully pass an Aseptic Technique Skill Assessment that complies with section (10) of this rule. The pharmacy shall establish policies and procedures for staff training and assessment.

(B) Risk Level 2: In addition to Risk Level 1 requirements, personnel training must include assessment of competency in all Risk Level 2 procedures via process simulation.

(C) Risk Level 3: In addition to Risk Level 1 and 2 requirements, operators have specific education, training, and experience to prepare Risk Level 3 preparations. The pharmacist knows principles of good compounding practice for risk level preparations, including—

1. Aseptic processing;

2. Quality assurance of environmental, component, and end-preparation testing;

3. Sterilization; and

4. Selection and use of containers, equipment, and closures.

(4) Storage and Handling in the Pharmacy.

(A) Risk Level 1 and 2: Solutions, drugs, supplies, and compounding equipment must be stored and maintained in a manner that will maintain the chemical and microbiological stability of CSPs. Refrigeration, freezer and, if applicable, incubator temperatures shall be documented daily. Other storage areas shall be inspected regularly to ensure that temperature and lighting meet requirements. Drugs and supplies shall be shelved above the floor. Removal of drugs and supplies from boxes shall be done outside the controlled and buffer areas. Removal of used supplies from the controlled area shall be done at least daily. Preparation recall procedures must comply with section (21) of this rule and must permit retrieving affected preparations from specific involved patients.

(B) Risk Level 3: In addition to Risk Level 1 and 2 requirements, the pharmacy must establish procedures for procurement, identification, storage, handling, testing, and recall of components and finished preparations. Finished Risk Level 3 preparations awaiting test results must be quarantined under minimal risk for contamination in a manner that will maintain chemical and microbiological stability.

(5) Facilities and Equipment. The pharmacy shall establish and follow proper controls to ensure environmental quality, prevent environmental contamination, and maintain air quality in all ISO classified areas.

(A) Risk Level 1: Risk Level 1 preparations must be prepared in a PEC located in a controlled area that meets the requirements of this rule. A sink with hot and cold water must be near, but not in, the controlled area. The controlled area and inside equipment must be cleaned and disinfected as provided in section (17) of this rule. Activities within the critical area shall be kept to a minimum to maintain the ISO classified environment. Primary engineering controls shall meet the requirements of section (6) of this rule; prefilters must be visually inspected on a regularly scheduled basis and replaced according to manufacturer's specifications. Pumps utilized in the compounding process shall be recalibrated and documented according to manufacturer procedures.

(B) Risk Level 2: In addition to all Risk Level 1 requirements, Risk Level 2 preparations must be prepared in a PEC located in a buffer area or prepared in a RABS located within a controlled area. Applicable environmental monitoring of air and surfaces must be conducted. Risk Level 2 preparations shall at a minimum remain a Risk Level 2 for the life of the preparation.

(C) Risk Level 3: In addition to Risk Level 1 and 2 requirements, Risk Level 3 preparations must be prepared in a PEC located in a buffer area or prepared in a RABS located within a controlled area. All non-sterile equipment that is to come in contact with the sterilized final preparation must be sterilized before introduction in the buffer area or into the RABS.

(D) Automated compounding devices shall be calibrated according to manufacturer procedures for content, volume, weight, and accuracy prior to initial use and prior to compounding each day the device is in use or more frequently as recommended by manufacturer guidelines. Calibration results shall be reviewed by a pharmacist to ensure compliance. The identity of the reviewing pharmacist and the review date shall be documented in the pharmacy's records.

(E) All PECs and ISO classified areas shall be certified to ensure compliance with the requirements of this rule prior to beginning sterile compounding activities and every six (6) months thereafter. Certification shall be conducted by competent staff/vendors using recognized and appropriate certification and testing equipment. Certification results shall be reviewed by a pharmacist once received. The pharmacist's identity and date of review must be documented in the pharmacy's records. Deficiencies or failures shall be investigated and corrected prior to further compounding which may include recertification of the PEC/ISO classified area.

1. The PEC and ISO classified areas must be recertified when— 1) any changes or major service occurs that may affect airflow or environmental conditions or 2) the PEC or room is relocated or the physical structure of the ISO classified area has been altered.

2. Corrections may include, but are not limited to, changes in the use of the affected PEC or ISO classified area or initiating a recall.

(F) Pressure differential: If the sterile compounding area is equipped with a device to monitor pressure differential between ISO classified air spaces, pressure differential results must be recorded and documented each day that the pharmacy is open

for pharmacy activities. Alternatively, a continuous monitoring system may be used to record pressure differential results if the system maintains ongoing documentation of pressure recordings or maintains pressure alerts that are reviewed daily.

(6) Primary Engineering Controls (PECs).

(A) PECs must be properly used, operated, and maintained and must be located out of traffic patterns and away from conditions that could adversely affect their operation or disrupt intended airflow patterns (e.g., ventilation systems or cross-drafts).

(B) PECs shall maintain ISO Class 5 or better conditions during dynamic operating conditions and while compounding sterile preparations, including, when transferring ingredients into and out of the PEC and during exposure of critical sites.

(C) PECs shall provide unidirectional (laminar flow) HEPA air at a velocity sufficient to prevent airborne particles from contacting critical sites.

(D) The recovery time to achieve ISO Class 5 air quality in any PEC shall be identified in the pharmacy's policies and procedures. Procedures must be developed to ensure adequate recovery time is allowed before or during compounding operations and after material transfer.

(7) Controlled Areas. The controlled area shall be designed, maintained, and controlled to allow effective cleaning and disinfection and to minimize the risk of contamination and the introduction, generation, and retention of particles inside the PEC.

(A) Controlled areas must be clean and well-lit and shall be free of insects, rodents, and/or other vermin. Trash shall be disposed of in a timely and sanitary manner and at least daily. Tacky mats or similar articles are prohibited in the controlled area or any ISO classified environment.

(B) Traffic flow in or around the controlled area shall be minimized and controlled. Food items, chewing gum, eating, drinking, and smoking are prohibited in the area.

(C) Non-essential objects that shed particles shall not be brought into the controlled area, including, but not limited to, pencils, cardboard cartons, paper towels, and cotton items (e.g., gauze pads). Furniture, carts, supplies, and equipment shall be removed from shipping cartons/containers and properly cleaned and disinfected with sterile alcohol or an equivalently effective non-residue generating disinfectant before entering any ISO classified area. No shipping or other external cartons may be taken into the controlled area or an ISO classified area.

(D) Only supplies essential for compounding shall be stored in the controlled area. Supplies or other non-essential equipment shall not be stored in or on the PEC.

(8) Garbing and Hand Hygiene. Individuals engaged in, or assisting with, CSPs shall be trained and demonstrate competence in proper personal garbing, gloving, and hand hygiene. Competence must be documented and assessed through direct visual observation as part of the aseptic technique skill assessment required by this rule.

(A) Risk Level 1: Low-particulate and non-shedding gowns, hair covers, gloves, face masks, and, if applicable, beard covers must be worn during compounding and cleaning. All head and facial hair must be covered. During sterile preparation, gloves shall be disinfected before use and frequently thereafter with a suitable agent and changed when integrity is compromised. All personnel in the controlled area must be appropriately garbed as required by this section.

(B) Risk Level 2 and Risk Level 3: In addition to Risk Level 1 requirements, shoe covers and sterile gloves must be worn while compounding and cleaning, including, over RABS gloves. All personnel in the controlled or buffer area must garb as required by this section.

(9) Aseptic Technique and Preparation. Appropriate quality control methods shall be maintained over compounding methods at all times to ensure proper aseptic technique.

(A) Risk Level 1: Sterile preparations must be prepared in an ISO Class 5 environment. Personnel shall scrub their hands and forearms a minimum of thirty (30) seconds and remove debris from underneath fingernails under warm running water before donning the required gloves. Eating, drinking, and smoking are prohibited in the controlled area. Talking shall be minimized to reduce airborne particles. Ingredients shall be determined to be stable, compatible, and appropriate for the preparation to be prepared, according to manufacturer, USP, or scientific references. Ingredients and containers shall be inspected for defects, expiration, and integrity before use. Only materials essential for aseptic compounding shall be placed in the PEC. Supplies, equipment, and the surfaces of ampules and vials shall be disinfected before entering the PEC by wiping the outer surface with sterile alcohol or an equivalently effective non-residue generating disinfectant. Sterile components shall be arranged in the PEC to allow a clear, uninterrupted path of HEPA-filtered air over critical sites. Automated devices and equipment shall be cleaned, disinfected, and placed in the PEC to enable laminar airflow. Aseptic technique shall be used to avoid touch contamination of critical sites of containers and ingredients. Particles shall be filtered from solutions, if applicable. Needle cores shall be avoided. The pharmacist shall check before, during, and after preparation to verify the identity and amount of ingredients before release.

(B) Risk Level 2: In addition to Risk Level 1 requirements, a file containing the formula, components, procedures, sample label, and final evaluation shall be made for each preparation batch. A separate work sheet and lot number for each batch shall be completed. When combining multiple sterile preparations, a second verification of calculations shall take place. The pharmacist shall verify data entered into any automatic compounder before processing and check the end preparation for accuracy.

(C) Risk Level 3: In addition to Risk Level 1 and 2 requirements, nonsterile components must meet compendial standards or must be verified by a pharmacist and a certificate of analysis. Batch preparation files shall also include comparisons of actual with anticipated yields, sterilization methods, and quarantine specifications. Presterilized containers shall be used when feasible. Final containers must be sterile and capable of maintaining preparation integrity throughout the shelf life. Sterilization methods must be based on properties of the preparation, and must be conducted in a method recognized by USP for the preparation and confirmed through sterility testing using a testing method recognized by USP for the preparation.

(D) Single-dose vials/containers and pharmacy bulk vial/containers exposed to ISO Class 5 or cleaner air may be used in compounding until the assigned in-use time which shall not exceed six (6) hours after initial needle puncture, unless otherwise specified by the manufacturer. Opened single-dose ampules shall not be stored for any time period. The in-use time must be placed on the vial/container. For multiple-dose vials/containers with no antimicrobial preservative used in the preparation of radiopharmaceuticals whose beyond-use dates are twenty-four (24) hours or less, the in-use time shall not exceed twenty-four (24) hours.

(E) Unless otherwise specified by the manufacturer, multiple-dose vials/containers with an antimicrobial preservative may

be used in compounding until the assigned in-use date which shall not exceed twenty-eight (28) days after initially entering or opening the vial/container (e.g., needle-puncture). The in-use date must be placed on the vial/container.

(10) Aseptic Technique Skill Assessment. Individuals engaged in sterile compounding must take and successfully pass an aseptic technique skill assessment to verify aseptic competency. The assessment must include a direct visual observation of the individual's aseptic competency during a process simulation that represents the most challenging or stressful conditions encountered or performed by the person being evaluated. The assessment must include media-fill testing for all risk levels performed. Self-observation is not allowed.

(A) The required visual observation shall assess:

1. Proper aseptic technique, manipulations, and work practices, including, but not limited to, avoiding touch contamination, proper use of first air, and if applicable, sterilizing high risk CSPs;

2. Cleaning and disinfection;

3. Hand hygiene, gloving, and garbing;

4. Identifying, weighing, and measuring of ingredients;

5. Maintaining sterility in ISO Class 5 areas;

6. Labeling and inspecting CSPs for quality.

(B) Media-Fill Testing. Pharmacies shall establish and follow policies and procedures for media-fill testing. Media-fill testing shall comply with USP Chapter 797's recommended procedures and methods and must be conducted using the most challenging or stressful conditions/compounding actually encountered or performed by the person being evaluated using the same container or closure. A minimum of three (3) media-fill tests must be completed during initial media-fill testing and one (1) media-fill test completed for ongoing testing.

(C) Frequency: The required Aseptic Technique Skill Assessment must be conducted prior to initial compounding and every twelve (12) months thereafter for Risk Levels 1 and 2 compounding and every (6) months thereafter for Risk Level 3 compounding. Additionally, an Aseptic Technique Skill Assessment must be conducted whenever unacceptable techniques are observed or discovered, if the risk level of sterile activity conducted by the individual changes, or if there is a change in compounding methods performed.

(D) Individuals who fail written tests; visual observation of hand hygiene, garbing, or aseptic technique; or media-fill tests must undergo immediate requalification through additional training by competent compounding personnel. Individuals who fail visual observation of hand hygiene, garbing, or aseptic technique; or media-fill tests must pass a reevaluation in the deficient area before they can resume compounding of sterile preparations. Individuals who fail media-fill testing must pass three (3) successive media-fill tests prior to resuming sterile compounding.

(E) If needed to prevent interruptions in patient care during an emergency, a pharmacy may accept aseptic technique skill assessment results from another pharmacy or hospital in lieu of the required initial aseptic technique skill assessment, provided—

1. A pharmacist verifies the aseptic technique skill assessment to be accepted complies with the requirements under subsections (10)(A)–(C) of this rule for an ongoing aseptic technique skill assessment, at a minimum;

2. The pharmacy maintains documentation of the other pharmacy or hospital's completed aseptic technique skill assessment, including the dates and results of the required training, visual observation, and media-fill testing. Additionally, the receiving pharmacy must maintain a manual or electronic copy of the other pharmacy's or hospital's policies and procedures on aseptic technique skill assessment and media-fill testing for board licensees or registrants;

3. The board licensee or registrant has received training on applicable pharmacy operational procedures as needed to ensure proper compounding. The licensee or registrant must be skilled and trained to accurately and competently perform the duties; and

4. Individuals may not assist with compounding under the emergency allowance authorized by this subsection for more than forty-five (45) days without an initial aseptic technique skill assessment for the pharmacy.

(11) Record Keeping.

(A) Risk Level 1 and 2: The following must be documented/maintained:

1. Training and competency evaluation of pharmacy personnel involved in sterile compounding, including, the dates and results of the required aseptic technique training, aseptic technique skill assessment, and media-fill testing;

2. Refrigerator, freezer and, if applicable, incubator temperature logs;

3. Certification dates and results for any PEC or ISO classified area;

4. Manufacturer manuals that are relied upon to maintain compliance with this rule;

5. Other facility quality control logs, as appropriate, including all maintenance, cleaning, and calibration records;

6. If applicable, pressure recordings including documentation of the review of continuous monitoring system results as required by subsection (5)(F);

7. Any end-preparation testing records; and

8. Single preparation and batch preparation records.

(B) Risk Level 3: In addition to Risk Level 1 and 2 requirements, record requirements for Risk Level 3 preparations must include:

1. Preparation work sheet;

2. Sterilization records;

3. Quarantine records, if applicable;

4. End-preparation evaluation and testing records as required in section (14); and

5. Ingredient validation records as required in section (14).

(C) All records and reports shall be maintained either electronically or physically for two (2) years and shall be readily retrievable and subject to inspection by the board of pharmacy or its agents. At a minimum, records shall be physically or electronically produced immediately or within two (2) hours of a request from the board or the board's authorized designee.

(12) Labeling.

(A) Sterile preparations shall be labeled in accordance with section 338.059, RSMo and with the following supplemental information:

1. Beyond-use date;

2. Storage requirements if stored at other than controlled room temperature;

3. Any device specific instructions;

4. Auxiliary labels, when applicable; and

5. If applicable, a designation indicating the preparation is hazardous.

(13) Beyond-Use Dating.

(A) Risk Level 1 and Risk Level 2: All sterile preparations must bear a beyond-use date. Beyond-use dates must be assigned based on current drug and microbiological stability information and sterility considerations.

(B) Risk Level 3: In addition to all Risk Level 1 requirements,

there must be a reliable method for establishing all beyond-use dates, including laboratory testing of preparation stability, pyrogenicity, particulate contamination, and potency. Beyond-use dating not specifically referenced in the products approved labeling or not established by preparation specific instrumental analysis shall be limited to thirty (30) days. There must be a reliable method for establishing all beyond-use dating. Preparations assigned a beyond-use date of greater than thirty (30) days shall have laboratory validation of preparation stability and potency.

(14) End-preparation Evaluation.

(A) Risk Level 1: The final preparation must be inspected for clarity, container leaks, integrity, and appropriate solution cloudiness or phase separation, solution color, and solution volume. The pharmacist must verify that the preparation was compounded accurately as to the ingredients, quantities, containers, and reservoirs. Background light or other means for the visual inspection of preparations for any particulate and/or foreign matter must be used as part of the inspection process, provided an alternate means of inspection shall be used if a visual inspection or exposure to the preparation may pose a health hazard.

(B) Risk Level 2: All Risk Level 1 requirements must be met.

(C) Risk Level 3: In addition to all Risk Level 1 requirements, the process validation procedure shall be supplemented with a program of end-preparation sterility testing according to a formal sampling plan. Samples shall be statistically valid to ensure that batches are sterile. A method for recalling batch preparations shall be established if preparation testing results are unacceptable. A sample from each sterile preparation/batch must be tested for sterility. A sample from each parenteral sterile preparation/batch must also be tested for pyrogenicity. Risk Level 3 preparations must be quarantined and stored to maintain chemical and microbiological stability pending results of end-preparation testing.

1. Sterility testing: Sampling for the sterility test shall occur promptly upon the completion of preparation. The sterility test, including the sampling scheme, shall be conducted according to a method recognized for the preparation by USP Chapter 71.

2. Pyrogen/Endotoxin testing: Sterile parenteral preparations prepared from non-sterile drug components shall be tested for pyrogen or endotoxin according to a method recognized by USP Chapter 151 for pyrogen testing and recognized by USP Chapter 85 for endotoxin testing.

3. Potency: The pharmacy shall have a procedure for a pre-release check of the potency of the active ingredients in the compounded sterile preparation prepared from non-sterile bulk active ingredients. The procedure shall include at least the following verifications by a pharmacist:

A. The lot of the active ingredients used for compounding have the necessary labeling, potency, purity, certificate of analysis, and other relevant qualities;

B. All weighings, volumetric measurements, and additions of ingredients were carried out properly;

C. The compounding or control records include documentation that the fill volumes of all units available for release were checked and were correct; and

D. The final potency is confirmed by instrumental analysis for sterile preparations that have been assigned a beyond-use date of more than thirty (30) days.

(D) Emergency Dispensing of a Risk Level 3 Sterile Preparation: When a compounded Risk Level 3 preparation must be released prior to the completion of testing, the sterile preparation may be dispensed pending test results. Emergency dispensing shall be defined as, and comply with, subsection (1)(N) of this rule.

(15) Storage, Handling, and Transport. Sterile preparations shall be packaged, stored, dispensed, and distributed in a manner that will maintain the preparation's chemical and microbiological stability until the assigned beyond-use date or until delivery to the patient or intended recipient. The pharmacist-in-charge shall assure the environmental control of all sterile compounded preparations shipped. Sterile preparations shall be transported so as to be protected from excesses of temperatures and light within appropriate packaging or delivery containers that maintain necessary storage conditions to preserve the quality and integrity of sterile preparations. The pharmacy shall follow written procedures that specify packing techniques, configuration, and materials for groups of preparations with common storage characteristics and for specific preparations where unique storage conditions are required to retain adequate stability and preparation quality.

(16) Point-of-Care Assembled Systems. Assembly of point-of-care assembled systems shall be considered Risk Level 1 compounding. Point-of-care assembled systems shall be assigned a beyond-use date which may exceed the beyond-use date authorized for Risk Level 1 preparations provided the date is assigned in accordance with the manufacturer's recommendations or labeling.

(A) When dispensed, an assembled non-activated system shall be labeled with beyond-use dates for both activated and non-activated states. The compounding record must document both dates. The beyond-use date of an assembled non-activated system shall be limited to a maximum of fifteen (15) days unless the pharmacy has documentation from the system's manufacturer that a longer date is acceptable.

(B) Point-of-care assembled systems shall be assembled and stored in accordance with the manufacturer's labeling and recommendations.

(17) General Cleaning and Disinfection Requirements. Except as otherwise provided herein, cleaning and disinfection of controlled and buffer areas, supplies, and equipment shall be performed and conducted in accordance with USP Chapter 797 timeframes and procedures. Controlled areas that do not meet ISO air classifications shall be cleaned and disinfected as required by USP Chapter 797 for segregated compounding areas. If compounding is done less frequently than the cleaning and disinfection timeframes specified in USP Chapter 797, cleaning and disinfection must occur before each compounding session begins.

(A) The pharmacy shall establish and follow written policies and procedures governing all aspects of cleaning and disinfection, including approved cleaning/disinfecting agents and materials, schedules of use, and methods of application.

(B) Individuals shall be trained in proper cleaning and disinfection procedures prior to performing such activities. Training shall include direct visual observation of the individual's cleaning and disinfecting process by qualified staff. The individual shall be annually reassessed for competency through direct visual observation. Documentation of the required training and training dates shall be maintained in the pharmacy's records. Individuals who fail to demonstrate competency shall be reinstructed and successfully reevaluated prior to any further cleaning or disinfection.

(C) Cleaning and disinfection activities shall be performed using approved cleaning/disinfection agents and procedures described in the pharmacy's written policies and procedures. Manufacturers' directions for minimum contact time shall be

followed.

(D) All cleaning tools (e.g., wipes, sponges, and mop heads) must be low-lint and dedicated for use in the controlled area and ISO classified areas.

(E) Primary engineering controls shall be cleaned with a germicidal cleaning agent followed by sterile alcohol. Sterile water for irrigation shall be used to dilute all agents used inside the PEC that require dilution.

(F) At a minimum, the critical area shall be cleaned and disinfected prior to compounding, between batches, and whenever contamination is suspected using sterile alcohol which is allowed to dry immediately prior to compounding.

(18) Environmental Sampling/Testing. The pharmacy shall establish and follow proper controls to ensure environmental quality, prevent environmental contamination, and maintain air quality in all ISO classified areas. Applicable environmental monitoring of air and surfaces must be conducted. Air monitoring must be conducted prior to initial compounding and every six (6) months thereafter. Surface sampling/monitoring must be conducted every six (6) months for Risk Level 2 and every thirty (30) days for Risk Level 3 compounding.

(19) Cytotoxic Drugs.

(A) The following additional requirements are necessary for those licensed pharmacies that prepare cytotoxic drugs to insure the protection of the personnel involved:

1. Cytotoxic drugs shall be compounded in a vertical flow, Class II biological safety cabinet or a CACI. If used for other preparations, the cabinet must be thoroughly cleaned;

2. Protective apparel shall be worn by personnel compounding cytotoxic drugs which shall include disposable masks, gloves, and gowns with tight cuffs;

3. Appropriate safety and containment techniques for compounding cytotoxic drugs shall be used in conjunction with the aseptic techniques required for preparing sterile preparations. Chemotherapy preparations should be compounded using a closed system transfer device;

4. Appropriate disposal containers for used needles, syringes, and if applicable, cytotoxic waste from the preparation of chemotherapy agents and infectious waste from patients' homes. Disposal of cytotoxic waste shall comply with all applicable local, state, and federal requirements;

5. Written procedures for handling major and minor spills and generated waste of cytotoxic agents must be developed and must be included in the policy and procedure manual; and

6. Prepared doses of cytotoxic drugs must be labeled with proper precautions inside and outside, and shipped in a manner to minimize the risk of accidental rupture of the primary container.

(20) Remedial Investigations. A remedial investigation shall be required if any environmental monitoring sample demonstrates a colony forming unit (CFU) count that exceeds USP Chapter 797 recommended action levels for the type of sampling. A remedial investigation shall include resampling of all affected areas to ensure a suitable state of microbial control. CSPs and any ingredients used within the compounding process that are part of the remedial investigation shall be quarantined until the results of the investigation are known. The pharmacy shall ensure that no misbranded, contaminated, or adulterated CSP is administered or dispensed for patient use.

(A) If an environmental monitoring sample taken from an ISO-5 classified area exceeds USP 797 action levels, the pharmacy must cease compounding in the affected ISO classified area until resampling shows a suitable state of microbial control has been achieved in the affected area. However, a pharmacy may continue to compound during the remedial investigation if—

1. The affected ISO classified area is cleaned and disinfected by using a germicidal cleaning agent and a sporicidal agent followed by sterile alcohol;

2. The beyond-use date assigned to all preparations is no greater than twelve (12) hours; and

3. The affected ISO classified area is resampled under dynamic conditions. If the resampling exceeds USP Chapter 797 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the affected area, unless otherwise authorized by the board or board's authorized designee to continue compounding upon a showing the facility can be operated in a manner not to endanger the public safety.

(B) If an environmental monitoring sample taken from an ISO-7 classified buffer area exceeds USP 797 action levels, the pharmacy must cease compounding in the affected ISO classified buffer area until resampling shows a suitable state of microbial control has been achieved in the affected area. However, a pharmacy may continue to compound during the remedial investigation if—

1. The affected ISO classified area is cleaned and disinfected by using a germicidal cleaning agent and a sporicidal agent;

2. The beyond-use date assigned to Risk Level 1 preparations is not greater than twenty-four (24) hours or, for Risk level 2 and 3 preparations, no greater than twelve (12) hours; and

3. The affected ISO classified area is resampled under dynamic conditions. If two (2) consecutive resamplings exceed USP 797 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the affected area, unless otherwise authorized by the board or board's authorized designee to continue compounding upon a showing the facility can be operated in a manner not to endanger the public health or safety.

(C) The pharmacy shall notify the board in writing within three (3) days of any environmental monitoring sample collected as part of a remedial investigation that exceeds USP 797 action levels.

(21) Recalls. A recall must be initiated when a dispensed CSP is deemed to be misbranded, adulterated, or non-sterile or if end-preparation testing results are out of specification. The pharmacy shall notify the prescriber of the nature of the recall, the problem(s) identified, and any recommended actions to ensure public health and safety. In cases where the CSP has the potential to harm the patient, the same notification shall be provided to all patients that received the recalled CSP(s). Any recall initiated by a pharmacy shall be reported, in writing, to the board within three (3) business days. The pharmacy shall document their activities related to the recall.]

(1) Except as otherwise provided by law or the board's rules, the *United States Pharmacopeia–NF* (2023), General Chapter 797 Pharmaceutical Compounding – Sterile Preparations (www.usp.org), is incorporated by reference (hereafter "USP Chapter 797") and available at 12601 Twinbrook Parkway, Rockville, Maryland 20852. This rule does not incorporate any subsequent amendments or additions to USP Chapter 797. In the event of a conflict between USP Chapter 797 and Missouri law or board rules, Missouri law and board rules shall control. Except as otherwise provided by law or rule, licensees shall comply with all provisions of

USP Chapter 797 and the additional requirements of this rule.

(A) The use of technologies, techniques, materials, or procedures other than those described in USP Chapter 797 are prohibited, unless the technology, technique, material, or procedure is validated in accordance with applicable provisions of USP Chapter 1223 and USP Chapter 1225 and is approved by the board in advance after submission of scientific data evidencing the specific technology, technique, material, or procedure is safe, effective, and meets or exceeds USP Chapter 797 requirements.

(B) The permit holder and pharmacist-in-charge (PIC) are responsible for ensuring compliance with state and federal law and USP Chapter 797, including ensuring compliance for activities delegated to a designated person, as defined by Chapter 797. Identification of a designated person as defined by USP Chapter 797 shall not exempt or modify any duty or responsibility of the permit holder or PIC under the board's rules or state and federal law.

(C) For purposes of this rule, compounding shall be defined as provided in USP Chapter 797, provided that compounded sterile preparations (CSPs) also includes –

1. Docking of proprietary bag and vial systems; and

2. Mixing, reconstituting, or preparing an FDA-approved manufactured sterile product in accordance with the manufacturer's approved labeling recommendations.

(D) The pharmacy must have current reference material(s) related to CSPs available, as applicable to the pharmacy's compounding activities.

(E) Except as otherwise provided herein, sterile compounding must also comply with 20 CSR 2220-2.400.

(F) USP Chapter 797, Section 21, and the exemption in USP Chapter 797, Section 1.1.2, governing allergen extracts are not incorporated in this rule and shall not be applicable.

(G) USP Chapter 797, Section 1.3, and the exemption in USP Chapter 797, Section 1.3, governing immediate use CSPs is not incorporated in this rule and shall not be applicable. Preparation of a vaccine for immediate administration pursuant to 20 CSR 2220-6.050 is not considered sterile compounding.

(H) The board recommends but does not require compliance with USP Chapter 800. In the interim, pharmacies that compound sterile hazardous drugs, as defined by lists maintained by National Institute for Occupational Safety and Health (NIOSH), are required to establish policies and procedures that include all aspects of handling hazardous drugs, including but not limited to personal protective equipment, use and maintenance of appropriate primary engineering controls, transport, storage, labeling, disposal, spill control, compounding procedures, personnel training, and deactivating, decontaminating, cleaning, and disinfecting.

(I) Class E radiopharmaceutical pharmacies must comply with USP Chapter 825, 20 CSR 2220-2.500, and all applicable rules of the board for radiopharmaceutical activities.

(J) Unless otherwise provided by law or court of competent jurisdiction, the provisions of this rule are only applicable to pharmacy services under the jurisdiction of the board and are not applicable to hospital pharmacy services under the jurisdiction of the Missouri Department of Health and Senior Services pursuant to Chapter 197, RSMo.

(2) Personnel Education, Training, and Evaluation. Licensees shall comply with all USP Chapter 797 personnel education, training, and evaluation requirements.

(A) Individuals who fail an aseptic manipulation competency evaluation or a garbing and hand hygiene competency evaluation must undergo requalification through additional training by competent compounding personnel. The pharmacy must investigate such failure and take appropriate corrective actions prior to the individual resuming compounding. Corrective actions must be documented in the pharmacy's records.

(B) Required competency evaluation results can be transferred between facilities under common ownership or control of the same pharmacy or healthcare facility, provided the competency evaluation captured the most difficult and challenging conditions the individual will be performing and was completed within USP Chapter 797's required time frames. Pharmacies accepting transferred competency evaluation results under this section must maintain current and written policies and procedures governing the transfer of results. Licensees or registrants with transferred competency evaluation results must be trained on applicable pharmacy operational procedures as needed to ensure proper compounding and must be skilled and trained to accurately and competently perform the duties assigned.

(C) If needed to prevent interruptions in patient care during an emergency, a pharmacy may also accept the required competency evaluations from another pharmacy or hospital in lieu of the required initial competency evaluations, provided –

1. A pharmacist verifies the applicable competency evaluation complies with USP Chapter 797;

2. The pharmacy maintains documentation of the other pharmacy's or hospital's completed competency evaluation(s), including the dates and results. Additionally, the receiving pharmacy must maintain a manual or electronic copy of the other pharmacy's or hospital's policies and procedures on aseptic manipulation competency evaluations for board licensees or registrants;

3. The board licensee or registrant has received training on applicable pharmacy operational procedures as needed to ensure proper compounding. The licensee or registrant must be skilled and trained to accurately and competently perform the duties; and

4. Individuals may not assist with compounding under the emergency allowance authorized by this subsection for more than forty-five (45) days without the required competency evaluation by the pharmacy that complies with USP Chapter 797.

(3) Facilities and Equipment. The pharmacy shall establish and follow proper controls to ensure environmental quality, prevent environmental contamination, and maintain air quality in all International Organization for Standardization (ISO) classified areas, in addition to compliance with USP Chapter 797.

(A) To minimize impact on patient care, Class H sterile compounding pharmacies licensed on the effective date of this rule may petition the board for a waiver of USP Chapter 797 facility and equipment requirements if immediate compliance with USP Chapter 797 requirements cannot be completed despite the permit holder's due diligence or would result in an undue hardship or adversely impact patient care. Waivers may be effective for a time period designated by the board, provided all Class H sterile compounding pharmacies must comply with USP Chapter 797 facility and equipment requirements within two (2) years of the effective date of this rule.

(B) Certification of primary engineering controls (PECs)/ ISO classified areas must be conducted by competent staff/vendors in accordance with USP Chapter 797 using recognized and appropriate certification and testing equipment. Certification results must be reviewed by a designated person as defined by USP Chapter 797. The individual's identity and date of review must be documented in the pharmacy's records. Deficiencies or failures that may impact preparation sterility or quality must be investigated and corrected prior to further compounding, which may include recertification of the PEC/ISO classified area.

(C) PECs, cleanroom suites, and segregated compounding areas (SCA) must be designed and maintained to minimize microbial contamination and maintain air quality. Cleaning and disinfecting supplies must be low-lint, including tool handles and holders. Additionally, dust-collecting overhangs, such as utility pipes, and ledges, such as windowsills, must be minimized. The pharmacy's policies and procedures must address selecting, handling, and monitoring of cleaning, disinfecting, and sporicidal agents to prevent/minimize equipment damage and decay and to ensure environmental quality and preparation integrity. The pharmacy must also have policies/procedures for inspecting the PECs, cleanroom suite, SCA, and equipment and correcting/repairing any damage, rust, or corrosion.

(D) For SCAs, the area within one (1) meter of the PEC must be dedicated only for sterile compounding (e.g., not storage, hand hygiene, donning and doffing garb, or other highly particle-generating activities such as patient care).

(4) Garbing and Hand Hygiene. The following requirements apply in addition to USP Chapter 797:

(A) For restricted-access barrier systems (RABS) as defined by USP Chapter 797, the RABS and the pharmaceutical isolator sleeves and gloves must be changed per the manufacturer's recommendations and as defined in the pharmacy's policies/procedures; and

(B) Disposable gloves must be worn inside the gloves attached to the RABS sleeves. Sterile gloves must be worn over the gloves attached to the RABS sleeve.

(5) Record Keeping.

(A) In addition to USP Chapter 797 requirements, the following must be documented/maintained for all sterile compounding:

1. Manufacturer manuals relied on to properly operate equipment;

2. Other facility quality control logs, as appropriate, including all maintenance, cleaning, and calibration records;

3. Sterilization records, if applicable;

4. Quarantine records, if applicable;

5. End-preparation evaluation and testing records; and

6. Ingredient validation records, if applicable (e.g., Certificate of Analysis).

(B) All records, policies/procedures and reports required by USP Chapter 797 or this rule must be maintained electronically or as a hard-copy for two (2) years and must be readily retrievable and subject to inspection by the board of pharmacy or its agents. At a minimum, records shall be physically or electronically produced immediately or within two (2) hours of a request from the board.

(C) In lieu of a compounding log as required by 20 CSR 2220-2.400, Class H pharmacies must maintain a compounding record for each preparation that complies with USP Chapter 797. The compounding record must include a prescription number or other readily retrievable unique identifier assigned for which the compound was dispensed.

(6) End-Preparation Evaluation.

(A) In addition to USP Chapter 797 requirements, the pharmacy must have a procedure for a pre-release check of the potency of the active ingredients in a CSP prepared from non-sterile active ingredients. The procedure shall include at least the following verifications by a pharmacist:

1. The lot of the active ingredients used for compounding have the necessary labeling, potency, purity, certificate of analysis, and other relevant qualities;

2. All weighings, calculations, volumetric measurements, and additions of ingredients were carried out properly; and

3. The compounding or control records include documentation that the fill volumes of all units available for release were checked and were correct.

(B) A CSP may be released for emergency dispensing pending test results, if approved by the prescriber. A separate authorization from the prescriber is required for each emergency dispensing. For purposes of this rule, emergency dispensing is defined as a situation where a preparation is necessary for immediate administration and no alternative product or preparation is available. Documentation of the emergency dispensing, the prescriber's approval, and the need for the emergency must appear within the prescription record.

(7) Microbiological Air and Surface Monitoring. The pharmacy shall establish and follow proper controls to ensure environmental quality, prevent environmental contamination, and maintain air quality in all ISO classified areas. Applicable environmental monitoring of air and surfaces must be conducted as required by USP Chapter 797. In addition to USP Chapter 797 requirements, microbiological air and surface monitoring/testing results must be promptly reviewed by a designated person as defined by USP Chapter 797. The reviewer's identity and date of review must be documented in the pharmacy's records. When conducted, routine surface sampling must be performed under dynamic conditions, but before the area has been cleaned and disinfected.

(8) Remedial Investigations. A remedial investigation is required if any environmental monitoring sample demonstrates a colony forming unit (CFU) count that exceeds USP Chapter 797 recommended action levels for the type of sampling. The remedial investigation must be documented and include resampling of all affected areas to ensure a suitable state of microbial control. The pharmacy must ensure that no misbranded, contaminated, or adulterated CSP is administered or dispensed for patient use.

(A) If an environmental monitoring sample taken from a PEC exceeds USP Chapter 797 action levels, the pharmacy must cease compounding in the affected PEC until resampling shows a suitable state of microbial control has been achieved in the PEC. However, a pharmacy may continue to compound during the remedial investigation if –

1. The affected PEC is cleaned and disinfected by using an Environmental Protection Agency (EPA) registered sterile cleaning, disinfecting, and sporicidal agent, or a

combination thereof, followed by sterile isopropyl alcohol;

2. The beyond-use date assigned to all preparations is no greater than twelve (12) hours; and

3. The affected PEC is resampled under dynamic conditions. If the resampling exceeds USP Chapter 797 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the PEC, unless otherwise authorized by the board or board's authorized designee to continue compounding upon showing the facility can be operated in a manner not to endanger the public health or safety.

(B) If an environmental monitoring sample taken from a buffer room exceeds USP Chapter 797 action levels, the pharmacy must cease compounding in the affected buffer room until resampling shows a suitable state of microbial control has been achieved in the buffer room. However, a pharmacy may continue to compound during the remedial investigation if –

1. The affected buffer room is cleaned and disinfected by using an EPA registered cleaning, disinfection, and sporicidal agents, or a combination thereof;

2. The beyond-use date assigned to all preparations is no greater than twenty-four (24) hours; and

3. The affected buffer room is resampled under dynamic conditions. If two (2) consecutive resamplings exceed USP Chapter 797 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the affected room, unless otherwise authorized by the board or board's authorized designee to continue compounding upon a showing that the facility can be operated in a manner not to endanger the public health or safety.

(C) Pharmacies must notify the board in writing within three (3) business if a resample is collected as part of a remedial investigation that exceeds USP Chapter 797 action levels.

(9) Recalls. A recall must be initiated when a dispensed CSP is deemed to be misbranded, adulterated, or non-sterile or if end-preparation testing results are out of specification. The pharmacy shall notify the prescriber of the nature of the recall, the problem(s) identified, and any recommended actions to ensure public health and safety. In cases where the CSP has the potential to harm the patient, the same notification must be provided to all patients that received the recalled CSP(s). Any recall initiated by a pharmacy shall be reported, in writing, to the board within three (3) business days. The pharmacy shall document their activities related to the recall.

AUTHORITY: sections 338.240 and 338.280, RSMo 2016, and sections 338.010 and 338.140, RSMo Supp. ***[2021] 2025****. This rule originally filed as 4 CSR 220-2.200. Original rule filed May 4, 1992, effective Feb. 26, 1993. For intervening history, please consult the* ***Code of State Regulations****. Amended: Filed Dec. 12, 2025.*

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 is estimated to cost private entities $3,981,654 during the first year of implementation and $1,891,705 annually thereafter.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this proposed amendment in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE COST

Department Title: **Department of Commerce and Insurance**
Division Title: **State Board of Pharmacy**
Chapter Title: **General Rules**

Rule Number and Title:	**20 CSR 2220-2.200 Sterile Compounding**
Type of Rulemaking:	**Proposed Amendment**

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
78	Missouri Licensed Class H Sterile Compounding Pharmacies (resident & non-resident)	$3,981,654 *Y1 implementation*
78	Missouri Licensed Class H Sterile Compounding Pharmacies (resident & non-resident)	$1,891,705 *(Recurring annually over the life of the rule)*

III. WORKSHEET

Year 1 Costs			
Facility Modifications	25 Class H pharmacies	25 Class H pharmacies x $10,000 per facility	$0 - $250,000 ** Zero ($0) costs may be incurred if a shorter preparation beyond-use date is assigned, as authorized by USP.*
Policy & Procedure Review	78 Class H pharmacies	$65.50 pharmacist hourly wage x 6 hours review/drafting time x 78 pharmacies	$30,654
Depyrogenation Equipment	15 Class H pharmacies (resident & non-resident)	15 Class H pharmacies x $3,500 per oven	$52,500

Year 1 Costs			
Smoke Study	25 Class H pharmacies	25 Class H pharmacies x $500 per study	$12,500
Humidity monitoring device	50 Class H pharmacies	50 Class H pharmacies $200 per humidity monitoring device	$10,000
Incubator	30 Class H pharmacies	30 Class H pharmacies x $2,500 per incubator	$75,000
Air sampling equipment	28 Class H pharmacies (Category 3)	28 Class H pharmacies x $4,500 air sampling device	$126,000
Preliminary Formulation Testing	28 Class H pharmacies (Category 3)	28 Class H pharmacies x $4,275 testing costs x 25 formulations per facility	$2,992,500
Preliminary Formulation Testing	15 Class H pharmacies (Category 2)	10 Class H pharmacies x $2,000 antimicrobial testing costs x 25 formulations per facility	$500,000

*** *Zero ($0) costs may be incurred if a shorter compounded preparation beyond-use date is assigned, as authorized by USP.*

Annually Recurring Costs			
Competency training	25 pharmacists	$65.50 pharmacist hourly wage x 4 hours training time x 25 pharmacist	$6,550
USP-NF Chapter 795, 797 & 800 subscription	50 Class H pharmacies	50 pharmacies x $325 annually	$16,250
Sterile Cleaning/ Disinfectant agents	78 Class H pharmacies	$163 per month x 12 months x 78 pharmacies	$152,568
Depyrogenation equipment	5 Class H pharmacies	5 new Class H pharmacies x $3,500 per oven	$17,500
Depyrogenation supplies	15 Class H pharmacies	15 Class H pharmacies x $100 annual supply costs	$1,500
Smoke Study	5 new Class H pharmacies	5 new Class H pharmacies x $500 per study	$2,500
Humidity monitoring device	10 new Class H pharmacies	10 Class H pharmacies x $200 per humidity monitoring device	$2,000
Incubator	10 new Class H pharmacies	10 new Class H pharmacies x $2,500 per incubator	$25,000

Annually Recurring Costs			
Temperature & Humidity Accuracy Verification	50 Class H pharmacies	50 Class H pharmacies x $350 verification/certification fee	$17,500
Garbing/Hand-Hygiene Assessment	50 Class H pharmacies (Category 1 & 2)	$89.45 combined hourly salary rate x 50 Class H pharmacies	$4,472.50
Garbing/Hand-Hygiene Assessment	28 Class H pharmacies (Category 3)	$89.45 combined hourly salary rate x 2 staff hours x 2 additional assessments annually x 28 Class H pharmacies	$10,018.40
Initial Garbing Competency Evaluation	300 pharmacy staff members	300 staff members x 2 additional garbing evaluations annually x $6.35 garbing supply costs per employee	$3,810
Ongoing Garbing Competency Evaluation	225 pharmacy staff members (Category 1 & 2)	225 staff members x 1 additional evaluation annually x $6.35 garbing supply costs per employee	$1,428.75
Ongoing Garbing Competency Evaluation	75 pharmacy staff members (Category 3)	75 staff members x 2 additional evaluations annually x $6.35 garbing supply costs per employee	$952.50
Sterile Gloves	15 Class H pharmacies	300 sterile glove pairs monthly x 12 months x $0.25 per pair x 15 Class H Pharmacies	$13,500
Shoe covers	15 Class H pharmacies	150 shoe covers monthly x 12 months x $0.25 per pair x 15 Class H Pharmacies	$6,750
Glove fingertip sampling	50 Class H pharmacies (Category 1 & 2)	5 employees x 2 samples annually x 2 plates per sample x $4.00 per sample plate x 50 pharmacies	$4,000
Glove fingertip sampling	28 Class H pharmacies (Category 3)	5 employees x 4 samples annually x 2 plates per sample x $4.00 per	$4,480

Annually Recurring Costs			
		sample plate x 28 pharmacies	
RABS inner gloves	20 Class H pharmacies	150 glove pairs monthly x $0.50 per pair x 12 months x 20 Class H Pharmacies	$18,000
Hand hygiene supplies	30 Class H pharmacies	$80 monthly supply costs x 30 Class H Pharmacies x 12 months	$28,800
Aseptic Manipulation Competency Assessments	50 Class H pharmacies (Category 1 & 2)	4 staff hours annually x $89.45 hourly labor rate x 50 Class H pharmacies (Category 1 & 2)	$17,890
Aseptic Manipulation Competency Assessments	28 Class H pharmacies (Category 3)	8 staff hours annually x $89.45 hourly labor rate x 28 Class H pharmacies (Category 3)	$20,036.80
Media-Fill Testing	50 Class H pharmacies (Category 1 & 2)	5 additional staff media fill tests annually x $110 per media fill x 50 Class H pharmacies (Category 1 & 2)	$27,500
Media-Fill Testing	28 Class H pharmacies (Category 3)	10 additional staff media fill tests annually x $110 per media fill x 28 Class H pharmacies (Category 3)	$30,800
Air sampling equipment	5 new Class H pharmacies (Category 3)	5 new Class H pharmacies x $4,500 air sampling device	$22,500
Air Sampling Staff costs	28 Class H pharmacies (Category 3)	$23.95/hr. pharmacy technician labor costs x two (2) hours x 10 additional months x 28 Class H pharmacies	$13,412
Air sampling supplies	28 Class H pharmacies	28 Class H pharmacies x $100 supply costs x 10 additional monthly samples	$28,000
Microbiologist viable air sampling review	100	100 air sampling deviations x $44.89 average microbiologist hourly rate x three (3) hour review time	$13,467

Annually Recurring Costs			
Humidity recording labor costs	78 Class H pharmacies	78 pharmacies x $1.20 pharmacy technician salary rate (3 minutes) x 300 pharmacy operational days	$28,080
Temperature & Humidity Accuracy Verification	50 Class H pharmacies	50 Class H pharmacies x $350 verification/certification fee	$17,500
Surface Sampling	35 Class H pharmacies (Category 1)	35 Class H pharmacies (Category 1) x 60 sampling plates annually x $4.00 per plate	$8,400
Surface Sampling	15 Class H pharmacies (Category 2)	15 Class H pharmacies (Category 2) x 50 sampling plates annually x $4.00 per plate	$3,000
Surface Sampling	28 Class H pharmacies (Category 3)	28 Class H pharmacies (Category 3) x 40 sampling plates annually x $4.00 per plate	$4,480
Surface sampling labor costs	78 Class H pharmacies	78 Class H pharmacies x $44.73 monthly labor costs x 12 months	$41,867.28
Preliminary Formulation Testing	28 Class H pharmacies (Category 3)	28 Class H pharmacies (Category 3) x $4,275 testing costs x 10 new formulations per facility	$1,197,000
Preliminary Formulation Testing	15 Class H pharmacies (Category 2)	10 Class H pharmacies (Category 2) x $2,000 antimicrobial testing costs x 10 new formulations per facility	$200,000

IV. ASSUMPTIONS

The following assumptions are applicable to all fiscal costs assessed herein:

- The proposed rule amendment would adopt United States Pharmacopeia-NF (2023), General Chapter, (797) Pharmaceutical Compounding Sterile Preparations (USP Chapter 797) to align with national patient safety and practice standards for pharmaceutical compounding of sterile preparations. Based on Board FY 2022 – 2024 licensing data, the Board estimates approximately three hundred and ninety (390) Class H sterile compounding pharmacies would be subject to the amended rule requirements over the life of the rule.

- According to the National Association of Boards of Pharmacy's 2024 Annual Survey of Pharmacy Law, approximately forty-six (46) states have adopted USP Chapter 797. Additionally, USP Chapter 797 compliance is currently required by The Joint Commission for hospital accreditation and the Conditions of Participation published by the Centers for Medicare and Medicaid Services (CMS) Conditions of Participation for federal reimbursement. As a result, the Board estimates 80% of the projected three hundred and ninety (390) Class H pharmacies subject to the rule are currently required to comply with USP Chapter 797 by other state/federal regulatory entities or accreditation bodies and will not incur additional compliance costs. Except as otherwise provided herein, an estimated 20% of the projected three hundred and ninety (390) Class H pharmacies are estimated to incur fiscal costs as reflected below (seventy-eight (78) Class H pharmacies).
- Estimated average hourly wages of $65.50 (pharmacists), $23.95 (pharmacy technicians), and $44.89 (qualified microbiologist) have been utilized to estimate costs, based on the U.S. Bureau of Labor Statistics' published May 2023 Occupational Employment and Wage Statistics data.
- Costs may vary significantly depending on pharmacy volume, employee staffing, and sterile compounding risk level (Category 1, Category 2, Category 3). To ensure compliance with Chapter 536, RSMo, costs have been estimated based on currently known Board inspection and licensing data/observations, current market data/pricing, compliance/regulatory data from the National Association of Boards of Pharmacy (NABP), and feedback from pharmacy and hospital stakeholders. Estimated costs are applicable to both resident and non-resident pharmacies.
- The Board anticipates total estimated costs may vary with inflation and increase at the rate projected by the Legislative Oversight Committee.

Operational/Training Costs

- The Board estimates the majority of Class H pharmacies are currently required to comply with USP Chapter 797 facility requirements (e.g., physical construction, ventilation, equipment). Additionally, USP Chapter 797 exempts pharmacies from designated facility requirements if sterile preparations are assigned a shorter beyond-use date. To ensure compliance with Chapter 536, the Board estimates approximately twenty-five (25) currently licensed Class H pharmacies may be required to implement facility changes at an average estimated cost of $10,000 per pharmacy (resident & non-resident). The Board notes costs may be $0 if a shorter preparation beyond-use date is assigned, as specified by USP.
- An estimated seventy-eight (78) Class H pharmacies not currently in compliance with USP Chapter 797 will be required to utilize six (6) hours of pharmacist time per permit holder to update/review policies and procedures required by USP Chapter 797/the amended rule.
- USP Chapter 797 requires training for designated individuals with direct oversight of compounding personnel who are not engaged in compounding. The Board estimates the

vast majority of pharmacy staff are currently required to obtain training pursuant to 20 CSR 2220-2.200(3), 20 CSR 2220-2.400(8)(A)1., and 20 CSR 2220-2.010(1)(F), and will not require additional training. While exact data is unknown, the Board estimates approximately twenty-five (25) additional pharmacy staff members may require four (4) hours of training annually to comply with the proposed amendment. No costs are estimated for training materials; Pharmacies may use their existing training programs/materials required by 20 CSR 2220-2.200 and 20 CSR 2220-2.400.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Facility Modifications	25 Class H pharmacies	25 Class H pharmacies x $10,000 per facility	$250,000 *(Y1 implementation)* * *Zero ($0) costs may be incurred if a shorter preparation beyond-use date is assigned, as authorized by USP.*
Policy & Procedure Review	78 Class H pharmacies	$65.50 pharmacist hourly wage x 6 hours review/drafting time x 78 pharmacies	$30,654 *(Y1 implementation)*
Competency training	25 pharmacists	$65.50 pharmacist hourly wage x 4 hours training time x 25 pharmacist	$6,550 (a*nnually recurring over the life of the rule)*

Equipment/Supplies

- Class H pharmacies would be required to have access to USP Chapter 797 for reference. Based on stakeholder feedback, the Board estimates the vast majority of sterile compounding pharmacies currently have access to USP Chapter 797 and would not incur additional costs. The Board estimates approximately fifty (50) Class H pharmacies without current access would be required to purchase a subscription to USP-NF Chapter 795, 797 and Chapter 800, currently available for purchase from USP at a cost of $325 annually for a single user/site.
- The proposed amendment/adoption of USP Chapter 797 would require use of additional sterile cleaning/disinfectant agents, sporicidal agents, and sterile low-lint wipes. The Board estimates average monthly supply costs of $163 per month for approximately seventy-eight (78) pharmacies not currently compliant with USP Chapter 797 (cleaning/disinfection agents ($35 monthly), sterile low-lint wipes ($53 monthly), sporicidal agents ($75 monthly).
- USP Chapter 797 requires dry heat depyrogenation to ensure all glassware, metal and other thermostable containers/components are pyrogen free. Based on stakeholder feedback, the

Board estimates the majority of pharmacies currently have depyrogenation equipment as the nationally recognized best practice and will not incur additional costs. The Board estimates approximately fifteen (15) additional Class H pharmacies currently without a pharmaceutical oven will need to purchase depyrogenation equipment on initial rule implementation, at an average cost of $3,500 per unit based on current market research. An estimated five (5) newly licensed Class H pharmacies annually will be required to purchase depyrogenation equipment after Y1 implementation.

- The Board estimates the fifteen (15) Class H pharmacies required to purchase depyrogenation equipment will incur equipment related supply costs of one hundred ($100) annually (e.g., required bioindicators).
- The proposed amendment/adoption of USP Chapter 797 requires smoke studies for designated equipment and classified areas to ensure proper air flow. The Board estimates smoke studies are provided by certification vendors as part of the currently required cleanroom/primary engineering control certification process and will not impose additional costs for the majority of Class H pharmacies. However, an estimated twenty-five (25) pharmacies not currently complying with USP Chapter 797 may incur additional certifier costs of $500 annually to complete the required smoke studies. An estimated five (5) new Class H pharmacy permit holders annually would incur similar $500 annual costs post Y1 implementation.
- The proposed amendment/USP Chapter 797 requires monitoring and tracking of designated humidity levels. Class H pharmacies are currently required to maintain drug storage areas within appropriate humidity ranges under 20 CSR 2220-2.010(2) and/or USP Chapter 797, and are not estimated to incur additional costs. The Board estimates approximately fifty (50) Class H pharmacies not currently complying with USP Chapter 797 may need to purchase a humidity monitoring device during Y1 implementation at an approximate cost of $200 per device. The Board estimates approximately ten (10) new Class H permit holders annually will subsequently be required to purchase a humidity monitoring equipment.
- The Board estimates approximately thirty (30) Class H pharmacies will be required to purchase a pharmaceutical grade incubator to complete USP Chapter 797 compliant media-fill, glove fingertip, and environmental sampling. The Board estimates approximately ten (10) new Class H permit holders annually will subsequently be required to purchase incubation equipment. Incubator costs are estimated at $2,500 per unit based on current market rates, however, costs may vary based on pharmacy volume/size. No equipment costs are estimated for Category 2 and 3 sterile compounders who are required to complete environmental sampling under current rule provisions using appropriate incubation equipment.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
USP-NF Chapter 795, 797 & 800 subscription	50 Class H pharmacies	50 pharmacies x $325 annually	$16,250 (*recurring annually over the life of the rule)*
Sterile Cleaning/ Disinfectant agents	78 Class H pharmacies	$163 per month x 12 months x 78 pharmacies	$152,568 (*recurring annually over the life of the rule)*
Depyrogenation Equipment	15 Class H pharmacies (resident & non-resident)	15 Class H pharmacies x $3,500 per oven	$52,500 *(Y1 implementation)*
Depyrogenation equipment	5 Class H pharmacies	5 new Class H pharmacies x $3,500 per oven	$17,500 (*recurring annually over the life of the rule)*
Depyrogenation supplies	15 Class H pharmacies	15 Class H pharmacies x $100 annual supply costs	$1,500 (*recurring annually over the life of the rule)*
Smoke Study	25 Class H pharmacies	25 Class H pharmacies x $500 per study	$12,500 *(Y1 implementation)*
Smoke Study	5 new Class H pharmacies	5 new Class H pharmacies x $500 per study	$2,500 (*recurring annually over the life of the rule)*
Humidity monitoring device	50 Class H pharmacies	50 Class H pharmacies $200 per humidity monitoring device	$10,000 *(Y1 implementation)*
Humidity monitoring device	10 new Class H pharmacies	10 Class H pharmacies x $200 per humidity monitoring device	$2,000 (*recurring annually over the life of the rule)*
Incubator	30 Class H pharmacies	30 Class H pharmacies x $2,500 per incubator	$75,000 *(Y1 implementation)*
Incubator	10 new Class H pharmacies	10 new Class H pharmacies x $2,500 per incubator	$25,000 (*recurring annually over the life of the rule)*
Temperature & Humidity Accuracy Verification	50 Class H pharmacies	50 Class H pharmacies x $350 verification/certification fee	$17,500 (*recurring annually over the life of the rule)*

Garbing & Hand Hygiene

- Required garbing and hand hygiene competency assessment intervals would be increased to every six (6) months for Category 1 & 2 compounding staff (currently annually) and every three (3) months for Category 3 compounding staff (currently every six (6) months). Competency assessment costs may vary widely based on staffing levels and assessments

could be incorporated into current workflow at no cost. To ensure compliance with Chapter 536, RSMo, however, the Board estimates the following labor costs to complete the additional garbing/hand hygiene competency assessments for Class H pharmacies not currently compliant with USP Chapter 797:

- Category 1 & 2 Compounders: One (1) hour of pharmacist and one (1) hour of pharmacy technician labor costs annually for approximately fifty (50) Class H pharmacies.
- Category 3 Compounders: Two (2) hours of pharmacist labor and two (2) hours of pharmacy technician labor costs annually for approximately twenty-eight (28) Class H pharmacies.

Costs are estimated at a combined hourly wage of $89.45 ($23.95/hr. per pharmacy technician and $65.50/hr. per pharmacist;).

- The proposed amendment/USP Chapter 797 would require that initial staff garbing competency assessments include three (3) successful garbing evaluations using applicable garbing articles, in contrast to the currently allowed single garbing evaluation. No additional costs are estimated for pharmacies currently required to comply with USP Chapter 797 by resident state law, The Joint Commission, CMS or other national accreditation bodies. The Board estimates the remaining Class H pharmacies will be required to complete two (2) additional garbing evaluations as part of the initial garbing assessment for approximately three-hundred (300) new sterile compounding pharmacy staff members annually, with an average estimated garbing cost of $6.35 per employee [$5.00 (gowns), $.10 (masks), $.25 shoe covers, $.15 (hair covers), $0.75 (gloves), $.10 (beard covers)].
- One (1) additional ongoing staff garbing/hand hygiene competency assessment would be required annually for Category 1 sterile compounders; Two (2) additional assessments are required for Category 3 compounders. The Board estimates approximately two-hundred twenty-five (225) Category 1 and 2 compounding staff members and seventy-five (75) Category 3 staff will require an ongoing assessment for all Class H pharmacies, at a similar garbing cost of $6.35 per assessment.
- Glove fingertip sampling would be newly required as part of the required staff garbing competency assessment for all compounding risk levels. The Board estimates costs of $8.00 per sample ($4.00 per sampling plate/per hand). No national or state data exists on the number of compounding staff subject to the updated requirement. To ensure compliance with Chapter 536, RSMo, the Board estimates the following average glove fingertip sampling costs for Class H pharmacies not currently compliant with USP Chapter 797:
  - Category 1 & 2 Compounders: Two (2) samples annually x five (5) employees for approximately fifty (50) Class H pharmacies
  - Category 3 Compounders: Four (4) samples annually x five (5) employees for approximately twenty-eight (28) Class H pharmacies

- Sterile gloves would be required for all Category 1 compounding to prevent contamination, as opposed to currently allowed non-sterile gloves. The volume of Category 1 compounding performed by Board permit holders is unknown and may vary widely based on patient need and pharmacy staffing levels. Based on Board inspection data/observations, the majority of Class H pharmacies are currently using sterile gloves as best practice. Accordingly, the Board estimates approximately fifteen (15) Class H pharmacies not currently compliant with USP Chapter 797 or using sterile gloves will be required to purchase an average of three hundred (300) pairs of sterile gloves monthly at an additional cost of $.25 per pair *(costs are in addition to currently allowed non-sterile glove costs)*.
- Shoe covers would be required for all staff compounding sterile preparations to maintain environmental conditions. Costs may vary significantly based on pharmacy volume and staffing levels. Additionally, shoe covers are currently required for Class H pharmacies compounding Risk Level 2 and Risk Level 3 sterile preparations and will not require additional costs. Based on currently known inspection data/observations, the Board estimates approximately fifteen (15) Class H pharmacies may be required to use an average of one hundred fifty (150) pairs of shoe covers monthly with an estimated cost of $.25 per pair.
- Class H pharmacies using a Restrictive Access Barrier System (RABS) would be required to wear gloves inside of the RABS sleeve *(non-sterile gloves are allowed)*. RABS use is optional; Class H pharmacies may choose another primary engineering control. Additionally, use of RABS equipment has historically declined based on board inspection data/observations. Accordingly, the Board estimates approximately twenty (20) Class H pharmacies would be required to purchase an average of one hundred fifty (150) glove pairs monthly at a cost of $0.50 per pair *(estimated costs are in addition to currently allowed non-sterile glove costs)*.
- Class H pharmacies would be required to purchase alcohol-based hand sanitizer, disposable nail cleaners and disposable soap containers to prevent contamination and maintain environmental conditions. Based on Board inspection data/observations, the Board estimates the majority of Class H pharmacies are currently compliant with the proposed amendment. However, the Board estimates approximately thirty-five (35) Class H pharmacies not currently in compliance will be required to purchase additional hand hygiene supplies at a cost of $80 per month.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Garbing/Hand-Hygiene Assessment	50 Class H pharmacies (Category 1 & 2)	$89.45 combined hourly salary rate x 50 Class H pharmacies	$4,472.50 (*recurring annually over the life of the rule)*

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Garbing/Hand-Hygiene Assessment	28 Class H pharmacies (Category 3)	$89.45 combined hourly salary rate x 2 staff hours x 2 additional assessments annually x 28 Class H pharmacies	$10,018.40 (*recurring annually over the life of the rule)*
Initial Garbing Competency Evaluation	300 pharmacy staff members	300 staff members x 2 additional garbing evaluations annually x $6.35 garbing supply costs per employee	$3,810 (*recurring annually over the life of the rule)*
Ongoing Garbing Competency Evaluation	225 pharmacy staff members (Category 1 & 2)	225 staff members x 1 additional evaluation annually x $6.35 garbing supply costs per employee	$1,428.75 (*recurring annually over the life of the rule)*
Ongoing Garbing Competency Evaluation	75 pharmacy staff members (Category 3)	75 staff members x 2 additional evaluations annually x $6.35 garbing supply costs per employee	$952.50 (*recurring annually over the life of the rule)*
Sterile Gloves	15 Class H pharmacies	300 sterile glove pairs monthly x 12 months x $0.25 per pair x 15 Class H Pharmacies	$13,500 (*recurring annually over the life of the rule)*
Shoe covers	15 Class H pharmacies	150 shoe covers monthly x 12 months x $0.25 per pair x 15 Class H Pharmacies	$6,750 (*recurring annually over the life of the rule)*
Glove fingertip sampling	50 Class H pharmacies (Category 1 & 2)	5 employees x 2 samples annually x 2 plates per sample x $4.00 per sample plate x 50 pharmacies	$4,000 (*recurring annually over the life of the rule)*
Glove fingertip sampling	28 Class H pharmacies (Category 3)	5 employees x 4 samples annually x 2 plates per sample x $4.00 per sample plate x 28 pharmacies	$4,480 (*recurring annually over the life of the rule)*
RABS inner gloves	20 Class H pharmacies	150 glove pairs monthly x $0.50 per pair x 12 months x 20 Class H Pharmacies	$18,000 (*recurring annually over the life of the rule)*

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Hand hygiene supplies	30 Class H pharmacies	$80 monthly supply costs x 30 Class H Pharmacies x 12 months	$28,800 (*recurring annually over the life of the rule)*

Aseptic Manipulation Competency Assessment

- The proposed amendment/USP Chapter 797 adoption would increase currently required ongoing aseptic competency assessment intervals to every six (6) months for Category 1 & 2 compounding staff (currently annual) and to every three (3) months for Category 3 compounding staff (currently every six (6) months). Costs may vary widely based on staffing levels. Assessments could also be incorporated into current workflow at no cost. To ensure compliance with Chapter 536, RSMo, however, the Board estimates the following monthly labor costs for the additional aseptic manipulation competency assessments for Class H pharmacies not currently compliant with USP Chapter 797:
  - Category 1 & 2 Compounders: Three (3) hours of pharmacist and three (3) hours of pharmacy technician labor costs for approximately fifty (50) Class H pharmacies
  - Category 3 Compounders: Five (5) hours of pharmacist labor costs and five (5) hours of pharmacy technician labor costs for approximately twenty-eight (28) Class H pharmacies.

  Costs are estimated at a combined staff hourly rate of $89.45 ($23.95/hr. per pharmacy technician and $65.50/hr. per pharmacist).
- Media-fill testing would be required for each aseptic competency assessment. As previously indicated, the number of required competency assessments will vary significantly based on pharmacy staffing levels. Based on stakeholder feedback and current Board inspection data/observations, the Board estimates the following additional media-fill costs for Class H pharmacies not currently compliant with USP Chapter 797 at an estimated supply cost of $110 per media fill:
  - Category 1 & 2 Compounders: One additional media-fill test annually for an average of five (5) employees per pharmacy for an estimated fifty (50) Class H pharmacies.
  - Category 3 Compounders: Ten (10) additional media fill tests (five (5) employee average per facility x 2 additional media-fills annually) for an estimated twenty-eight (28) Class H pharmacies.

  ***** *Incubation equipment costs are included in Equipment/Supplies cost assessments.*
- No additional costs are estimated for pharmacies currently required to comply with USP Chapter 797 by resident state law, The Joint Commission, CMS or other national accreditation body.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Aseptic Manipulation Competency Assessments	50 Class H pharmacies (Category 1 & 2)	4 staff hours annually x $89.45 hourly labor rate x 50 Class H pharmacies (Category 1 & 2)	$17,890 (*recurring annually over the life of the rule)*
Aseptic Manipulation Competency Assessments	28 Class H pharmacies (Category 3)	8 staff hours annually x $89.45 hourly labor rate x 28 Class H pharmacies (Category 3)	$20,036.80 (*recurring annually over the life of the rule)*
Media-Fill Testing	50 Class H pharmacies (Category 1 & 2)	5 additional staff media fill tests annually x $110 per media fill x 50 Class H pharmacies (Category 1 & 2)	$27,500 (*recurring annually over the life of the rule)*
Media-Fill Testing	28 Class H pharmacies (Category 3)	10 additional staff media fill tests annually x $110 per media fill x 28 Class H pharmacies (Category 3)	$30,800 (*recurring annually over the life of the rule)*

Environmental Monitoring

- The proposed amendment/USP Chapter 797 adoption would increase current air sampling requirements for Class H pharmacies compounding Category 3 sterile preparations from biannual sampling to monthly sampling. Air sampling is currently conducted by certification vendors as part of the required cleanroom/primary engineering control certification required by 20 CSR 2220-2.200. The Board estimates approximately twenty-eight (28) Class H Category 3 compounding pharmacies may need to purchase air sampling equipment during initial rule implementation at an estimated cost of $4,500 per device. The Board estimates an additional five (5) new Class H permit holders annually may need to purchase air sampling equipment after Y1 implementation.
- The Board estimates required air sampling can be completed by qualified pharmacy technician staff in approximately two (2) hours per month at an average salary of $23.95, for an estimated twenty-eight (28) Class H Category 3 compounding pharmacies not currently compliant with USP Chapter 797.
- The Board estimates ancillary air sampling supplies will cost approximately $100 per sample for an estimated twenty-eight (28) Class H Category 3 compounding pharmacies not currently compliant with USP Chapter 797 (e.g., equipment supplies, sampling plates, results evaluation).
- If viable air sampling results exceed USP Chapter 797 action levels, Class H pharmacies would be required to identify any recovered microorganisms to the genus level with the

assistance of a qualified microbiologist. No state or national data exists regarding the frequency of air sampling variances. Additionally, Class H pharmacies operated in compliance with USP Chapter 797 should maintain USP required environmental conditions and not acquire additional costs. To ensure compliance with Chapter 536, however, the Board estimates Class H pharmacies may annually detect an average of one hundred (100) viable air sampling results that will require microbiologist review. The Board estimates required microbiologist reviews can be completed within two (2) hours with an average hourly microbiologist salary rate of $44.89.

- All Class H pharmacies would be required to document humidity readings daily or utilize a continuous humidity monitoring device that meets rule requirements. Based on current inspection history, the Board estimates approximately seventy-eight (78) Class H pharmacies not currently compliant with USP Chapter 797 would be required to manually document humidity ranges. The Board further estimates daily humidity recordings can be completed by a pharmacy technician in approximately three (3) minutes at a compensation rate of $0.40 per minute, for an average of three hundred (300) pharmacy operational days per year.
- Temperature and humidity monitoring devices must be verified annually for accuracy or as specified by the manufacturer. Based on stakeholder feedback, temperature/humidity device verification may be evaluated by certification vendors as part of the facility and equipment certification process currently required by 20 CSR 2220-2.200 and will not result in additional licensee costs for the majority of Class H pharmacies. Additionally, the amendment would allow self-verification in accordance with manufacturer requirements at no cost. To ensure compliance with Chapter 536, however, the Board estimates approximately fifty (50) Class H resident and non-resident pharmacies may be required to hire a third-party vendor to verify temperature and humidity monitoring devices at an approximate cost of $350 per verification.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Air sampling equipment	28 Class H pharmacies (Category 3)	28 Class H pharmacies x $4,500 air sampling device	$126,000 *(Y1 implementation)*
Air sampling equipment	5 new Class H pharmacies (Category 3)	5 new Class H pharmacies x $4,500 air sampling device	$22,500 (*recurring annually over the life of the rule)*
Air Sampling Staff costs	28 Class H pharmacies (Category 3)	$23.95/hr. pharmacy technician labor costs x two (2) hours x 10 additional months x 28 Class H pharmacies	$13,412 (*recurring annually over the life of the rule)*
Air sampling supplies	28 Class H pharmacies	28 Class H pharmacies x $100 supply costs x 10	$28,000

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
		additional monthly samples	(*recurring annually over the life of the rule)*
Microbiologist viable air sampling review	100	100 air sampling deviations x $44.89 average microbiologist hourly rate x three (3) hour review time	$13,467 (*recurring annually over the life of the rule)*
Humidity recording labor costs	78 Class H pharmacies	78 pharmacies x $1.20 pharmacy technician salary rate (3 minutes) x 300 pharmacy operational days	$28,080 (*recurring annually over the life of the rule)*
Temperature & Humidity Accuracy Verification	50 Class H pharmacies	50 Class H pharmacies x $350 verification/certification fee	$17,500 (*recurring annually over the life of the rule)*

Surface Sampling

- Monthly surface sampling would be required for Category 1 sterile compounding pharmacies. Additionally, surface sampling intervals would increase to monthly for Category 2 compounders (currently every six (6) months) and weekly for Category 3 compounders (currently monthly). The Board estimates additional costs will be incurred by approximately thirty-five (35) Category 1 Class H pharmacies, fifteen (15) Category 2 Class H pharmacies, and twenty-eight (28) Category 3 Class H pharmacies that are not currently in compliance with USP Chapter 797.
- Surface sampling supply costs may vary significantly based on pharmacy design/applicable surfaces. To ensure compliance with Chapter 536, the Board estimates an average of five (5) sampling plates would be required for each additional monthly surface sample at a cost of $4.00 per plate:
    - Category 1 compounders (+60 sampling plates),
    - Category 2 compounders (+50 sampling plates)
    - Category 3 (+40 sampling plates).
- Surface sampling can be performed by current compounding staff and allocated within current workflow, at no additional costs. To ensure compliance with Chapter 536, however, the Board estimates required surface sampling will require an average of thirty (30) minutes of pharmacy technician time and thirty (30) minutes of pharmacist review time monthly for approximately seventy-eight (78) Class H pharmacies not currently complying with USP Chapter 797. Labor costs are estimated at a combined half-hour salary rate of $44.73 ($11.98 pharmacy technician/$32.75 pharmacist rate).

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated Cost*
Surface Sampling	35 Class H pharmacies (Category 1)	35 Class H pharmacies (Category 1) x 60 sampling plates annually x $4.00 per plate	$8,400 (*recurring annually over the life of the rule)*
Surface Sampling	15 Class H pharmacies (Category 2)	15 Class H pharmacies (Category 2) x 50 sampling plates annually x $4.00 per plate	$3,000 (*recurring annually over the life of the rule)*
Surface Sampling	28 Class H pharmacies (Category 3)	28 Class H pharmacies (Category 3) x 40 sampling plates annually x $4.00 per plate	$4,480 (*recurring annually over the life of the rule)*
Surface sampling labor costs	78 Class H pharmacies	78 Class H pharmacies x $44.73 monthly labor costs x 12 months	$41,867.28 (*recurring annually over the life of the rule)*

Beyond Use Date/Stability Testing

- The proposed amendment/USP Chapter 797 adoption would require Class H pharmacies to conduct additional validation/effectiveness testing per formulation utilized (container closure integrity (Category 3), antimicrobial effectiveness (Category 2 & 3), particulate matter (Category 3)). The number of Class H Category 2 and Category 3 compounding formulations is unknown and may vary significantly based on patient volume/pharmacy capability.
- To comply with Chapter 536, the Board estimates approximately twenty-eight (28) Class H pharmacies not currently compliant with USP Chapter 797 would incur validation/testing costs of approximately $4,275 per formulation, with an average of twenty-five (25) formulations per pharmacy (container closure integrity testing ($1,275), antimicrobial effectiveness testing and related method suitability testing ($2,000), and particulate matter testing ($1,000)). The Board further estimates an additional ten (10) new formulations would require validation/testing annually over the life of the rule. Notably, validation/testing is only required once per formulation and can be used by permit holders for multiple locations under the same ownership. Estimated testing/costs may be significantly lower if a shorter preparation beyond-use date is assigned.
- The Board estimates approximately ten (10) Class H Category pharmacies would incur antimicrobial effectiveness testing and related method suitability testing costs of approximately $2,000 per formulation, with an average of twenty-five (25) formulations. The Board further estimates an additional ten (10) new formulations would require validation/testing annually over the life of the rule.

Description of Fiscal Impact	*# Impacted*	*Calculation*	*Estimated* Cost
Preliminary Formulation Testing	28 Class H pharmacies (Category 3)	28 Class H pharmacies x $4,275 testing costs x 25 formulations per facility	$2,992,500 *(Y1 implementation)*
Preliminary Formulation Testing	28 Class H pharmacies (Category 3)	28 Class H pharmacies (Category 3) x $4,275 testing costs x 10 new formulations per facility	$1,197,000 *(recurring annually over the life of the rule)*
Preliminary Formulation Testing	15 Class H pharmacies (Category 2)	10 Class H pharmacies x $2,000 antimicrobial testing costs x 25 formulations per facility	$500,000 *(Y1 implementation)*
Preliminary Formulation Testing	15 Class H pharmacies (Category 2)	10 Class H pharmacies (Category 2) x $2,000 antimicrobial testing costs x 10 new formulations per facility	$200,000 *(recurring annually over the life of the rule)*

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 2 – General Rules

PROPOSED AMENDMENT

20 CSR 2220-2.500 Nuclear Pharmacy – Minimum Standards for Operation. The board is removing sections (1)–(7) and adding new sections (1)–(10).

PURPOSE: The rule is being amended to adopt and incorporate USP Chapter 825 to align with national patient safety and practice standards for nuclear pharmacies.

[(1) Definitions.

(A) "Agreement state" means any state that has entered into an agreement under subsection 274b of the Atomic Energy Act of 1954, as amended, in which the United States Nuclear Regulatory Commission has relinquished to such states the majority of its regulatory authority over source material, by-product, and special nuclear material in quantities not sufficient to form a critical mass.

(B) "Authentication of product history" means identifying the purchasing source, the ultimate fate, and any intermediate handling of any component of a radiopharmaceutical or other drug.

(C) "Authorized address or location" means the building or buildings that are identified on the license and where byproduct material may be received, prepared, used, or stored as defined by 10 CFR 35.2 or a temporary job site for providing mobile nuclear medicine services in accordance with 10 CFR 35.80.

(D) "Authorized nuclear pharmacist" (ANP) means a pharmacist who holds a current license issued by the board and who is either certified as a nuclear pharmacist by the Board of Pharmacy Specialties, has attained status as an authorized nuclear pharmacist, or an authorized user of radioactive material, as specified by the Nuclear Regulatory Commission or Agreement State regulations, including, but not limited to, 10 CFR 35.55, 35.57, and 35.59.

(E) "Contingency prescription drug order" means a radioactive prescription drug order issued for contingency material for a diagnostic purpose.

(F) "Controlled access area" means an area outside of the restricted area but inside the pharmacy, access to which will be limited to the public.

(G) "NRC" means the United States Nuclear Regulatory Commission.

(H) "Nuclear pharmacy" means the location that provides radiopharmaceutical services and where radiopharmaceuticals and chemicals within the classification of legend drugs, are prepared, compounded, repackaged, dispensed, stored, sold, or used for nuclear medicine procedures. The term "nuclear pharmacy" does not include the nuclear medicine facilities of hospitals or clinics where radiopharmaceuticals are compounded or dispensed to patients under the supervision of a licensed physician, authorized by the Nuclear Regulatory Commission or Agreement State regulations. Nothing in this rule shall be construed as requiring a licensed clinical laboratory, which is also licensed by the Nuclear Regulatory Commission or Agreement State to handle radioactive materials, to obtain the services of a nuclear pharmacist, or to have a pharmacy permit, unless the laboratory is engaged in the commercial sale or resale of radiopharmaceuticals.

(I) "Nuclear pharmacy technician" means a person who has successfully completed a nuclear pharmacy technician training program provided by an accredited college program or meets the American Pharmacist's Association's (APhA) Guidelines for Nuclear Pharmacy Technician Training Program or an equivalent company sponsored program that meets APhA guidelines for nuclear pharmacy technician training.

(J) "Practice of nuclear pharmacy" means a patient-oriented service that embodies the scientific knowledge and professional judgment required to improve and promote health through the assurance of the safe and efficacious use of radiopharmaceuticals and other drugs.

(K) "Preparing of radiopharmaceuticals" means the addition of a radioactive substance, or the use of a radioactive substance in preparation of a single-dose or multiple-dose medication, pursuant to the prescription drug order/ contingency prescription drug order. Such preparing of radiopharmaceuticals includes, but is not limited to, loading and eluting of radionuclide generators, using manufactured reagent kits to prepare radiopharmaceuticals, preparing reagent kits, aliquoting reagents, and conducting quality control tests of radiopharmaceuticals.

(L) "Prescription drug order" means a prescription drug order issued for a specific patient for a diagnostic or therapeutic purpose.

(M) "Quality control testing" means, but is not limited to, the performance of appropriate chemical, biological, physical, radiochemical, and radionuclidic purity tests on radiopharmaceuticals and the interpretation of the resulting data to determine their suitability for use in humans and animals.

(N) "Quality assurance procedures" means all activities necessary to assure the quality of the process used to provide radiopharmaceutical services, including authentication of product history and maintenance of all records as required by pertinent regulatory agencies.

(O) "Radiopharmaceutical" means any drug which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such substance but does not include drugs such as carbon-containing compounds or potassium-containing salts which contain trace quantities of naturally occurring radionuclides. The term "radiopharmaceutical" also includes any biological product which is labeled with a radionuclide or intended solely to be labeled with a radionuclide.

(P) "Radiopharmaceutical services" means, but not limited to, the procurement, storage, handling, compounding, preparation, repackaging, labeling, quality control testing, dispensing, delivery, transfer, record-keeping, and disposal of radiochemicals, radiopharmaceuticals, and ancillary drugs; the participation in radiopharmaceutical selection and radiopharmaceutical utilization review, and also includes quality assurance procedures, radiological healthcare activities, any consulting activities associated with the use of radiopharmaceuticals, and any other activities required for provision of radiopharmaceutical care; the responsibility for advising, where necessary or where regulated, of therapeutic values, hazards and use of radiopharmaceuticals; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation management, and control of a nuclear pharmacy.

(Q) "Restricted area" means an area within the pharmacy that is secured from the Controlled Access Area and to which access is limited for the purpose of protecting individuals against exposure to radiation and radioactive materials.

(R) "Therapeutic prescription drug order" means a radioactive

prescription drug issued for a specific patient for a therapeutic purpose.

(S) "Unit dose container" (e.g., shield or "pig") means a container designed to hold doses of radiopharmaceutical agents and to prevent or minimize/reduce the emission of radiation or radioactive materials by using appropriate shielding materials.

(2) General Requirements for Pharmacies Providing Radiopharmaceutical Services.

(A) No person may receive, acquire, possess, prepare, compound, dispense, repackage, transfer, dispose of, or manufacture for sale or resale any radiopharmaceutical except in accordance with the provisions of this rule and the conditions of rules and regulations promulgated by the Nuclear Regulatory Commission or applicable Agreement State.

(B) Nuclear pharmacies shall post, in a conspicuous area of the pharmacy, a copy of the current registration with the Board of Pharmacy and a copy of the most current U.S. NRC or applicable Agreement State license which details a listing of its authorized nuclear pharmacists. A reference to its specific location within the pharmacy is acceptable.

(C) A nuclear pharmacy must have on file a copy of the current radioactive materials license for the licensed facility requesting any radiopharmaceutical before the radioactive drug is permitted to be dispensed to that facility. The radiopharmaceutical may only be delivered to the authorized addresses or locations listed in, or temporary job sites as authorized by, the NRC/Agreement State license. The authorized physician ordering radiopharmaceuticals is hereby recognized as the patient's authorized designee for delivery purposes. This section is an exemption for Class E pharmacies to 20 CSR 2220-2.013(2) Prescription Delivery Requirements, which details authorized delivery sites.

(D) Nuclear pharmacies shall comply with any applicable requirements of other governing agencies regarding its daily operations and the disposal of any biohazardous medical waste. Appropriately labeled and, when required shielded, disposal containers shall be used for radioactive and biohazardous waste from the preparation or the return of radiopharmaceuticals. Disposal of biohazardous waste shall comply with all applicable local, state, and federal requirements.

(E) Any reusable unit dose container that is returned shall be considered to be contaminated. No pharmacy shall utilize a reusable unit dose container for radioactive doses without either an effective process to decontaminate the container of biohazardous substances or an effective mechanism to avoid contamination of the container. No pharmacy may reuse a unit dose container that remains contaminated with blood or other biohazardous substances.

(F) A Class E pharmacy may accept returns and waste as authorized by the NRC/Agreement State regulations.

(3) Permits. Any pharmacy providing radiopharmaceutical services must obtain a Class E radiopharmaceutical permit from the board. Nuclear pharmacies preparing, compounding or repackaging sterile preparations must have Class H Sterile Product Compounding on their permit.

(A) A permit to operate a nuclear pharmacy shall only be issued to a person who is, or who employs, an authorized nuclear pharmacist. All personnel performing tasks in the preparation and distribution of radiopharmaceuticals and ancillary drugs shall be under the direct supervision of an authorized nuclear pharmacist. The pharmacist-in-charge shall be an authorized nuclear pharmacist and be responsible for all operations of the pharmacy.

(B) The permit to operate a nuclear pharmacy is effective only if the pharmacy also holds a current Nuclear Regulatory Commission and/or Agreement State radioactive materials license. Copies of the most recent regulatory inspection reports must be made available upon request to the board for inspection.

(C) The nuclear pharmacist-in-charge shall notify the Board of Pharmacy by letter of the outcome of any hearings under state or federal laws or regulations governing radioactive materials involving or against the pharmacy location licensed by the board. Notification must be within thirty (30) days of the date of the outcome.

(4) Space, Security, Record-Keeping, and Equipment.

(A) Nuclear pharmacies shall have adequate space and equipment, commensurate with the scope of services provided, and as required by the Nuclear Regulatory Commission or Agreement State radioactive materials license or as required by 20 CSR 2220-2.200 Sterile Compounding, 20 CSR 2220-2.400 Compounding Standards of Practice or other applicable rules of the board. Radionuclide generators shall be stored and operated in an ISO 8 or better classified area. All pharmacies handling radiopharmaceuticals shall include, but not be limited to, the following areas:

1. Radiopharmaceutical nonsterile and sterile preparation/dispensing area;

2. Radioactive material shipping/receiving area;

3. Radioactive material storage area; and

4. Radioactive waste decay area.

(B) The nuclear pharmacy restricted area shall be secured against unauthorized personnel and must be totally enclosed and lockable.

(C) Nuclear pharmacies shall maintain records of acquisition, inventory, preparing, compounding, repackaging, dispensing, distribution, and disposition of all radioactive drugs and other radioactive materials in accordance with State Board of Pharmacy and Nuclear Regulatory Commission or Agreement State rules/requirements.

(D) Nuclear pharmacies shall prepare, compound, repackage, and dispense radiopharmaceuticals in accordance with accepted standards of nuclear pharmacy practice and in compliance with 20 CSR 2220-2.200 Sterile Compounding and 20 CSR 2220-2.400 Compounding Standards of Practice. Appropriate safety and containment techniques for preparing, repackaging, and compounding radiopharmaceuticals shall be used in conjunction with the aseptic techniques required for sterile preparations. Only authorized nuclear pharmacists, intern pharmacists, and nuclear pharmacy technicians may prepare, compound, repackage, or dispense radiopharmaceuticals.

(E) Unless required by other rule or applicable law, all records required by this rule must be maintained for two (2) years and must be made available to the board or its representative upon request.

(5) Dispensing, Packaging, Labeling.

(A) A radiopharmaceutical shall be dispensed only to a practitioner or facility authorized by the Nuclear Regulatory Commission or an Agreement State to possess, use and administer such drug, provided that a radiopharmaceutical may be transferred to a person who is authorized to possess the drug in accordance with the regulations of the NRC/Agreement State. A radiopharmaceutical shall not be dispensed directly to a patient. A nuclear pharmacy may distribute radionuclide elutions to other authorized users to meet a drug shortage.

(B) The amount of radioactivity shall be determined by dose calibrator, appropriate radiometric methods, or decay

calculation methods for each individual dose immediately prior to dispensing.

(C) Radiopharmaceuticals are to be dispensed only upon a non-refillable prescription drug order or a contingency prescription drug order from a practitioner or facility authorized by the Nuclear Regulatory Commission or Agreement State to possess, use, and administer radiopharmaceuticals or the practitioner's/facility's designated agent. The prescription drug order/contingency prescription drug order must be taken by an authorized nuclear pharmacist, intern pharmacist, or nuclear pharmacy technician under the supervision of an authorized nuclear pharmacist. Only authorized nuclear pharmacists may receive verbal therapeutic prescription drug orders. The prescription record shall contain all information as required in 20 CSR 2220-2.018 Prescription Requirements and shall also include:

1. The date of dispensing and the calibration time of the radiopharmaceutical; and

2. The patient's name for therapeutic prescription drug orders and blood-containing products.

(D) The unit dose container of a radiopharmaceutical to be dispensed shall be labeled with—

1. The name and address of the pharmacy;

2. The name and address of the authorized prescriber/facility where the prescription drug order/contingency prescription drug order is to be administered;

3. The date of dispensing and a unique readily retrievable identifier;

4. The standard radiation symbol;

5. The words "Caution Radioactive Material";

6. The name of the procedure, if known;

7. The name or generally recognized and accepted abbreviation of the radiopharmaceutical, radionuclide, and chemical form;

8. The requested amount of radioactivity at the calibration date and time;

9. The radiopharmaceutical beyond-use date;

10. The quantity dispensed;

11. If applicable, Molybdenum-99 content to United States Pharmacopoeia (USP) limits of <0.15uCi Mo-99 per 1mCi Tc-99m at time of administration or product expiration; and

12. The patient name or the words "Physician's Use Only," "Contingency Prescription Drug Order," "Per Physician's Order," or similar wording in the absence of a patient name. If no patient name is used, the pharmacy must be able to retrieve the name of the patient from the authorized prescriber/facility within three (3) days if requested. When the prescription is for a therapeutic or blood-containing radiopharmaceutical, the patient name shall appear on the label.

(E) The immediate inner container label of a radiopharmaceutical to be dispensed shall be labeled with—

1. The standard radiation symbol;

2. The words "Caution Radioactive Material";

3. The identity of the radiopharmaceutical;

4. The unique, readily retrievable identifier of the radiopharmaceutical; and

5. The patient's name, if known or the words "Physician's Use Only," "Contingency Prescription Drug Order," "Per Physician's Order," or similar wording in the absence of a patient name.

(F) Radiopharmaceuticals approved by the United States Food and Drug Administration are not subject to the unit dose container labeling requirements in subsection (D) or the radiometric measurement requirements of this rule if the nuclear pharmacy does not process the radioactive drugs in any manner nor violate the original manufacturer product packaging/labeling.

(6) Reference Manuals. Each nuclear pharmacy shall have a current copy of, or electronic access to—

(A) Applicable reference materials commensurate with the scope of services provided;

(B) A current print or electronic edition of statutes and rules governing the pharmacy's practice, including, but not limited to, Chapters 338 and 195, RSMo, 20 CSR 2220 and, if applicable, 19 CSR 30 governing controlled substances; and

(C) Agreement State and/or NRC regulations governing the safe storage, handling, use, dispensing, transport, and disposal of radioactive material, including, but not limited to, Title 10 and Title 49 of the United States Code of Federal Regulations.

(7) Special Conditions.

(A) To comply with NRC exposure guidelines of keeping radiation exposure as low as reasonably achievable (ALARA), the required pharmacist verification of the preparation shall be deemed satisfied if a pharmacist has previously verified the correct ingredients and calculations. Additionally, a pharmacist must verify the accuracy of the prescription/drug order information used and the label information prior to dispensing.

(B) At its discretion, for a pharmacy preparing, compounding, repackaging, or dispensing radiopharmaceuticals the board may grant an exemption to regulation requirements that do not pertain to the practice of nuclear pharmacy for a time period designated by the board if such exemption is not contrary to other law and the exemption will provide equal or greater protection of the public safety, health, or welfare. Exemption requests must be submitted in writing and identify the specific exemption requested, the grounds for exemption, the requested exemption length, and any proposed procedures or safeguards for protecting the public safety, health, or welfare if the exemption is approved. If deemed appropriate, the board may grant an exemption to all nuclear pharmacies based on one (1) pharmacy's request.]

(1) Definitions.

(A) "Agreement state" (AS) means any state that has entered into an agreement under subsection 274b of the Atomic Energy Act of 1954, as amended, in which the United States Nuclear Regulatory Commission has relinquished to such states the majority of its regulatory authority over source material, by-product, and special nuclear material in quantities not sufficient to form a critical mass.

(B) "Authorized address or location" means the building or buildings that are identified on the license and where by-product material may be received, prepared, used, or stored as defined by 10 CFR 35.2 or a temporary job site for providing mobile nuclear medicine services in accordance with 10 CFR 35.80.

(C) "Authorized nuclear pharmacist" (ANP) means an authorized nuclear pharmacist as defined by USP Chapter 825.

(D) "Class E: Radiopharmaceutical pharmacy" (also referenced herein as a "nuclear pharmacy") means the location where radiopharmaceuticals are prepared, compounded, repackaged, dispensed, distributed, or stored. A Class E pharmacy does not include the nuclear medicine facilities of hospitals or clinics where radiopharmaceuticals are compounded, dispensed, or administered to patients under the supervision of a licensed physician, authorized by the NRC/AS regulations. Nothing in this rule shall be construed as requiring a

licensed clinical laboratory, which is also licensed by the NRC/AS to handle radioactive materials, to obtain the services of an ANP, or to have a Class E pharmacy permit, unless the laboratory is engaged in the commercial sale or resale of radiopharmaceuticals.

(E) "Contingency prescription drug order" means a radiopharmaceutical prescription drug order issued for contingency material for a diagnostic purpose.

(F) "Designated person" means a designated person as defined by USP Chapter 825.

(G) "NRC" means the United States Nuclear Regulatory Commission.

(H) "Nuclear pharmacy technician" means a person who has successfully completed a nuclear pharmacy technician training program provided by an accredited college program or meets the American Pharmacist's Association's (APhA) Guidelines for Nuclear Pharmacy Technician Training Program or an equivalent company sponsored program that meets APhA guidelines for nuclear pharmacy technician training.

(I) "Prescription drug order" means an order issued by an authorized prescriber for a specific patient for a diagnostic or therapeutic purpose.

(J) "Radiopharmaceutical" means a radiopharmaceutical as defined by USP Chapter 825.

(K) "Segregated radiopharmaceutical processing area" (SRPA) means a segregated radiopharmaceutical processing area as defined by USP Chapter 825.

(L) "Therapeutic prescription drug order" means a radioactive prescription drug order issued for a specific patient for a therapeutic purpose.

(M) "USP Chapter 825" means the United States Pharmacopeia–NF (2023), General Chapter 825 Radiopharmaceuticals — Preparation, Compounding, Dispensing, and Repackaging (Jan. 1, 2024; DOI: https://doi.org/10.31003/USPNF_M11915_05_01), which is incorporated by reference, except as otherwise provided by law or the board's rules, and available at 12601 Twinbrook Parkway, Rockville, MD 20852 or at www.usp.org. This rule does not incorporate any subsequent amendments or additions to USP Chapter 825. In the event of a conflict between USP Chapter 825 and Missouri law or board rules, Missouri law and board rules shall control.

(2) Except as otherwise provided by law or rule, licensees shall comply with all provisions of USP Chapter 825 and the additional requirements of this rule:

(A) No person may receive, acquire, possess, prepare, compound, dispense, repackage, store, distribute, dispose of, or manufacture for sale or resale any radiopharmaceutical, except in accordance with accepted standards of nuclear pharmacy practice and applicable state/federal law, USP Chapter 825, and the rules/regulations promulgated by the NRC or applicable AS. Only an ANP or nuclear pharmacy technician, or a licensed pharmacist, intern pharmacist, or pharmacy technician in training under the supervision of an ANP may prepare, compound, repackage, or dispense radiopharmaceuticals.

(B) Unless otherwise provided by law or court of competent jurisdiction, the provisions of this rule are only applicable to pharmacy services under the jurisdiction of the board and are not applicable to hospital pharmacy services under the jurisdiction of the Missouri Department of Health and Senior Services pursuant to Chapter 197, RSMo.

(C) Unless otherwise required by federal law, Class E pharmacies are exempt from the required pharmacy reporting requirements in 20 CSR 2220-2.425 for dispensing/preparation of radiopharmaceuticals.

(D) The use of technologies, techniques, materials, or procedures other than those described in USP Chapter 825 and Chapter 71 are prohibited, unless the technology, technique, material, or procedure is validated in accordance with applicable provisions of USP Chapter 1223 and USP Chapter 1225 and is approved by the board in advance after submission of scientific data evidencing the specific technology, technique, material, or procedure is safe, effective, and meets or exceeds USP Chapter 825 and Chapter 71 requirements.

(E) A Class E pharmacy must have on file a copy of the active NRC/AS radioactive materials license for the licensed facility requesting any radiopharmaceutical prior to dispensing to that facility. The radiopharmaceutical may only be delivered to the authorized addresses or locations listed in, or temporary job sites as authorized by, the NRC/AS license. The authorized physician ordering radiopharmaceuticals is hereby recognized as the patient's authorized designee for delivery purposes.

(F) Compounding of sterile radiopharmaceutical preparations involving one (1) or more non-sterile components must comply with USP Chapter 797, Section 10 (Sterilization and Depyrogenation).

(G) The immediate use exemptions/modifications in USP Chapter 825, Section 3 (Immediate Use of Sterile Radiopharmaceuticals), Section 4.4. (Hand Hygiene and Garbing for Immediate Use Preparations), and Section 10.4 (Preparation of Radiolabeled Red Blood Cells for Immediate Use) are not adopted or incorporated in this rule.

(H) Preparation/compounding of positron emission tomography (PET) drugs that are not manufactured as United States Food and Drug Administration (FDA) approved drug products must comply with USP Chapter 823.

(I) Class E pharmacies shall comply with any applicable local, state, and federal requirements regarding its daily operations and the disposal of any biohazardous medical waste. Appropriately labeled and, when required, shielded disposal containers shall be used for radioactive and biohazardous waste from the preparation or the return of radiopharmaceuticals.

(J) Any reusable outer shielding container that is returned shall be considered to be contaminated. No pharmacy shall use reusable outer shielding containers for radioactive doses without either an effective process to decontaminate the container of biohazardous and radioactive substances or an effective mechanism to avoid contamination of the container. No pharmacy may reuse an outer shielding container that remains contaminated with blood, radiation, or other biohazardous substances.

(K) A Class E pharmacy may accept returns and waste as authorized by NRC/AS regulations.

(3) Permits. All Class E pharmacies must hold a Class E radiopharmaceutical permit issued by the board. The appropriate pharmacy permit classification is required for any pharmacy activities that occur at the Class E site other than Class E services. An additional Class D permit is not required to compound non-sterile radiopharmaceuticals. An additional Class H permit is not required to compound sterile radiopharmaceuticals.

(A) The pharmacist-in-charge (PIC) of a Class E pharmacy

must be an ANP. The permit holder and PIC are responsible for ensuring compliance with state and federal law and USP Chapter 825, including ensuring compliance for activities delegated to a designated person. Identification of a designated person shall not exempt or modify any duty or responsibility of the permit holder or PIC under the board's rules or state and federal law.

(B) A permit to operate a Class E pharmacy shall only be issued to a person who is, or who employs/contracts with, an ANP. All personnel performing tasks in the preparation, compounding, dispensing, repackaging, or distribution of radiopharmaceuticals and ancillary drugs/materials must be under the direct supervision of an ANP.

(C) The permit to operate a Class E pharmacy is effective only if the pharmacy also holds a current NRC and/or AS radioactive materials license. Copies of the most recent regulatory inspection reports must be made available upon request to the board for inspection.

(D) Class E pharmacies shall post in a conspicuous area of the pharmacy a copy of its Class E permit and a copy of the most current NRC or applicable AS license. A reference to the specific location of the NRC/AS license within the pharmacy is acceptable.

(E) The PIC shall notify the Board of Pharmacy of the outcome of any hearings under state or federal laws or regulations governing radiopharmaceuticals involving or against the pharmacy location licensed by the board. Notification must be made electronically or in writing within thirty (30) calendar days of the date of the outcome.

(4) Space, Security, Recordkeeping, and Equipment. Class E pharmacies must establish and follow proper controls to ensure environmental quality and prevent environmental contamination, including maintaining air quality in all primary engineering controls (PEC) and ISO classified areas. In addition to USP Chapter 825 requirements, microbiological air and surface monitoring/testing results must be promptly reviewed by a designated person. The reviewer's identity and date of review must be documented in the pharmacy's records.

(A) Class E pharmacies shall have adequate space and equipment for the scope of services provided consistent with USP Chapter 825 and as required by the NRC/AS license.

(B) Certification of PECs/ISO classified areas must be conducted by competent staff/vendors using recognized and appropriate certification and testing equipment. Certification results must be reviewed by a designated person. The individual's identity and date of review must be documented in the pharmacy's records. Deficiencies or failures that may impact preparation sterility or quality must be investigated and corrected prior to further preparation/compounding in the affected PEC/ISO classified areas, which may include recertification of the PEC/ISO classified area.

(C) PECs, SECs, and SRPAs must be designed and maintained to minimize microbial contamination and maintain air quality. Cleaning and disinfecting supplies must be low-lint, including tool handles and holders. Additionally, dust-collecting overhangs, such as utility pipes, and ledges, such as windowsills, must be minimized. The pharmacy's policies and procedures must address selecting, handling, and monitoring of cleaning, disinfecting, and sporicidal agents to prevent/minimize equipment damage and decay, and to ensure environmental quality and preparation integrity. The pharmacy must also have policies/procedures for inspecting the PEC, SEC, SRPA, and equipment and correcting/repairing any damage, rust, or corrosion.

(D) Cleaning and disinfecting of surfaces in the PECs, ISO classified areas, and the SRPA must occur at the minimum frequencies specified in USP Chapter 825, Table 5 (Minimum Frequency for Cleaning and Disinfecting Surfaces in Classified Areas and within the Perimeter of the SRPA) or, if activities are not performed daily, cleaning and disinfecting must be completed before use. The walls, bars, torso shield, and any exposed surface of equipment inside the PEC must be cleaned to the extent possible, in accordance with manufacturer recommendations. All cleaning, disinfecting, and sporicidal agents used in the PEC must be sterile.

(E) For non-sterile radiopharmaceutical preparations under USP Chapter 825, Section 10.1 (Preparation Following Manufacturer Instructions), the preparation area must be suitably cleaned and uncluttered to ensure the overall integrity and quality of prepared radiopharmaceutical(s).

(F) Class E pharmacies must maintain records of acquisition, inventory, preparing, compounding, repackaging, dispensing, and distribution of all radioactive and non-radioactive drugs/materials in accordance with State Board of Pharmacy and NRC/AS rules/requirements. In addition to USP Chapter 825 requirements, the following must also be documented/maintained:

1. Manufacturer manuals relied on to properly operate equipment;

2. Other facility quality control logs, as appropriate, including all maintenance, cleaning, and calibration records;

3. Sterilization records, if applicable;

4. Quarantine records, if applicable;

5. End-preparation evaluation and testing records, if applicable;

6. Ingredient validation records, if applicable (e.g., Certificate of Analysis); and

7. Documentation of aseptic competency qualification(s) and required media fills, including the name of the person evaluated, qualification/testing dates and results, media and components used, including manufacturer, expiration date and lot number, monitoring of incubation temperatures, and dates of incubation. For temperature monitoring, a continuous temperature monitoring system may be used if the system maintains ongoing documentation of temperature recordings and alerts a pharmacist when temperatures are outside of the required range and provides the amount of variance.

(G) Class E pharmacies must maintain a compounding record that complies with USP Chapter 825, Section 9.2 (Records for Preparation with Minor Deviations/Compounding), for all radiopharmaceuticals prepared, prepared with minor deviations, dispensed, repackaged or compounded. A compounding record is not required for FDA-approved radiopharmaceuticals dispensed in an unopened manufacturer container if the Class E pharmacy does not manipulate the radiopharmaceutical in any manner.

(H) Unless required by other rule or applicable law, all records, policies/procedures, and reports required by this rule or USP Chapter 825 must be maintained electronically or as a hard copy for two (2) years and must be readily retrievable and made available to the board or its representative upon request. At a minimum, records must be physically or electronically produced immediately or within two (2) hours of a board request.

(5) Personnel Training and Competency. Licensees/registrants must comply with all USP Chapter 825 education, training, and qualification requirements. The required aseptic competency qualification program must include all elements required by USP Chapter 825, Section 4.1 (Aseptic Qualifications), and must include cleaning and disinfecting the PEC and, if applicable to the individual's duties, cleaning and disinfection of secondary engineering controls (SEC) and the SRPA.

(A) Required aseptic competency qualification results can be transferred between facilities under common ownership or control of the same pharmacy or healthcare facility, provided the competency qualification captured the most difficult and challenging conditions the individual will be performing using similar equipment and was completed within USP Chapter 825's required time frames. Pharmacies accepting transferred aseptic competency qualification results under this section must maintain current and written policies and procedures governing the transfer of results. Licensees or registrants with transferred competency evaluation results must be trained on applicable pharmacy operational procedures as needed to ensure proper compounding and must be skilled and trained to accurately and competently perform the duties assigned.

(B) If needed to prevent interruptions in patient care during an emergency, a pharmacy may also accept the required competency evaluations from another pharmacy or hospital in lieu of the required initial competency evaluations, provided –

1. A pharmacist verifies the applicable competency evaluation complies with USP Chapter 825;

2. The pharmacy maintains documentation of the other pharmacy or hospital's completed competency evaluation(s), including the dates and results. Additionally, the receiving pharmacy must maintain a manual or electronic copy of the other pharmacy's or hospital's policies and procedures on aseptic competency qualifications for board licensees or registrants;

3. The board licensee or registrant has received training on applicable pharmacy operational procedures as needed to ensure proper compounding. The licensee or registrant must be skilled and trained to accurately and competently perform the duties; and

4. Individuals may not assist with compounding under the emergency allowance authorized by this subsection for more than forty-five (45) days without the required competency evaluation by the pharmacy that complies with USP Chapter 825.

(6) Preparation/Compounding. All sterile and non-sterile radiopharmaceuticals must be prepared, compounded, repackaged, and dispensed in accordance with accepted standards of nuclear pharmacy practice and in compliance with applicable state/federal law. Additionally, Class E pharmacies must comply with all applicable rules for compounding sterile and non-sterile non-radioactive preparations, including but not limited to 20 CSR 2220-2.200 (Sterile Compounding) and 20 CSR 2220-2.400 (Compounding Standards of Practice).

(A) Appropriate safety and containment techniques must be used in conjunction with the aseptic techniques required for sterile radiopharmaceutical preparations.

(B) Materials, equipment, and supplies must be placed in an ISO Class 5 PEC in a manner that minimizes disruption of airflow in the direct preparation area. Furniture, equipment, and other materials in the ISO classified area or SRPA must be low-shedding and easily cleaned/disinfected.

(7) Dispensing, Packaging, Labeling.

(A) A radiopharmaceutical shall only be dispensed or transferred to a practitioner or facility authorized by the NRC or an AS to possess, use, and administer such radiopharmaceutical drug. A radiopharmaceutical shall not be dispensed directly to a patient. A Class E pharmacy may distribute radionuclide elutions to other authorized licensees to meet a radiopharmaceutical drug shortage.

(B) Radiopharmaceuticals shall only be dispensed pursuant to a prescription drug order or a contingency prescription drug order from a practitioner or facility authorized by the NRC/AS to possess, use, and administer radiopharmaceuticals or the practitioner's/facility's designated agent. Only ANPs may receive verbal therapeutic prescription drug orders or an order for radio-labeled blood components. Except as otherwise provided herein, prescriptions must contain all information required by 20 CSR 2220-2.018 Prescription Requirements, as applicable. The pharmacy's prescription record shall also include –

1. The date of dispensing and the calibration time of the radiopharmaceutical; and

2. The patient's name for therapeutic prescription drug orders and radio-labeled blood components or, if an animal, species and owner's name.

(C) In addition to USP Chapter 825 requirements, the outer shielding container of a radiopharmaceutical to be dispensed must be labeled with –

1. The name and address of the pharmacy;

2. The name and address of the authorized prescriber/facility where the prescription drug order/contingency prescription drug order is to be administered;

3. The date of dispensing and a prescription or unique identification number;

4. The name of the procedure, if known;

5. If applicable, molybdenum-99 content to *United States Pharmacopoeia* (USP) limits of <0.15uCi Mo-99 per 1mCi Tc-99m at time of administration or product expiration; and

6. The patient name or, if an animal, the species and owner's name or the words "Physician's Use Only," "Contingency Prescription Drug Order," "Per Physician's Order," or similar wording in the absence of a patient/owner name. If no patient/owner name is used, the pharmacy must have a policy/procedure in place for retrieving the name of the patient/owner from the authorized prescriber/facility within three (3) days if requested. The patient/owner name must appear on the label if the prescription is for a therapeutic radiopharmaceutical or radio-labeled blood component.

(D) In addition to USP Chapter 825 requirements, the immediate inner container label of a radiopharmaceutical to be dispensed shall be labeled with –

1. The unique, readily retrievable identifier of the radiopharmaceutical; and

2. If known, the patient's name or, if an animal, the species and owner's name or the words "Physician's Use Only," "Contingency Prescription Drug Order," "Per Physician's Order," or similar wording in the absence of a patient/owner name.

(E) Radiopharmaceuticals approved by the United States Food and Drug Administration are not subject to the inner shielding labeling requirements in subsection

(D) if the Class E pharmacy does not manipulate the radiopharmaceutical in any manner nor violate the original manufacturer product packaging/labeling.

(F) Beyond-use dating (BUD) must comply with USP Chapter 825, Table 7 (Preparation Conditions for Sterile Radiopharmaceuticals). The assigned BUD shall not exceed the sterility-related times listed in Table 7, unless a longer time is justified by USP Chapter 71 (Sterility Tests). The use of non-radioactive conventionally manufactured products in preparing, preparing with minor deviations, dispensing, or compounding must follow USP Chapter 797 Section 15 (Use of Conventionally Manufactured Products as Components).

(8) Reference Manuals. Each Class E pharmacy shall have a current copy of, or electronic access to –

(A) Applicable reference materials commensurate with the scope of services provided;

(B) A current print or electronic edition of statutes and rules governing the pharmacy's practice, including but not limited to Chapters 338 and 195, RSMo, 20 CSR 2220 and, if applicable, 19 CSR 30 governing controlled substances;

(C) NRC or AS regulations governing the safe storage, handling, use, dispensing, transport, and disposal of radioactive material, including but not limited to Title 10 and Title 49 of the United States Code of Federal Regulations; and

(D) USP Chapter 825 (Radiopharmaceuticals) and, if applicable, USP Chapter 795 (Pharmaceutical Compounding – Non-sterile Preparations), Chapter 797 (Pharmaceutical Compounding – Sterile Preparations), Chapter 823 (Positron Emission Tomography Drugs for Compounding, Investigational, and Research Uses), Chapter 1223 (Validation of Alternative Microbiological Methods), and Chapter 1225 (Validation of Compendial Procedures).

(9) Special Conditions.

(A) To comply with NRC exposure guidelines of keeping radiation exposure as low as reasonably achievable (ALARA), the required pharmacist verification of the preparation shall be deemed satisfied if an ANP has previously verified the correct components and intended radioactivity. Additionally, an ANP must verify the accuracy of the prescription/contingency drug order information used.

(B) At its discretion, the board may grant an exemption for a Class E pharmacy from regulation requirements that do not pertain to the practice of a Class E pharmacy for a time period designated by the board, if such exemption is not contrary to any other law and the exemption will provide equal or greater protection of the public safety, health, or welfare. Exemption requests must be submitted in writing and identify the specific exemption requested, the grounds for exemption, the requested exemption length, and any proposed procedures or safeguards for protecting the public safety, health, or welfare if the exemption is approved. If deemed appropriate, the board may grant an exemption to all nuclear pharmacies based on one (1) pharmacy's request.

(C) To minimize impact on patient care, Class E pharmacies licensed on the effective date of this rule may also petition the board for a waiver of USP Chapter 825 facility and equipment requirements if immediate compliance with USP Chapter 825 requirements cannot be completed despite the permit holder's due diligence or would result in an undue hardship or adversely impact patient care. Waivers may be effective for a time period designated by the board.

(10) Remedial Investigations. A remedial investigation is required if any environmental monitoring sample demonstrates a colony forming unit (CFU) count that exceeds USP Chapter 825 recommended action levels for the type of sampling. The remedial investigation must be documented and include resampling of all affected areas to ensure a suitable state of microbial control. The pharmacy must ensure that no misbranded, contaminated, or adulterated compounded sterile radiopharmaceutical is administered or dispensed for patient use.

(A) If an environmental monitoring sample taken from a PEC exceeds USP Chapter 825 action levels, the pharmacy must cease compounding in the affected PEC until resampling shows a suitable state of microbial control has been achieved in the PEC. However, a pharmacy may continue to compound during the remedial investigation if –

1. The affected PEC is cleaned and disinfected by using an EPA-registered sterile cleaning, disinfecting, and sporicidal agent, or a combination thereof, followed by sterile isopropyl alcohol;

2. The beyond-use date assigned to all preparations is no greater than twelve (12) hours; and

3. The affected PEC is resampled under dynamic conditions. If the resampling exceeds USP Chapter 825 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the PEC, unless otherwise authorized by the board or board's authorized designee to continue compounding upon showing the facility can be operated in a manner not to endanger the public health or safety.

(B) If an environmental monitoring sample taken from a buffer room exceeds USP Chapter 825 action levels, the pharmacy must cease compounding in the affected buffer room until resampling shows a suitable state of microbial control has been achieved in the affected buffer room. However, a pharmacy may continue to compound during the remedial investigation if –

1. The affected buffer room is cleaned and disinfected by using an EPA-registered cleaning, disinfecting, and sporicidal agent, or a combination thereof;

2. The beyond-use date assigned to all preparations is not greater than twenty-four (24) hours; and

3. The affected buffer room is resampled under dynamic conditions. If two (2) consecutive resamplings exceed USP Chapter 825 action levels, compounding must cease until resampling shows a suitable state of microbial control has been achieved in the affected room, unless otherwise authorized by the board or board's authorized designee to continue compounding upon a showing the facility can be operated in a manner not to endanger the public health or safety.

(C) Pharmacies must notify the board in writing within three (3) business days if a resample is collected as part of a remedial investigation and it exceeds USP Chapter 825 action levels.

AUTHORITY: sections ***[338.210, 338.220,]*** *338.240, 338.250, 338.280, and 338.350, RSMo 2016, and sections* ***338.210, 338.220, and*** *338.330(3), RSMo Supp.* ***[2018] 2025****. This rule originally filed as 4 CSR 220-2.500. Original rule filed Sept. 2, 1997, effective April 30, 1998. Moved to 20 CSR 2220-2.500, effective Aug. 28, 2006. Amended: Filed April 23, 2019, effective Nov. 30, 2019. Amended:*

Filed Dec. 12, 2025.

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 of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this proposed amendment in the ***Missouri Register****. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety- (90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer Protection
Chapter 21 – Weighing and Measuring Devices

ORDER OF RULEMAKING

By the authority vested in the Division of Weights, Measures and Consumer Protection under section 413.065, RSMo 2016, the division amends a rule as follows:

2 CSR 90-21.010 Registration of Servicepersons and Service Agencies **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1318). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 is amended.

This rule establishes the turkey hunting seasons, limits, and provisions for hunting and is exempted by section 536.021, RSMo, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.455 by establishing the turkey hunting seasons, limits, and provisions for hunting.

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits

(1) Turkeys may be pursued, taken, killed, possessed, or transported only as permitted in this rule.

(A) Spring Season and Youth Spring Season. A person possessing the prescribed turkey hunting permit may take two (2) male turkeys or turkeys with visible beards during the spring season and the youth spring season combined, except the Nonresident Spring Turkey Hunting Permit established by 3 CSR 10-5.565 (both regular and youth priced permits) is valid for only one (1) male turkey or turkey with a visible beard. A turkey taken during a managed hunt will count towards an individual's limit.

1. Spring Season. The spring season will be from April 20 through May 10, 2026. During the spring season the limits established by subsection (1)(A) of this rule shall apply, provided only one (1) turkey may be taken before April 27, 2026, and only (1) turkey may be taken per day, except a second bird may be taken before April 27, 2026, by youth hunters who are eligible to take two (2) turkeys and also harvested a turkey during the youth spring season. Turkeys may be taken only from one-half (1/2) hour before sunrise to 1:00 p.m. Central Daylight Time (CDT) on public lands and from one-half (1/2) hour before sunrise to sunset on private lands.

2. Youth Spring Season. The two- (2-) day youth spring season will be from April 11 through April 12, 2026. Any person possessing the prescribed turkey hunting permit and who is at least six (6) but not older than fifteen (15) years of age on the opening day of the youth spring season may take only one (1) male turkey or turkey with visible beard during the youth spring season. A turkey harvested during the youth spring season will count towards the limits established by subsection (1)(A) of this rule. Turkeys may be taken only from one-half (1/2) hour before sunrise to sunset.

3. During the spring season and youth spring season turkeys may be taken only by shotgun, with shot no larger than No. 4, atlatl, crossbow, or bow; without the use of dogs (except for the recovery of wounded turkey as specifically authorized by 3 CSR 10-7.410), bait, electronic calls, or live decoys. Possession of electronic calls or shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys.

(B) Fall Season. The fall season is comprised of two (2) portions. A person possessing the prescribed turkey hunting permit may take only two (2) turkeys of either sex during the fall season.

1. Archery Portion: September 15 through January 15, excluding the dates of the November portion of the firearms deer season. Turkeys may be taken only by atlatls, bows, and crossbows; without the use of dogs (except for the recovery of

wounded turkey as specifically authorized by 3 CSR 10-7.410), bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. Possession of electronic calls is prohibited while hunting turkeys.

2. Firearms Portion: October 1 through October 31 in all counties except Dunklin, McDonald, Mississippi, New Madrid, Newton, Pemiscot, and Scott. Turkeys may be taken only by shotgun, with shot no larger than No. 4; without the use of dogs (except for the recovery of wounded turkey as specifically authorized by 3 CSR 10-7.410), bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to sunset. Possession of electronic calls or shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys.

3. A person, while in the act of pursuing or hunting turkey during the fall season, shall not have both a firearm and an atlatl, bow, or crossbow on his/her person except any person may carry concealable firearms, as defined in Chapter 571, RSMo, on or about his/her person while hunting. Firearms possessed under this exception may not be used to take wildlife.

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed December 12, 2025, becomes effective **December 31, 2025**.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 2 – Definitions

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-2.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2025 (50 MoReg 1189-1195). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on September 16, 2025, and the public comment period ended September 23, 2025. At the public hearing, department staff presented the proposed amendment before forty-one (41) attendees. Two (2) comments were received during the hearing. Seven (7) entities submitted a total of twenty-four (24) comments electronically during the public comment period.

Comments were submitted by Chuck Harwood with Harwood Environmental Services; David Mutrux; Elizabeth Hubertz with the Washington University Interdisciplinary Environmental Clinic on behalf of the Moniteau County Neighbors Alliance (MCNA); Jessica Reis with Fox Smith LLC on behalf of Stop Land Use Damaging Our Ground and Environment (SLUDGE), Citizens of Randolph County Against Pollution (CRAP), Craig Family Farms, LLC, and Stephen Jeffery of Jeffery Law Group, LLC; Kayden Guyman with Missouri Farm Bureau Federation on behalf of the Poultry Federation, Missouri Cattlemen's Association, Missouri Pork Association, Missouri Corn Growers Association, and Missouri Soybeans Association; Lynn Schluns; Moniteau County Neighbors Alliance; Robert Brundage with Brundage Environmental Law Firm; and Robert George on behalf of George's, Inc.

COMMENT #1: There was a comment expressing discontent regarding the passage of this and other rules and requesting alternative methods for waste disposal.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-2.010. This comment will be addressed under 10 CSR 20-6.015.

COMMENT #2: There was a comment imploring DNR to conduct more thorough testing of materials in sludge and prohibiting sludge application to land if the department cannot verify that there are no harmful elements within the sludge.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-2.010. This comment will be addressed under 10 CSR 20-6.015.

COMMENT #3: There were comments by a single source regarding exemptions to rules regarding land application of treated wastewater regulated under NPDES permits, changes to existing regulatory programs authorizing land application of treated wastewater belonging in separate rulemaking considerations, and the need for a more balanced approach to treated wastewater applications.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-2.010. This comment will be addressed under 10 CSR 20-6.015.

COMMENT #4: There was a comment regarding exemptions for AFOs, manure regulations, and encouragement toward the department for direct communication with agricultural producers and commodity groups.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-2.010. This comment will be addressed under 10 CSR 20-6.015.

COMMENT #5: There was a comment supporting the definitions "occupied residence or dwelling" and proposing changes to the definitions of "stream," "sludge," and "stormwater."
RESPONSE AND EXPLANATION OF CHANGE: The department appreciates the comment in support of these definitions. The definitions are retained herein; however, in response to other comments, minor changes were made to the definitions of "sludge" and "stormwater" to enhance clarity.

COMMENT #6: There was a comment disagreeing with the exclusion of water in the vadose zone and sandy or gravelly alluvial soils in or on the floodplains of intermittent streams from the definition of "aquifer," expressing concern that this may provide a legal path to contaminate waters of the state and requesting a technical reason supporting this exclusion and need for the proposed change.
RESPONSE: The uptake of water and nutrients by the root

system of plants occurs in these shallow soils. The omission of these shallow soils of the vadose zone as well as the sandy or gravelly alluvial soils of the streams specified from the definition of "aquifer" allows for potential treatment of applied wastewater through the uptake of the water and nutrients contained therein by vegetation. Through proper land application practices and potential treatment capabilities of these soils, groundwater is being protected for its intended uses. The department disagrees that this definition change would allow for unpermitted discharges into the vadose zone. This zone will continue to be protected as a pathway to surface waters and groundwater to protect their uses. No changes were made to the text of the rule as a result of this comment.

COMMENT #7: There was a comment that the definition of "biosolids" differs in several ways from definitions used in other states and that proposed an alternative definition.
RESPONSE AND EXPLANATION OF CHANGE: After internal discussion, the department revised the definition of "biosolids" to incorporate some of these proposals.

COMMENT #8: There was a comment regarding the terms "catastrophic storm" and "chronic storm event" that the increasing frequency and intensity of storm events should be addressed via a recalibration of "storm event" or a change to various engineering designs.
RESPONSE: These terms, by definition, should be kept up to date with the most recent and appropriate weather data available. The subject engineering design standards are set by such data at the time of design and construction; facilities are not modified later, when new data is received. Discussion on the implementation of the definitions of these terms would be more appropriately held in association with 10 CSR 20-8. No changes were made to the text of the rule as a result of this comment.

COMMENT #9: There was a comment regarding the definition of "earthen basin" that encouraged requiring monitoring of the groundwater system beneath and around basins of all sizes.
RESPONSE: A requirement for monitoring and engineering design standards are the purview of 10 CSR 20-6 and 10 CSR 20-8, respectively.

COMMENT #10: There was a comment that the definition of the term "general permit" should have an addition regarding various geologic and hydrogeologic circumstances to account for differences among locations and local conditions.
RESPONSE: The definition of this term comes from the Missouri Clean Water Law and may not be modified in regulation. The term "geologic conditions," as well as "geologic and hydrogeologic circumstances," is not included in this definition. However, geohydrologic conditions are considered in the development of a general permit. As such, comments related to this would be better applied toward the development of a master general permit. No changes were made to the text of the rule as a result of this comment.

COMMENT #11: There was a comment requesting a clarification to "small potential" in the definition of the term "minor violation."
RESPONSE: The definition of this term comes from the Missouri Clean Water Law and may not be modified in regulation. For further clarification and information regarding applicability of this definition, we would direct the commenter to 10 CSR 20-3. Comments requesting clarification of the implementation of enforcement for minor violations should be made during revisions to the rule that explains and determines which violations are minor and the associated penalties. No changes were made to the text of the rule as a result of this comment.

COMMENT #12: There were comments regarding the definition of the term "occupied residence or dwelling." One comment supported the revised language, while another expressed concern over how the term is used in the INMTS and LAMP.
RESPONSE: The definition of this term is not being changed; however, where the term is used is being reevaluated and updated within the INMTS. These concerns are addressed in 10 CSR 20-6.015. No changes were made to the text of the rule as a result of this comment.

COMMENT #13: There was a comment requesting the addition and removal of certain language in the definition of the term "open storage basin," noting an interpretation on phrasing and its implications toward regulation.
RESPONSE: The definition of this term comes from the Missouri Clean Water Law and may not be modified in regulation. The specific term "open storage basin" is only used in reference to "comingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels." No changes were made to the text of the rule as a result of this comment.

COMMENT #14: There was a comment requesting the addition and removal of certain language in the definition of the term "open storage vessel," noting an interpretation on phrasing and its implications toward regulation.
RESPONSE: The definition of this term comes from the Missouri Clean Water Law and may not be modified in regulation. The specific term "open storage vessel" is only used in reference to "comingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels." No changes were made to the text of the rule as a result of this comment.

COMMENT #15: There was a comment regarding contiguity within the definition of the term "operating location" and requesting a clarification on what constitutes boundaries as they relate to this term.
RESPONSE: The definition of this term comes from the Missouri Clean Water Law and may not be modified in regulation. However, we note the definition of "contiguous" by the online Merriam-Webster dictionary as "being in actual contact: touching along a boundary or at a point." Regarding boundaries, for the purposes of our rules, we do not consider most roads to render facilities noncontiguous. This is the more protective interpretation, and it means that two (2) facilities separated only by a road will usually be considered contiguous. Whether properties are contiguous is evaluated during the permitting process. No changes were made to the text of the rule as a result of this comment.

COMMENT #16: There was a comment requesting clarity on the term "temporarily" as used in the definition of the term "pump and haul."
RESPONSE AND EXPLANATION OF CHANGE: The department revised the definition of "pump and haul" to better clarify our intent.

COMMENT #17: There were comments regarding the lack of technical rigor in the methodology laid out in the definition of the term "saturated soil."
RESPONSE AND EXPLANATION OF CHANGE: The department revised the definition of "saturated soil" to specify the applicability of the provided definition. A more technical approach to determining whether soils are saturated was considered, but it was realized that the implementation may be overly complicated; the provided definition is practically enforceable, being easy to confirm and document. However, the department did provide clarity that the applicability description in question applies to surficial land application, not subsurface injection or dispersal systems.

COMMENT #18: There was a comment regarding the definition of the term "sludge," noting uncertainty toward domestic wastewater treatment facilities and potential confusion between the term and "biosolids."
RESPONSE AND EXPLANATION OF CHANGE: The department revised the definition of "sludge" to better clarify our intent and reduce potential confusion.

COMMENT #19: There was a comment noting what may be included under the definition of the term "stormwater."
RESPONSE AND EXPLANATION OF CHANGE: The department revised the definition of "stormwater" to better clarify what may be included.

COMMENT #20: There was a comment requesting modification to the definition of the term "stream" to differentiate a stream from a ditch by requiring a stream, as defined, be a water of the state.
RESPONSE: The department has not found adequate justification for the requested limitation on the definition, requiring greater backing in science and policy to change it. "Stream" is a geological term and is used in that sense in the regulations, whereas "Waters of the State" is a legal, jurisdictional term only partly based on geology. Artificial ditches have unique characteristics and do not require additional distinguishing from streams. Also, modified streams are still streams, as is seen in many urbanized areas. Furthermore, limiting the definition of stream to reduce jurisdiction creates a risk that the department's authority over waters of the state could be less stringent and cover fewer waterbodies than federal jurisdiction over Waters of the United States. No changes were made to the text of the rule as a result of this comment.

COMMENT #21: There was a comment regarding the term "twenty-five (25)-year, twenty-four (24)-hour rainfall" that the increasing frequency and intensity of storm events should be addressed via a recalibration of "storm event," further requesting that if the department has not determined when the described storm events have last been quantified by the National Climate Data Center (NCDC), the department does so.
RESPONSE AND EXPLANATION OF CHANGE: This term, by definition, should be kept up to date with the most recent and appropriate weather data available. The department uses nationally recognized, credible data sources, with preference for more recent and localized data, and has updated the definition of this term to ensure that, for future decisions drawing on such data, data will be pulled from appropriate data sources.

COMMENT #22: There were comments by a single source early in this rule process highlighting instances where the department drew text from statute but had not included mention that the text was drawn from statute.
RESPONSE AND EXPLANATION OF CHANGE: The department appreciates these instances that were missed and has updated the rule language to reflect that the subject texts were drawn from statute.

COMMENT #23: There was a comment regarding the definition of the term "waters of the state" and how, inconsistent with other definitions from section 644.016, RSMo, just the reference to the definition in statute was provided instead of both the reference to and full text from statute.
RESPONSE: The department found the definition in statute to be robust and did not include the full text for this term for the sake of brevity. No changes were made to the text of the rule as a result of this comment.

COMMENT #24: There was a comment early in this rule process asking why the term "permit holders or applicants for a permit" was removed for 10 CSR 20-2.010 despite being defined in section 644.016, RSMo.
RESPONSE: The term "permit holders or applicants for a permit" is defined in the Missouri Clean Water Law, but is only used in one (1) section, section 644.021, RSMo, pertaining to the members of the Clean Water Commission. As it pertains to the regulations, the department is currently working to update the continuing authority regulation and, as such, anticipates evaluating and, where appropriate, amending the regulations involving terms such as permittee, permit holder, applicants for a permit, owner, operator, and continuing authority, including potentially a new term for continuing authority. The department realizes that this is a comprehensive effort and, as such, did not yet, but may in that rule effort, incorporate the term "permit holders or applicants for a permit" into the rule. The statutory term is still valid and is the applicable definition where these terms are currently used within the law and the rule. No changes were made to the text of the rule as a result of this comment.

COMMENT #25: Staff commented a grammatical typo was noted in the definition of process wastewater treatment residuals, section (79).
RESPONSE AND EXPLANATION OF CHANGE: The department agreed and the grammatical correction was made.

10 CSR 20-2.010 Definitions

(3) "Agrichemical facility," as defined by section 644.016, RSMo, any site, with the exception of chemical production facilities,

where bulk pesticides or fertilizers, excluding anhydrous ammonia fertilizer, are –

(9) "Biosolids," the solid, semisolid, or liquid residue from treatment works treating domestic sewage and then further treated physically, biologically, and/or chemically. Commonly called sewage sludge, biosolids are treated to reduce pathogens and vector attraction. Materials like grit, screenings, and incinerator ash are excluded.

(62) "Open storage basin," as defined by section 644.016, RSMo, an open earthen basin (nonconcrete) with a capacity of two and one-half million gallons (2.5 MG) or larger that stores industrial process wastewater or industrial process wastewater residuals for disposal or land application.

(63) "Open storage vessel," as defined by section 644.016, RSMo, any metal, plastic, or polymer-lined basin with a capacity of two and one-half million gallons (2.5 MG) or larger that stores industrial process wastewater or industrial process wastewater residuals for disposal or land application;

(64) "Operating location," as defined by section 644.016, RSMo, all contiguous lands owned, operated, or controlled by one (1) or more persons jointly or as tenants in common, except land application sites are not required to be contiguous. State and country roads (excluding interstates) are not considered property boundaries for the purposes of this rule.

(79) "Process wastewater treatment residuals," sludges, biosolids, or other residuals originating from sanitary conveniences, or generated during manufacturing or processing, or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

(82) "Pump and haul," a no-discharge system which temporarily holds wastewater and wastewater treatment residuals until it is pumped down and the materials hauled to a permitted wastewater treatment facility or to an out-of-state location.

(89) "Saturated soil," a soil in which voids are filled with water. Saturation does not require flow. For the purposes of land application, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

(100) "Sludge," precipitated solid, semisolid, or liquid residue matter produced by the treatment of wastewater or sewage from any treatment facilities.

(103) "Stormwater," storm water runoff, snow melt runoff, and surface runoff and drainage as a result of precipitation events.

(108) "Twenty-five- (25-) year, twenty-four- (24-) hour rainfall," the wettest precipitation event for a twenty-four- (24-) hour period with a probable recurrence interval of once in twenty-five (25) years based on at least thirty (30) years of record from nationally recognized, credible data sources, with preference for more recent and localized data.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-6.015 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2025 (50 MoReg 1195-1204). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations.*

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on September 16, 2025, and the public comment period ended September 23, 2025. At the public hearing, department staff presented the proposed amendment to forty-one (41) attendees. There were four (4) comments received during the hearing. Fourteen (14) commenters submitted comments electronically during the public comment period.

Comments were submitted by Susan Williams with Moniteau County Neighbors Alliance (MCNA), Robert George with George's Processing, Inc., Judy Moore, Lisa Thomas, Lynn Schluns, Mary Jo Gofourth, Barbara Chicherio with St. Louis Green Party, Darleen Groner with Four Points Land Surveying & Engineering, Inc., Robert Brundage with Brundage Environmental Law Firm on behalf of Missouri Pork Association, Jessica Reis with Fox Smith LLC on behalf of Stop Land Use Damaging Our Ground and Environment (SLUDGE), Citizens of Randolph County Against Pollution (CRAP), Craig Family Farms, LLC, and Stephen Jeffery of Jeffery Law Group, LLC, Kayden Guymon with Missouri Farm Bureau Federation on behalf of the Poultry Federation, Missouri Cattlemen's Association, Missouri Pork Association, Missouri Corn Growers Association and Missouri Soybeans Association, Brent Haden, legal counsel representing the Poultry Federation, Maxine Gill with Missouri Coalition for the Environment (MCE), Elizabeth Hubertz with the Washington University Interdisciplinary Environmental Clinic on behalf of MCE and MCNA.

COMMENT #1: Mary Jo Gofourth submitted a comment stating they recently saw an article in the Joplin Globe about rule changes regarding the spreading of industrial wastes on farm fields. Their understanding from the article is there was no plan for testing for PFAS, and until this testing is being done, they don't think it would be safe to allow spreading of this material.
RESPONSE: The Industrial Nutrient Management Technical Standard (INMTS), which is incorporated by reference in the amendment, does not require materials being land applied to be sampled for PFAS. The department believes PFAS monitoring requirements should not be included in sampling requirements until adequate data and/or supported recommendations or rules are published detailing harmful levels of PFAS in land applied materials. At this time, this topic is an emerging point of still-developing research; the department is continuing to review the state of the science and may opt to propose PFAS regulations and sampling

requirements in the future.

COMMENT #2: MCNA submitted a comment that the definition of "Occupied Residence" is not protective of new construction as it relates to permits for 10 CSR 20-6.015. The way this term is used in the INMTS and LAMP is a concern. INMTS land application setback Table 4 uses the term occupied residence. In her testimony, the commenter noted that land application could potentially occur immediately adjacent to a new home with the current language.
RESPONSE AND EXPLANATION OF CHANGE: The definition of "Occupied Residence" is not being changed; however, the INMTS has been updated to clarify that land application activities and related setback distances apply to not only "occupied residences" but all residences, including newer construction and permanent recreational homes.

COMMENT #3: MCNA submitted a comment on Land Application Agreement forms. MCNA proposes that landowners receiving the land application materials be given a list of all pollutants in addition to the bacteria that are contained in the materials. This will allow landowners to make an informed decision about receiving the land application materials.
RESPONSE AND EXPLANATION OF CHANGE: In the INMTS, a statement will be included that reads "Upon request, sample results for all materials being land applied must be provided to all landowners and potential landowners of permitted land application fields." Additionally, materials must be sampled and reported through the electronic data reporting system; therefore, submitted records will be public records for anyone to review.

COMMENT #4: MCNA submitted comments stating they are interested in being able to quantify the waste load being land applied in HUC 12's across the state. Knowing the waste load being applied to land is important when understanding how to protect the water of the state. Will there be an annual report submitted to DNR regarding land application activities? Will the public have access to the annual reports that detail waste quantities and destinations of waste by HUC 12 and not just longitude and latitude of permitted features? It would be very helpful if waste quantity destinations were reported by HUC 12 as that is how CAFO waste destination is reported. How will current staff be able to monitor all the components identified as necessary to safely apply industrial waste?
RESPONSE: Every permitted land application field is included in the permit as a permitted feature, which will include HUC 12 data. The department does require an annual report be submitted to the department which includes soil sampling results for all permitted land application fields and new land application fields, sample results for all material land applied within the last year, and volumes of land applied materials. These annual reports can be requested by members of the public through a Missouri Sunshine Law request.

COMMENT #5: MCNA submitted a comment stating they are concerned that PFAS was removed from the list of pollutants being tested in wastewater, even though there are not guidelines yet developed by Missouri for safe levels of the material. MCNA believes that sources of wastewater should be tested for these materials and tracked for protection of Missouri farmland. Recently issues with farmland being contaminated by waste being land applied that contain PFAS in Maine and Texas are very concerning. MCNA asks DNR to be proactive and test sources of wastewater for PFAS materials.
RESPONSE: The department believes PFAS monitoring requirements should not be included in sampling requirements until adequate data and/or supported recommendations or rules are published detailing harmful levels of PFAS in land applied materials. At this time, this topic is an emerging point of still-developing research; the department is continuing to review the state of the science and may opt to propose PFAS regulations and monitoring requirements in the future. For further information, see the PFAS explanation in the proposed rule comments and responses related to PFAS.

COMMENT #6: Lynn Schluns submitted a comment stating that Missouri must protect our waters better than we currently are doing. The DNR must be sure that regulations for application of waste to farmlands (such as 10 CSR 20-6.015) include provisions for completing testing of all elements contained in the sludge. If the DNR cannot substantiate that the sludge contains no harmful elements, application should be prohibited.
RESPONSE: The department requires the sampling of all materials being land applied and results to be submitted to the department as part of the permit application. The materials are sampled for metals and pathogens, which are required to be reported on an annual, quarterly, or monthly basis depending on where the material comes from.

COMMENT #7: Barbara Chicherio submitted a comment regarding A3. Subsection 2. Conducting Soil Sampling in the INMTS. She states that average fields represented by a soil sample should be approximately 20 acres and not be larger than 80 acres. This language is an improvement as compared to the last DRAFT RIR (April-June 2025) where one soil sample was required for 80 acres of field. Questions remain about criteria used in making decisions about using a sample area larger than a 20-acre plot and who makes these decisions. The smaller field size remains important because the larger field samples could dilute the material, thus producing inaccurate findings; the smaller field samples will provide more detailed information about where the substances of concern are located.
RESPONSE: The University of Missouri's Agricultural Extension recommends composite samples be taken on fields ranging from 20-80 acres, provided fields are representative. If fields are not deemed representative due to slope, cropping, or other means, sampling may be required at smaller intervals. The department directs to University of Missouri's Agricultural Extension publications and soil sampling protocols.

COMMENT #8: Barbara Chicherio submitted a comment regarding Section 3 (p. 16) Geohydrologic Evaluations in the INTMS. She states the new rule on page 16 is very encouraging and is clearly a step forward in acknowledging that geological areas with sensitive features require special attention to ensure that groundwater is not contaminated. She had one question or concern related to this section: Geohydrologic evaluations must be conducted on new land application fields per 10 CSR 20-8.200(2)(B). The term "new application fields" should be clearly explained to reflect the intent of the rule. It is her understanding that "new application fields" refers to any or all fields that will be sited in the newly awarded permits. Is it true that fields previously used for land application of industrial waste will require geohydrologic evaluations before permits are granted? It is promising that all fields addressed in new permits will receive geo/hydro evaluations.
RESPONSE: New land application fields refer to land application fields that have not been previously permitted, all of which will be required to have a geohydrologic evaluation prior to permitting.

COMMENT #9: Barbara Chicherio submitted a comment asking to reinstate PFAS thresholds and monitoring requirements, deeply concerned that PFAS thresholds and monitoring are missing from the INMTS for industrial wastewater and residuals. The INMTS should include monitoring and land application rules for PFAS. Just because the EPA is backing away from setting PFAS standards in industrial waste and biosolids does not mean that the health threats for Missouri citizens have disappeared.

RESPONSE: At this time, this topic is an emerging point of still-developing research; the department is continuing to review the state of the science and may opt to propose PFAS regulations and monitoring requirements in the future.

COMMENT #10: Darleen Groner submitted a comment asking to please cite where the pollutant loading rates Table 1 were obtained. Also cite where the Maximum Soil Pollutant Concentrations Table 2 were obtained. Where will you obtain limits for "other pollutants of concern" for both loading rates and soil pollutant concentrations that are not specified in the INMTS? Regarding background concentrations being considered when developing permit in-soil concentrations, please clarify throughout the document that background concentrations refer to only naturally occurring pollutants, not other pollutants that may have been applied prior to the new rule.

This section states "Material may not have pollutants present that exceed limits in Table 1." Then in Section A1 it states "Development of the Land Application Management Plan may consider elevated levels of these pollutants, if regular soil sampling confirms that the in-soil, cumulative pollutant concentrations do not exceed soil limits in A2." If they cannot exceed these limits in Table A1 when initially land applied, how will they know if, when land applied, they do not exceed Table A2? Please explain or revise.

RESPONSE: Maximum Material Pollutant Concentrations described in Table 1 were derived from tables in 40 CFR Part 503 and tables in MU Extension Publication No. WQ425 https://extension.missouri.edu/publications/wq425. Maximum Soil Pollutant Concentrations in Table 2 were also derived from 40 CFR Part 503 and converted to mg/kg from kg/hectare using a soil density multiplier. The department will consider both the material limits and the soil limits when deriving permit requirements, conditions, monitoring, and limitations. The soil limits are provided for permit writers when, in their professional judgment, a risk to exceed the in-soil limits exists. If such a risk exists, permit writers can establish monitoring and limits for soil in permits for added protection.

COMMENT #11: Darleen Groner submitted a comment regarding sulfur in the INMTS page 6 – "Sulfur: If sulfur-laden materials are applied to fields while precipitation is taking place, the material may runoff into nearby waters, as sulfur is highly mobile." Runoff and ponding are prohibited during land application (see page 13, Section B2:a). Also, land application during potential precipitation events (section B2:c) is prohibited. The statement "If sulfur-laden materials are applied to fields while precipitation is taking place" is misleading. Please revise.

RESPONSE AND EXPLANATION OF CHANGE: The INMTS will be revised to remove the suggested language of "If sulfur-laden materials are applied to fields while precipitation is taking place, the material may runoff into nearby waters, as sulfur is highly mobile."

COMMENT #12: Darleen Groner submitted a comment regarding the INMTS Section A3 Material Sampling: "Operators are required to sample each unique source of material at least once per year for materials from facilities operating under a Missouri State Operating permit issued under the Missouri Clean Water Law or quarterly for out-of-state material or unpermitted source material. Materials shall also be sampled when processes have changed." This is not clear, won't any out-of-state material be outlined under the Missouri State Operating Permit (MSOP), so would they be exempt from sampling quarterly? Please explain what an "unpermitted source material" would be. The intent of the new rules is to require all material to be overseen by a permit, correct? Maybe this should be rewritten to say sampling is required for in-state materials at least annually and quarterly for out-of-state materials being land applied under a MSOP. There should not be any "unpermitted source material."

RESPONSE: The INMTS requires different frequency of material sampling. If the source facility is not under a MSOP (i.e., out of state or Missouri permit exempt), the source facility will likely need to be sampled more frequently than a source facility that is already covered under an MSOP. Source facilities that are covered under an existing MSOP have monitoring and reporting requirements that may provide relevant data about potential pollutants, concentration, and consistency of the material that may be used to allow less frequent monitoring of the material for land application. For facilities not under an MSOP, the department will not have the same data and, as such, will likely require more frequent monitoring.

COMMENT #13: Darleen Groner submitted a comment regarding background concentrations being considered when developing permit in-soil concentrations. She asks to please clarify throughout the document that background concentrations refer to only naturally occurring pollutants, not other pollutants that may have been applied prior to the new rule.

RESPONSE: The department will evaluate what the appropriate background levels are on a case-by-case basis. A geochemical survey of Missouri developed by the USGS, Geochemical Survey of Missouri (https://pubs.usgs.gov/pp/0954h-i/report.pdf), may be used to aid in determining background concentrations of certain pollutants. The department intends to use data and resources available to determine pre-land application background concentrations for fields that have already been used for land application.

COMMENT #14: Robert Brundage submitted a comment regarding applicability on page 2 of the INMTS. Manure is not regulated by the INMTS. This sentence creates confusion because CAFO-generated manure is ONLY regulated by the CAFO NMTS and CAFO regulations. The word "may" in this sentence seems to imply CAFOs may "follow" or be regulated by this document, which is incorrect.

RESPONSE AND EXPLANATION OF CHANGE: There are some facilities in Missouri that handle manure classified as wastewater, but are not part of a CAFO, such as agricultural truck washes and animal holding areas. This statement was to provide guidance and flexibility for those situations where use of the CAFO Nutrient Management Technical Standard may be more applicable than the INMTS. Clarifying language was added.

COMMENT #15: Robert Brundage submitted a comment regarding page 3 Definitions in the INMTS. He states there is no differentiation between private agricultural land in the "potential" ("low" vs. "minimal") for trespass by the public.

RESPONSE: The INMTS recognizes that all agricultural operations have low exposure, which is why it allows extremely high levels of bacteria to be land applied. Controlled Fields with Land-Use Agreements are adhering to harvesting and grazing deferments. Minimal means there are enforceable deferments. Agricultural operations, as a facility type within the INMTS, may or may not be under the control of the permittee, as previously requested by this stakeholder. The "low potential" designation is only slightly higher than the minimal exposure assessment, as these locations not under the operational control of the permittee or under land use agreements may not have enforceable harvesting and grazing deferments, therefore slightly elevating the potential risk of exposure.

COMMENT #16: Robert Brundage submitted a comment regarding page 5 Table 1 in the INMTS. Doubling setback distances creates a disincentive to incorporate material into soil. Incorporation benefits include enhanced nutrient availability to the plant and odor reduction. Another benefit is reduced opportunity for runoff since the material is "locked" underground. Actually, injection reduces the opportunity for runoff so setback distances should be reduced or eliminated. To require setbacks be doubled is counter-intuitive.

RESPONSE: Doubled setback distances and incorporation is included in Table 1 of page 5 for the purpose of land applying material on controlled fields with land-use agreements with an unlimited amount of fecal coliform. In short, incorporation is always required in these circumstances, as are the setback distances; as such, there is no disincentive. However, early in the informal rulemaking stakeholder engagement process, representatives of local health departments or boards raised concerns about the runoff from fields with extremely high levels of bacteria and pathogens. The department also considered requests to establish an allowance for land application of materials regardless of bacteria or pathogen content. The department acknowledges that establishing safe options for land application of material high in bacteria is financially significant for many of the facilities utilizing land application. However, the department also acknowledges the validity of the concerns associated with runoff from fields where land application of material high in bacteria has occurred. In a study available through the National Library of Medicine, *E. coli* and enterococci were found to be able to survive in soil for several weeks, especially when land applied in high nutrient material. As such, the department established conditions that the material be incorporated into the soil and that increased the setback distances, to retain the bacteria in the field until time and natural processes attenuate the bacteria in the material land applied. No change was made in response to this comment.

COMMENT #17: Robert Brundage submitted a comment on page 7 of the INMTS. He suggested aluminum be removed since it is a common element in soil and elevated levels are not known to be a problem in Missouri where DAF skimmings and WAS have been land applied.

RESPONSE: Section 644.051.8(5)(b)a, RSMo, requires annual sampling of any contents of any open storage basin or open storage vessel for metals including aluminum. However, the department acknowledges that the background conditions of aluminum in soil vary greatly around the state, as documented in the USGS publications, Geochemical Survey of Missouri (https://pubs.usgs.gov/pp/0954h-i/report.pdf). Earlier versions of the INMTS provided an in-soil limit for aluminum, based on studies and research. However, further investigation, including the above-referenced research, found that the natural aluminum levels are higher than the study results, with continued support of vegetation and agricultural operations. This language was added to increase flexibility for aluminum. No changes were made.

COMMENT #18: Robert Brundage submitted a comment regarding page 11 of the INMTS. He states the participant "shall" use P solubility. Section 644.041, RSMo, mandates use of P solubility – "Such phosphorus index shall be revised for each annual planned application of such material and include, but shall not be limited to, data inputs for field use, field slope, field management practices, application method, soil type, phosphorus soil test, phosphorus solubility, and tillage type. Results of any sampling required under this subsection shall be provided to the department."

RESPONSE: The quoted passage of the statute specifically includes the language "include, but shall not be limited to,... phosphorus solubility." By including the language that allows the participant the choice of using phosphorus solubility or total phosphorus, the participant can choose which method they prefer. However, the statute states that the calculations shall have the phosphorus solubility. As the soil test method is already in soluble phosphorus, the language concerning sampling of the material has been updated to require phosphorus solubility. For most circumstances, the department assumes participants will choose to measure material for soluble phosphorus as it will typically provide higher land application rates. However, the department retained language that allows flexibility for the participants to decide how to use the phosphorus solubility data in determining land application rates. With materials that have a high ratio of insoluble phosphorus, permittees or farmers may wish to consider the amount of total phosphorus in their land application, because in the absence of soluble phosphorus, insoluble phosphorus becomes soluble in soil through microbial activity; in short, for long-term nutrient planning, farmers need to know that there is a high amount of the phosphorus being land applied that may become soluble, affecting the next soil sampling event. Retaining flexibility for the permittee and farmer allows all considerations required by the statute. No changes were made in response to this comment.

COMMENT #19: Robert Brundage submitted a comment on page 11 of the INMTS. He states under no scenario is the PAN rate allowed to be exceeded, so is this paragraph needed or does it just cause confusion. Also remove "the amount of phosphorus banked in the soil will not exceed four years of crop removal/nutrient needs for the planned rotation." This is not found in the P index.

RESPONSE: Because the five-year management plan option allows land application of nutrients in excess of the one year's expected nutrient removal, we wanted to be clear that nitrogen can only be applied up to the needs for the year. However, multiple years of phosphorus can be applied. Under a five-year management plan using PAN application rates, five years of phosphorus may be applied, which means that up to four years' worth of phosphorus may be "banked" in the soil at the end of the first year. If a farmer or applier chose to only apply three years' worth of phosphorus (because that was the material equivalent of one year of nitrogen, for example), then only two years of phosphorus is being "banked" in the soil for future years; based on most material phosphorus-nitrogen ratios, this is more likely. The language was included to confirm that while likely not the normal balance of nutrients,

under this method, up to four years of phosphorus may be "banked" under a five-year plan. No changes were made in response to this comment.

COMMENT #20: Robert Brundage submitted a comment regarding page 12 of the INMTS. He states the P index does not assess "long-term potential" for impacts on water quality. The index protects water quality every year.
RESPONSE: The following is a direct quote from the University of Missouri Extension Publication "*The Missouri Phosphorus Index*," reviewed May 2024: "The Missouri P index is used to assess the long-term potential for phosphorus from an agricultural field due to erosion and high soil test phosphorus." The same publication also notes a correlation in phosphorus loss and water quality: "Water quality deteriorates when too much phosphorus enters a stream or lake...." Additionally, the University of Missouri Extension Publication "*Agricultural Phosphorus and Water Quality*," reviewed November 2018, which is specifically referenced in "*The Missouri Phosphorus Index*," reviewed May 2024, states the following: "All Missouri's water resources can be impaired by excess nutrients from agricultural fields." This document also states "Considerable evidence suggests that soluble phosphorus concentration in runoff increases in direct proportion to increasing soil test phosphorus levels." No changes were made in response to this comment.

COMMENT #21: Robert Brundage submitted a comment regarding page 12 (3)c of the INMTS. He requests that the department add "or medium" as it follows the MU P index.
RESPONSE: The INMTS follows the P-Index guidance documents in both intent and specific recommendations. The University of Missouri Extension Publication "*The Missouri Phosphorus Index*," reviewed May 2024, specifically states that for "Medium" P-Index ratings "Nitrogen-based nutrient management allowed. Consider implementing phosphorus-based management of manure and other conservation practices to reduce phosphorus loss from the field." The department supports nitrogen-based nutrient management on fields that are under the operational control of the permittee, are under an agreement with the permittee, or are under a multi-year nutrient management plan, as permits and nutrient management plans establish management plans for manure, land application practices that reduce phosphorus loss, and are designed to prevent over-application of nutrients. Missouri facilities have routinely demonstrated their efforts to provide appropriate, long-term management and good practices for fields that they are routinely using, managing, and harvesting. In short, Missouri facilities have good reasons for ensuring that fields under their long-term management or agreement have good conservation practices and adhere to all permit conditions. However, entities that have no connection to the fields on which they land apply nor any long-term agreements, partnerships, or arrangements, do not have the same incentives to ensure proper ongoing management. Furthermore, they do not have any mechanism or means to ensure how the land is managed before or after their land application. Missouri facilities with long-term connections to their lands or their neighboring lands are provided more flexibility under Option 2 than the entities that opt to land apply on fields with which they have no ownership, control, lease agreements, or multi-year nutrient management plans. As such, no changes were made in response to this comment.

COMMENT #22: Robert Brundage submitted a comment regarding page 12 (3)e of the INMTS. He states this directly contradicts MU's P Index and violates section 644.041, RSMo. This statute says "The nutrient management technical standard shall allow the use of a phosphorus index developed by Missouri first land grant university, regardless of operational control over land application fields." The P Index allows application at the PAN rate when the P Index is "medium." Commenter also noted page 12. Section 644.041, RSMo, requires annual soil sampling and requires the "phosphorus index shall be revised for each annual planned application of such material." So the index and the statute protects water quality every year, not just the short term but also the long term. The commenter notes that, should the permittee return to the field the subsequent year, new sampling would evaluate the soil nutrient content.
RESPONSE: As outlined in the response above, the University of Missouri Extension Publication "*The Missouri Phosphorus Index*," reviewed May 2024, does indicate that land application at the medium level should be allowed but also continues with additional guidance on how that land application should be managed, as noted above. For sites that are following the recommended practices, in short, sites with long-term management plans, agreements to adhere to permit conditions, and ongoing agreements on management, the department has clearly supported nitrogen-based land application. In locations where the permittee will not be working with the landowner to ensure appropriate management practices, follow permit requirements, and will not have any involvement in additional fertilizer or nutrients applied on the field, the department has recognized that the remainder of the guidance must be considered, following the more conservative suggestions provided in the publication. The same publication also notes "In other words, nitrogen-based management typically is not a long-term sustainable practice." Whereas Option 2 using the P-Index with a five-year management plan includes long-term evaluations of nutrients, Option 3 provides for short-term, immediate land application without restrictions on, or consideration of, nutrients that may be applied on the field after the permittee land applies their material and then departs the field. The commenter notes that, should the permittee return to the field the subsequent year, new sampling would evaluate the soil nutrient content, but fails to recognize that this option does not require a permittee to return to the field to assess any overapplication *unless* the permittee wishes to re-apply the following year. If the permittee had previously overapplied on a field, they could simply opt not to conduct land application on that field and, therefore, not collect additional samples. Allowing higher land application without the related limits and confirmation of continuation of the planned land application practices would not be protective nor would it ensure proper nutrient management, which is the intent of this regulation.

The Revised Universal Soil Loss Equation (RUSLE) is a key component of the P-Index guidance and a required component of the P-Index rating. RUSLE uses the following factors for any site: rainfall energy and intensity, soil erodibility based on soil properties, topographic features, cover management including crop type, residue and tillage, and support practices such as contour farming or terracing. Many of these factors are clearly based on the ongoing operations at the field. However, for fields not under the operational control of the permittee, these factors could change any time after the RUSLE calculation is completed and used for P-Index assessment, including immediately before or after the land application activity. As the permittee has no control over these practices, and therefore no control over the factors used in calculating the RUSLE value and the continued use of the

P-Index, the department supports the conservative guidance of the P-Index publications for sites where the permittee has no operational control. As stated above, many Missouri facilities have demonstrated a long understanding of, and commitment to, their local fields, whether directly under their operational control or in coordination with a farmer under an agreement and five-year management plan; in doing so, they have demonstrated that the factors used for the RUSLE calculation and the P-Index can be very well managed and controlled to ensure the most flexible, sustained use of the P-Index. No changes were made in response to this comment.

COMMENT #23: Robert Brundage submitted a comment regarding page 13 of the INMTS. He states if low P soil levels or the P Index allows, the permittee follows the PAN rate and ignores that level of P application. When the PAN rate is followed, the phosphorus rate may exceed the annual planned phosphorus removal capacity of the crop. This section is inconsistent with the previous subsections (2) and (3) which allow multi-year P application.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees, as multi-year phosphorus during PAN application was the intent of the statement. Clarifying language has been added to the INMTS.

COMMENT #24: Robert Brundage submitted a comment regarding page 13 B2.c of the INMTS. He requests that the department add "when precipitation is reasonably anticipated in the next 3-hour period following any planned land application activity." This language is from Arkansas's land application permits. Arkansas acted to protect the environment but also recognizes the benefits and field limitations of subsurface application. Injection enhances nutrient availability and reduces odor. It also minimizes the opportunity for runoff. Planting season coincides with the wet weather season when farmers are eager to get nutrients applied. Subsurface application of organic materials leading up to a rain event delivers nutrients within tight planting schedules. Aligning permitted practices with farming timelines helps the farmer plan for the growing season and ensures he can best utilize these nutrients.
RESPONSE: The University of Missouri Extension Publication "*Agricultural Phosphorus and Water Quality*," reviewed November 2018, which is specifically referenced in "*The Missouri Phosphorus Index*," reviewed May 2024, states the following: "Manure and fertilizer have vastly higher concentrations of soluble phosphorus than soil. If a rainfall event causing runoff occurs soon after a surface application, the concentration of soluble phosphorus in the runoff can be more than 100 times higher than normal." The publication also notes "Flash soluble phosphorus losses have high concentrations of phosphorus in a form that is readily available to aquatic organisms. These events occur with runoff soon after a surface application of phosphorus or when phosphorus is surface applied to frozen or snow-covered fields. However, one ill-timed application can contribute more phosphorus to surface water than is lost by all other processes over the course of a year or more." This publication, referenced within the P-Index that is the foundation of much of the INMTS, clearly details the importance of appropriate timing of land application and avoiding precipitation events soon after land application.

Using a percentage and precipitation amount establishes a clear threshold and expectation for the permittee, ensuring they can easily document their intended compliance. The requested change to "reasonably anticipated" would leave the decision to the hauler's judgment, leaving it open to interpretation and challenge. As this was a repeated concern raised on unregulated land application activities associated with this rule change, and as this was requested throughout the informal stakeholder engagement by participants, no changes were made.

COMMENT #25: Robert Brundage submitted a comment regarding page 16 section C of the INMTS. He states that 10 CSR 20-8.200(2)(B) does not apply. It only applies to lagoon construction and "wastewater irrigation alternatives." Land application is not irrigation. DNR has never before applied this regulation to land application of CAFO manures or any other material land applied for it nutrient content. The regulation only applies to irrigation of wastewater from a wastewater collection basin like a lagoon. This entire section should be deleted.
RESPONSE: 10 CSR 20-8.200(1)(A) specifically excludes CAFOs from the requirements of 10 CSR 20-8.200 as they are covered in 10 CSR 20-8.300. 10 CSR 20-8.200(7) establishes requirements for surface application of wastewater. The requirement in 10 CSR 20-8.200(3)(B) for geohydrologic evaluation for new land application fields became effective in 2019. The department has applied this requirement to new land application fields permitted since 2019 for industrial facilities.

COMMENT #26: Robert Brundage submitted a comment regarding page 16 of the INMTS. He states that there are no defined or published standards for how to identify when a land application field has "significant potential" for contaminating groundwater. By design, land application is not to discharge to WOTS including groundwater. Thus, the permit terms and conditions already protect groundwater. Therefore, if you follow the permit terms and conditions, there is little or no potential to contaminate groundwater.
RESPONSE AND EXPLANATION OF CHANGE: The potential for groundwater exposure is determined by the Missouri Geological Survey, who make professional determinations to evaluate significant potential to contaminate groundwater. The language in section C was updated. Additionally, subsection b and c were updated for clarity.

COMMENT #27: Robert Brundage submitted a comment on page 17 section D. D1(1) of the INMTS. He requests that the department add "Each land-use agreement shall identify the land application field(s) and the property owner's name. The owner's contact information may be omitted or redacted but available to the department upon request. Omitting a landowner's contact information provides some relief from potential harassment."
RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and will make a change to section D. D1(1).

COMMENT #28: Robert Brundage submitted a comment regarding page 18 (4)b of the INMTS. He states the INMTS does not require the permittee to solely use the MU soil lab.
RESPONSE AND EXPLANATION OF CHANGE: (4)b. on page 18 of the INMTS has been revised to include the following language: "Current soil test results from the University of Missouri soil laboratory or a Missouri Soil Testing Association accredited laboratory."

COMMENT #29: Robert Brundage submitted a comment regarding page 18 (5)e of the INMTS. He asks what if the farmer does not release the information of actual yield. Consider adding "if known."

RESPONSE AND EXPLANATION OF CHANGE: Additional language was added for flexibility if a farmer does not provide actual crop yield information.

COMMENT #30: Robert Brundage submitted a comment regarding page 18 (5)g.viii of the INMTS. Section 644.041.2, RSMo, does not require the cumulative phosphorus balance because the statute requires "annual" soil sampling because the phosphorus index is "revised for each annual planned application." This is not required by law nor is it relevant.

RESPONSE: This assessment simply documents the nutrient management calculations and plans for the facility, documenting that while the soil phosphorus level that year may appear to be extremely high, it is acceptable if it is part of a five-year plan. When multiple years of phosphorus are applied in one year under a five-year plan, the next year's nutrient sample results may document what appears to be extremely high or excessive nutrients in soil. As such, the brief "balance equation" demonstrates that the soil level, while high, is not indicative of overapplication, mismanagement, or noncompliance. In short, it demonstrates the permittee's compliance in the presence of high sample results. No changes were made.

COMMENT #31: Fox Smith submitted a comment addressing background concentrations: The rule allows for consideration of background concentrations in developing site-specific soil limits. We support this flexibility but recommend that the department provide guidance on how background levels should be determined, including sampling protocols, statistical methods, and acceptable data sources.

RESPONSE: The department appreciates the support in the flexibility. The department is utilizing the USGS Geochemical Survey of Missouri, which provides historic background concentrations of metals in the soils. The historic data in this study was collected prior to most of the land application practices currently under review; as such, the department intends to preferentially use this historic data to determine background concentrations, rather than soil data collected today which could be impacted by recent land application practices.

COMMENT #32: Fox Smith submitted a comment regarding the inclusion of additional metals of concern. While the current list is comprehensive, certain industrial sectors may generate other metals of concern, such as aluminum, barium, thallium, and vanadium. The rule should allow for the inclusion of additional pollutants in permits based on site-specific risk assessments or known industrial inputs.

RESPONSE: The INMTS includes the ability for the department to add monitoring and limits for additional metals or other pollutants based on parameters present in the sample results required to be submitted. This will be a site-specific determination. No change was made to the INMTS.

COMMENT #33: Fox Smith submitted a comment regarding composite vs. grab sampling. They state the rule should clarify when composite sampling is required versus grab sampling. For heterogeneous materials or fields with variable application history, composite sampling may be more representative.

RESPONSE: During the permitting process, the department establishes the type of sampling based on the characteristics of the material and other site or permit-specific considerations. Additionally, as this is part of the permit requirements, these determinations are open for public review and comment during the public notice and public participation process.

COMMENT #34: Fox Smith submitted a comment regarding dry vs. wet basis reporting. They state the INMTS requires dry weight reporting for pollutant concentrations. This is standard practice, but the rule should ensure that moisture content is also reported to allow conversion and comparison across datasets.

RESPONSE AND EXPLANATION OF CHANGE: The department added a requirement below Table 2: All sample results must include soil moisture content.

COMMENT #35: Fox Smith submitted a comment regarding sampling timing and frequency. They state while annual sampling is a reasonable minimum, the rule should clarify that more frequent sampling in high-risk scenarios (e.g., elevated pollutant concentrations, sensitive receptors nearby, or recent changes in material source) is recommended. Conversely, facilities with consistent historical data and low variability may be eligible for reduced frequency under permit conditions after a statistically significant time.

RESPONSE: The department will establish monitoring frequency as part of the permitting process. The minimum annual sampling was established in section 644.041.2, RSMo.

COMMENT #36: Fox Smith submitted a comment regarding laboratory accreditation. They state the rule appropriately requires use of laboratories accredited by the Missouri Soil Testing Association. We recommend that the department also require laboratories to follow EPA-approved methods for metals analysis (e.g., EPA Method 6010 or 7471 for mercury) and maintain Quality Assurance/Quality Control (QA/QC) documentation.

RESPONSE AND EXPLANATION OF CHANGE: The department has revised (4)b. on page 18 of the INTMS to include the following language: "Current soil test results from the University of Missouri soil laboratory or a Missouri Soil Testing Association accredited laboratory." As methods can be updated and changed, the department does not want to specify one exclusive method in the INMTS for testing protocols.

COMMENT #37: Fox Smith submitted a comment asking to clarify definitions. They state the rule defines "public contact site," "agricultural operation," and "controlled field," but these definitions should be cross-referenced in the permit application and enforcement sections to ensure consistent interpretation.

RESPONSE: The department appreciates the comment. As we draft permits, applicable definitions in regulation will be applied and incorporated into the permitting and factsheet language to ensure consistency for the facility and the public. Therefore, it is unnecessary to repeat these definitions in the enforcement regulations, 10 CSR 20-3, because the department's compliance and enforcement process includes evaluation of noncompliance with permit conditions and regulations. Further, it would be redundant and unnecessary to repeat these definitions in the requirements for permit applications. No changes were made to the INMTS.

COMMENT #38: Fox Smith submitted a comment regarding soil incorporation requirements. They state for fields with elevated pathogen levels, incorporation into soil is required. The rule should specify acceptable incorporation methods (e.g., tilling, injection) and timing relative to application.

RESPONSE AND EXPLANATION OF CHANGE: A change was made to the note under Table 1 on page 5 of the INMTS.

COMMENT #39: Fox Smith submitted a comment regarding harvesting and grazing deferments. They state the rule includes deferments of 14 days (May–Oct) and 30 days (Nov–Apr) for grazing and forage harvesting. These deferments are consistent with pathogen die-off rates but should be clearly stated in permit conditions and communicated to landowners.
RESPONSE: The grazing deferments is a standard condition in land application permits and will continue to be included.

COMMENT #40: Fox Smith submitted a comment regarding numeric limits for chloride and sulfur. They state while variability is high, the department should consider establishing default numeric thresholds or guidance values to aid permit writers and operators.
RESPONSE: The impacts and range of acceptable limits vary on any different soil, climate, and crop circumstances. As such, a numeric limit is not applicable and phytotoxicity is the driving limit for this parameter.

COMMENT #41: Fox Smith submitted a comment regarding pH monitoring protocols. They state the rule should specify acceptable pH ranges for common crops and soils, and require corrective actions if pH falls outside these ranges.
RESPONSE: pH ranges are highly variable and different plants require different pH levels. The impacts and range of acceptable pH vary on any different soil, climate, and crop circumstances. As such, a numeric limit is not applicable and phytotoxicity is the driving limit for this parameter.

COMMENT #42: Fox Smith submitted a comment regarding oil and grease source characterization. They state facilities applying materials with high oil and grease content (e.g., dissolved air flotation skimmings) should be required to characterize the source and composition, and demonstrate that application will not result in runoff or groundwater contamination.
RESPONSE: The rule and the INMTS require all material to be characterized prior to land application. The department will evaluate the material information as part of the permitting process, ensure that setback distances are established, and if there is concern request additional information or set permitting conditions to ensure groundwater contamination. The land application rates are established to prevent groundwater contamination.

COMMENT #43: Fox Smith submitted a comment regarding permit screening. They state the department should require applicants to certify that materials are not hazardous under CERCLA/RCRA, and provide documentation of waste characterization.
RESPONSE: As part of the permitting process, the applicant is required to submit sampling of the materials which includes CERCLA/RCRA parameters. The department can ask for additional information, sampling, and characterization to ensure the materials are not hazardous.

COMMENT #44: Fox Smith submitted a comment regarding site-specific limits. They state where materials contain trace amounts of CERCLA-listed substances, the department may establish site-specific limits. Guidance on how these limits are derived would be helpful.
RESPONSE: If a facility's materials include trace amounts of CERCLA-listed substances, the department would utilize the Missouri Risk Based Corrective Action procedure, Section 5: https://dnr.mo.gov/waste-recycling/investigations-cleanups/missouri-risk-based-corrective-action-mrbca/departmental.

COMMENT #45: Fox Smith submitted a comment regarding visible petroleum sheen. They state the rule rescinds the agricultural runoff exemption if a petroleum sheen is observed. This is appropriate, but enforcement protocols should be clarified (e.g., reporting timelines, sampling requirements).
RESPONSE: A petroleum sheen on runoff would be enforced like any other permit or regulatory violation. The department has well-established statutes, rules, and internal procedures related to compliance and enforcement actions, including sections 644.056 and 644.076, RSMo, and 10 CSR 20-3.

COMMENT #46: Multiple commenters including Mary Jo Gofourth, Great Rivers Environmental Law Center, MCNA, Lisa Thomas, Barbara Chicherio, MCE, Darleen Groner, Judy Moore, and Fox Smith commented regarding PFAS. Commenters state PFAS testing should be required of material and soil, and PFAS limits in materials to be land applied and/or soil should be established. Comments requested inclusion on PFAS in the rule for permitting, land application, and permit exemptions. Commenters provided concerns about the potential impacts from PFAS on water quality, drinking water supplies, human health, and other exposure pathways. Commenters submitted multiple rule suggestions to include PFAS monitoring, requirements for select PFAS compounds, PFAS sampling, PFAS limits, PFAS restrictions or conditions. MCE commented stating the Missouri Clean Water Law obligates the department to mandate PFAS requirements. Specifically, MCE cites sections 644.051 and 644.016, RSMo, stating that PFAS compounds are a "water contaminant that causes pollution" and thus satisfying the requirements of section 644.051, RSMo, and requiring the department to adopt regulations to mitigate the release of PFAS into the environment, while citing multiple articles and EPA's Draft Sewage Sludge Risk Assessment for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS).
RESPONSE: Currently, PFAS exposure and impacts of exposure are emerging areas of scientific research. While the department acknowledges the possible health impacts related to PFAS exposure, many factors such as the magnitude, duration, and frequency of PFAS exposure through pathways such as exposure through land applied materials and the subsequent impacts to human health and the environment are still unknown. Many statutes within the Missouri Clean Water Law establish the foundation for the department to regulate pollutants, including a rulemaking process, as well as the process for establishing water quality criteria. The statutes have long established an obligation to not only regulate pollutants, but also to do so in a process that relies on science, research, and a thorough stakeholder process. At this time, the department believes scientific research is inadequate to determine any quantitative PFAS limitations in soils and land applied materials, and believes monitoring and limit requirements should not be included in proposed draft rule requirements until adequate data and/or supported recommendations or rules are published detailing harmful levels of PFAS in land applied materials. Currently, EPA's draft human health guidance and draft biosolids risk assessment are still on public notice period and are subject to change. The department believes the reliance solely on draft guidance documents is inappropriate for this topic. The department is continuing to review the state of the science and may opt to propose PFAS regulations and monitoring requirements in the future. No changes were made in response to these comments.

COMMENT #47: Great Rivers Environmental Law Center commented on the exemption to *de minimis* discharges.

Comments state the exemption lacks sufficient criteria to guide the department in determining when the exemption applies, creating the possibility the department will receive an influx of *de minimis* applications. Great Rivers Environmental Law Center comments the influx of applications may lead to increased pressure in granting exemptions in circumstances that are inappropriate. For these reasons, Great Rivers Environmental Law Center comments the department should remove the *de minimis* exemption in its entirety.

RESPONSE: The current proposed rule language contains multiple edits to the *de minimis* exemption that aim to provide clarity in what qualifies for a *de minimis* exemption and to include the process in which the department approves or denies a request for a *de minimis* exemption. Prior to the proposed amendments which provide clarity and scope of the *de minimis* exemption, the department did not regularly receive many *de minimis* exemption requests and does not anticipate amendments that provide clarity to cause an "influx" of *de minimis* requests as stated in the comment. Additionally, regardless of the number of requests received by the department, each request will be reviewed on a case-by-case basis and include a review of possible impacts to waters of the state, soils, crops, public health or the environment, the chemical constituents of the material, the duration of the event, and other relevant factors as determined on a case-by-case basis by the department. Regardless of the number of requests received, department staff will thoroughly review all requests and will not approve exemptions that do not adequately and appropriately meet the criteria of a *de minimis* exemption. No changes were made in response to this comment.

COMMENT #48: Great Rivers Environmental Law Center and MCNA commented on the reporting requirements of the proposed amendment, stating the proposed amendment should require regulated parties to report information and data to the department rather than submitting data upon request.

RESPONSE: The current rule does contain minimum reporting requirements. Minimum reporting requirements can be modified in permits on a case-by-case basis if the department determines more frequent reporting or sampling requirements are needed. No changes were made in response to this comment.

COMMENT #49: Great Rivers Environmental Law Center commented they support a robust rule and thanked the department for the work done on the proposed amendment.

RESPONSE: The department appreciates the comment of support from Great Rivers Environmental Law Center. No changes were made in response to this comment.

COMMENT #50: MCE thanked the department for their commitment to public outreach and information sharing that helped shape the proposed amendment, and for the work done to update the Regulatory Impact Report for 10 CSR 20-6.015.

RESPONSE: The department appreciates the comment of support from MCE. No changes were made in response to this comment.

COMMENT #51: Ms. Lynn Schluns commented the proposed amendment language should include testing of all elements contained in the sludge prior to land application to ensure no harmful constituents are being land applied.

RESPONSE: As currently written, material sampling is required for, at a minimum, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, and pathogens. Depending on the type of industrial wastewater or industrial wastewater treatment residual being land applied, other pollutants of concern may be present in the material. Permit applications should identify all known or potential pollutants, and during the permitting process, department permit writers may identify other pollutants of concern believed to be present in the material to be land applied and incorporate monitoring or other sampling requirements into an operating permit for these identified pollutants. This ability to require additional sampling requirements is outlined in both the proposed amendment language and the INMTS which will be incorporated by reference into 10 CSR 20-6.015. No changes were made in response to this comment.

COMMENT #52: Ms. Lisa Thomas commented stating the proposed amendments are a step in the right direction towards protecting Missouri farmland, farmers, residents, and water quality. Ms. Barbara Chicherio, Green Party of St. Louis, and the Missouri Farm Bureau thanked the department for work done during the public participation process of the proposed amendment. MCNA and Ms. Darleen Groner with Four Points Land Surveying & Engineering, Inc., commented the amendments to 10 CSR 20-6.015 are a step in the right direction to protect the state's air, land and water resources to ensure there are no harmful impacts on waters of the state, soils, crops, public health or the environment when the material is land applied.

RESPONSE: The department appreciates the commenters' support on the proposed amendment. No changes were made in response to this comment.

COMMENT #53: Ms. Lisa Thomas commented sampling should be collected by independent certified laboratories. Additionally, Ms. Thomas stated current requirements are not sufficient to address the impacts of odor, infestations of disease carrying insects, and the introduction of other disease vectors which may result from land application. Ms. Thomas also commented the rules inadequately address karst topography and risks to groundwater and drinking water sources.

RESPONSE: The department does not require permittees to contract with laboratories utilizing EPA approved methods to *conduct* sampling and monitoring, rather samples collected by permittees are sent to laboratories utilizing EPA approved methods for proper analysis. The department allows permittees to conduct sampling and establishes requirements for proper sampling protocols in rule and permit. If proper sampling protocols are not being followed, the department has the authority to compel compliance and use enforcement tools, as appropriate.

Regarding comments stating current requirements are not sufficient, when adverse human health and environmental impacts are found as a result of land application, the department can use its authority to increase permit requirements, including sampling and monitoring requirements, or to terminate permits when appropriate. The proposed amendment includes slope requirements, setback distances, and other protections to ensure land application does not pose adverse impacts to groundwater and drinking water. If it is found by the department, through monitoring, analysis, investigations, permitting actions, or otherwise, that current minimum requirements are not adequate to protect karst features or groundwater, the department may increase permit requirements and conditions as needed on a case-by-case basis. No changes were made in response to these

comments.

COMMENT #54: Ms. Barbara Chicherio, Green Party of St. Louis, and MCE commented regarding field size for soil sampling, stating field sizes greater than 20 acres pose the risk of diluting field samples and may result in inaccurate field data while also providing less detail of the site.
RESPONSE: Similar comments regarding field sampling sizes were raised during the public comment period for the Regulatory Impact Report. The University of Missouri's Agricultural Extension recommends composite samples be taken on fields ranging from 20-80 acres, provided fields are representative. If fields are not deemed representative due to slope, cropping, or other means, sampling may be required at different intervals. The department directs to University of Missouri's Agricultural Extension publications and soil sampling protocols. No changes were made in response to this comment.

COMMENT #55: Ms. Barbara Chicherio, Green Party of St. Louis, commented on the language found in section (3) of the proposed amendment which states "Geohydrologic evaluations must be conducted on new land application fields per 10 CSR 20-8.200(2)(B)." Specifically, Ms. Chicherio states the term "new application field" should be defined to ensure fields used for the land application of industrial wastewater and wastewater treatment residuals prior to the current proposed amendment will require geohydrologic evaluations prior to permit issuance, not just newly permitted land application fields.
RESPONSE: All newly permitted land applications fields must conduct a geohydrologic evaluation, under 10 CSR 20-8.200(3)(B). The department interprets this requirement to include previously unpermitted land application fields, such as fields which were previously exempt from permitting requirements due to previously meeting the requirements of exemptions allowing the land application of materials which were licensed under the Missouri Fertilizer Law, sections 266.291 through 266.351, RSMo, and regulations. While these land application fields were previously exempt from permitting requirements, they constitute a newly permitted land application field and will require a geohydrologic evaluation. Land application fields that were previously permitted do not need geohydrologic evaluations as these fields were subject to department review, permit requirements, and public notice. However, the department may still require geohydrologic evaluations for any land application field if determined necessary by the department on a case-by-case basis. No changes were made in response to this comment.

COMMENT #56: Ms. Darleen Groner with Four Points Land Surveying & Engineering, Inc., commented the department should require permit exemptions to undergo a public notice when they are submitted to the department for consideration, a public notification when the department approves the exemption, and upon approval of the exemption the department should post to the department's webpage where exempt activities are occurring. Additionally, the commenter states the department should not exempt activities which may discharge pollutants that violate the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA).
RESPONSE: Activities that are exempt from permit requirements are also exempt from the related public notice and public participation rules found in regulation. However, the department understands the interest in understanding where activities that are exempt from permitting processes occur throughout the state and will work on developing a webpage to better inform interested members of the public. It should be noted that some categories of permit exemptions may not require the tracking of location by the department due to the nature of the exemption.

Regarding the comment stating the department should not issue exemptions in areas where CERCLA or RCRA regulations may be violated, the Missouri Clean Water law, the Clean Water Commission, and the Water Protection Program may not permit or authorize the discharge or land application of hazardous wastes, nor does the proposed amendment create any new provisions authorizing the discharge or land application of hazardous waste. However, the department agrees with Ms. Groner that during the exemption request review process, the department should identify situations in which the granting of a permit exemption would cause violations of CERCLA and RCRA rules and regulations or other environmental impacts and should deny such requests for permit exemptions. No changes were made in response to these comments.

COMMENT #57: Ms. Darleen Groner with Four Points Land Surveying & Engineering, Inc., commented on the permit exemption of land application sites for beneficial use of water treatment plant residues removed during the treatment of drinking water supplies. Ms. Groner's comments state the department's Water Pollution Control Branch coordinate with the department's Public Drinking Water Branch prior to issuing permit exemptions for the land application of material and the department should modify the MOG-64 to include sampling requirements for potential contaminants prior to land application. Additionally, Ms. Groner comments the lack of PFAS requirements in rule is disappointing due to possible health impacts.
RESPONSE: The department thanks Ms. Groner for comments regarding the coordination within different branches of the department and agrees coordination is necessary.

The department believes current MOG-64 requirements are satisfactory, as requirements already include sampling requirements for potential pollutants of concern prior to land application. No changes were made in response to these comments.

Regarding comments related to PFAS, please see response to comment #46 above.

COMMENT #58: Ms. Darleen Groner with Four Points Land Surveying & Engineering, Inc., submitted a series of questions to the department regarding the proposed amendment language for the permit exemption to land application sites for beneficial use of water treatment plant residues removed during the treatment of drinking water supplies. Ms. Groner asks how the department will determine what sampling data is needed prior to materials removed during the treatment of drinking water supplies not permitted under the Missouri Clean Water Law being initially land applied, what will "they" use to determine if material will have harmful impacts on waters of the state, human health, or the environment, and further asking if Missouri Risk-Based Corrective Action, EPA Soil Screening Levels, or other will be used.
RESPONSE: The exemption for land application of water treatment plant residues, which has been in the rule since at least 1998, will remain in the rule. Water treatment plant residuals have been beneficially used as soil amendments, typically for minor pH adjustment or soil bulking. The proposed

amendment requires facilities not currently under a Missouri State Operating Permit (MSOP) to submit samples prior to the materials being initially land applied under the exemption, and thereafter as determined by the department. The MSOPs for water treatment plants require routine sampling for any material that is given away for use as a beneficial soil amendment. This is an exemption that requires notice to the department prior to the activity occurring, and through the department's processes and coordination with the other programs and divisions, the exemption approval will establish conditions and frequency of reporting on the materials. The department will evaluate the concentration of the material in accordance with the INMTS, and other relevant guidance such as the Missouri Risk-Based Corrective Action protocol or EPA's Soil Screening levels or research and studies. However, the department has been reviewing these water treatment plant residuals for many years and has yet to see concerns for the pollutants the department regulates under this rule, nor did the commenter provide any sampling of residuals contradicting historic information. No changes were made in response to this comment.

COMMENT #59: Ms. Darleen Groner with Four Points Land Surveying & Engineering, Inc., submitted by reference comments originally submitted during the Regulatory Impact Report public notices of September 6, 2024, to November 5, 2024, and the April 14, 2025, to June 13, 2025. Comments state the proposed amendment was difficult to review due to it being published as a red-lined version, paragraph (1)(B)2. should be amended to include the word "nutrient" rather than "pollutant," the term "public heath" should be replaced with the term "human health" throughout the rule with additional language added to state land application and exemptions to land application requirements must ensure safe and clean soils and water for the surrounding community. Comments also include edits to the permit exemption to land application sites for beneficial use of water treatment plant residues removed during the treatment of drinking water supplies to explicitly list PFNA and PFHxS as pollutants which cannot be present in materials, and the inclusion of language to clarify that the exemption must not have harmful impacts to soils, surface water, groundwater, human health, and the environment.

RESPONSE: The public notice of the proposed draft rule amendment was published in the August 15, 2025, issue of the *Missouri Register*. This public notice did not include a red-lined version as Ms. Groner's comment suggests.

The August 15, 2025, public notice already incorporated language to state land application manages and removes pollutants, including nutrients. Ms. Groner's edits were submitted with a previous version of the rule, not the proposed amendment published in the August 15, 2025, *Missouri Register*.

The department interprets the phrase "public health" to be broader than, and inclusive of, the term "human health." Additionally, the department believes the suggested language stating land application must ensure "safe and clean soils and water for the surrounding community" is redundant as the rule states land application must not cause harmful impacts to public health.

The department has not included PFNA and PFHxS into the permit exemption to land application sites for beneficial use of water treatment plant residues removed during the treatment of drinking water supplies. Please see response to comment #46 above.

Comments requesting the permit exemption to land application sites for beneficial use of water treatment plant residues removed during the treatment of drinking water supplies be clarified to detail the exemption must not have harmful impacts to soils, surface water, groundwater, human health, and the environment are addressed above. Additional edits were made in response to previous comments. Ms. Groner's edits were submitted with a previous version of the rule, not the proposed amendment published in the August 15, 2025, *Missouri Register*.

COMMENT #60: George's Processing, Inc., commented the proposed amendment should not incorporate any provisions for the land application of treated wastewater. George's Processing, Inc., states that wastewater is already regulated under existing permitting and any wastewater treatment for permits issued prior to the July 2024 amendments to the Missouri Clean Water law should be "exempted entirely from the New Rules," specifically stating that any risks have already been addressed during George's Processing, Inc., most recent permitting process. George's Processing also requested a separate rulemaking for wastewater.

RESPONSE: Section 644.041, RSMo, clearly states "Any land application of industrial wastewater, industrial wastewater treatment sludge, and related process wastes, excluding concentrated animal feeding operations, livestock markets, and animal manure, shall be subject to a nutrient management technical standard established and incorporated into rule by the department, which shall include land application practices, annual soil sampling, setbacks, material sampling requirements and frequency, and a process for establishing land application rates." These provisions, effective July 9, 2024, specifically include the land application of industrial wastewater. While George's Processing, Inc., is correct in their determination that many facilities land applying industrial wastewater subject to the proposed amendment already had department-issued Missouri state operating permits prior to the effective date of the new amendments to the Missouri Clean Water Law, existing permitted activities were not exempted. Further, the new amendments expressly require the department to update permitting regulations and requirements. This process is similar to all other rulemaking efforts the department undertakes which impact existing Missouri State Operating Permit holders, such as changes to effluent regulations to incorporate nutrient target reduction levels or changes to the Water Quality Standards regulation to incorporate new or updated water quality criteria. As with these rulemaking efforts, the department will review Missouri State Operating Permits upon renewal to ensure all new or updated requirements are implemented into any future operating permit. To aid in this rulemaking process, the department held public meetings on April 11, 2024, June 27, 2024, July 26, 2024, August 14, 2024, November 19, 2024, and December 13, 2024, to inform stakeholders and operating permit holders of the updated requirements of the Missouri Clean Water Law and the department's proposed amendments. No changes were made in response to this comment.

COMMENT #61: George's Processing, Inc., submitted comments stating industrial wastewater should not be subject to the same regulatory standards as industrial wastewater treatment residuals. The comment also requested a balanced approach and not a ban on land application.

RESPONSE: Section 644.041.2, RSMo, as amended July 9, 2024, expressly includes "[a]ny land application of industrial wastewater, industrial wastewater treatment sludge, and

related process wastes, excluding concentrated animal feeding operations, livestock markets, and animal manure." Per the proposed amendment and the draft INMTS, the land application for all industrial wastewater, wastewater treatment residuals, and process wastes covered under the proposed amendment must be based upon pollutant loading rates, hydraulic loading rates, and nutrient loading rates. This is a balanced approach that considers both the usage of the nutrients from the field through agricultural practices while endeavoring to prevent overapplication which result in runoff from the field and water quality impacts. The INMTS was based on the same publications, documents, and science currently being used under the concentrated animal feeding operations (CAFO) regulations, which have not resulted in any ban on land application. While the pollutant loading rate establishes maximum pollutant concentrations for multiple pollutants and pathogens, both the hydraulic loading rate and the nutrient loading rate are highly site-specific and will vary field by field. Additionally, the land application of industrial wastes covered under the proposed amendment will vary site by site dependent on the nutrient need of the field, the nutrient values of the material being land applied, and the removal capacity of the field. While section B of the draft INMTS sets land application practice requirements for the timing, soil conditions, and placement of material, these requirements ensure the handling and application of wastewater, wastewater treatment residuals, or process wastes do not result in pollutants entering the environment, regardless of material type. No changes were made in response to this comment.

COMMENT #62: George's Processing, Inc., commented on the INMTS, stating the draft INMTS rejects the field-specific risk assessment approach currently embodied in the phosphorus index. Comments contend this change will impose a complete ban on land application where the current phosphorus index indicates the land application would not present a substantial risk of nutrient losses to surface water or groundwater.

RESPONSE: The draft INMTS includes an option allowing for the use of the phosphorus index on fields under a 5-year field management plan. This option is available regardless of ownership, provided that the 5-year field management plan is enforceable, followed, updated, and utilized for nutrient management. This option aligns with the requirements for concentrated animal feeding operations which develop 5-year nutrient management plans, uses crop yields and nutrient expectations for multiple years, and allows for plant available nitrogen (PAN) based land application rates to occur on fields with a low or medium phosphorus index rating similar to the Concentrated Animal Feeding Operations Nutrient Management Technical Standard. In fact, the department believes the requirements of the draft INMTS not only align with the existing Concentrated Animal Feeding Operations Nutrient Management Technical Standard, but provides additional options for land applicators.

The University of Missouri's P-Index and associated publications were used as the foundation for the development of the draft INMTS, as prescribed in HB2134/1956. No changes were made in response to this comment.

COMMENT #63: MCE submitted comments regarding the department's decision to reduce the number of downgradient wells from three to two between the previous rule and the current proposed amendment. The commenter states three downgradient wells should be required, citing 40 CFR 265.91, information from neighboring states, and providing examples of situations where three wells have been required in Missouri.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the commenter that there are a variety of situations where more than two downgradient groundwater monitoring wells may, and should, be deemed necessary by the department. However, similarly there may be instances where less than three downgradient wells may be determined to be adequate for commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels. As such, the department has revised the proposed amendment language to keep the minimum downgradient well requirement of two, while incorporating language to make clear that more wells may be required if it is determined to be necessary to adequately assess the potential impacts to groundwater at a site. The department thanks MCE for the comment.

COMMENT #64: MCE commented that temporary ponding should be either disallowed, as the allowance of temporary ponding may lead to excess wastewater entering nearby surface waters and soils, or the proposed amendment be updated to indicate ponding must be constrained to a specific time period or area, recommending ponding must dissipate under one hour and be limited to areas less than 100 square feet.

RESPONSE AND EXPLANATION OF CHANGE: The department understands concerns related to ponding of wastewater on fields where material is land applied. Regarding concerns related to the time frame of ponding, the department believes the proposed amendment adequately addresses these concerns by requiring ponding to dissipate by absorption into soils prior to the land applier leaving the field. This requirement allows the time frame to vary, as percolation rates may vary field to field based on a variety of factors such as land application quantity, land application rate, and soil characteristics including but not limited to soil type and soil texture, compaction, and pore space. Requiring water be absorbed prior to the land applier leaving the field allows for flexibility while preventing ponding from occurring without adequate supervision to prevent runoff. The department agrees with MCE that the rule language was not clear that any ponding, regardless of quantity and time of ponding, is prohibited from leaving the application area into neighboring soils and surface waters. As such, the department has modified the proposed amendment language to clarify temporary ponding shall not leave the application area.

COMMENT #65: MCE commented on the sampling requirements of commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels. Specifically, comments state the concentrations of contaminants are not fixed, as internal process and the addition of new material may change over time. Due to this, MCE suggests the sampling requirements should be moved from annually to monthly.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with MCE that the chemical and physical properties of commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels are not fixed. The minimum sampling requirements are set by statute, section 644.051.8(5)(b), RSMo. However, as pointed out by MCE in their comment, the department has the ability to, on a case-by-case basis, to increase the frequency of monitoring if determined necessary by the department. Prior to permit issuance, draft permits will undergo public notice periods where members of the public

can comment on the appropriate monitoring frequency for that permit. To increase clarity, the proposed amendment language has been updated to state the minimum sampling frequency can be increased from annual sampling, per section 644.051, RSMo, as necessary.

COMMENT #66: MCNA commented on the monitoring requirements of the proposed amendment, stating the proposed amendment does not detail how monitoring will take place and who is responsible for ensuring compliance with permit conditions. Additionally, MCNA comments the department should specify in rule the frequency of inspections, while also requiring the department to conduct unannounced on-site inspections to ensure normal operating conditions are captured and documented.
RESPONSE: MCNA is correct, the proposed amendment does not explicitly detail the procedures and processes in which the department ensures compliance with permit conditions and requirements or how the department conducts inspections. The department has designated field inspectors placed throughout the state who inspect, review, and assist permitted facilities. Per section 644.026(21), RSMo, department staff have the authority to inspect any permitted facility or suspected water contaminant source at any reasonable time and upon reasonable notice for any purpose required by the federal Clean Water Act or the Missouri Clean Water Law for the purpose of developing regulations or inspecting or investigating permit conditions or potential violations. As such, the department has the authority to conduct routine monitoring, and each inspection report is publicly available. Additionally, department staff may conduct non-routine inspections based upon concerns submitted to the department.

The proposed amendment does not establish a frequency of inspections or type of oversight. Rather, all permitted activities include permit conditions that outline the necessary processes and procedures required by the permittee and subject to review and inspection by department staff. No changes were made in response to this comment.

COMMENT #67: MCNA submitted comments stating the proposed amendment should detail the consequences of non-compliance with permit conditions.
RESPONSE: The department has well-established statutes, rules, and internal procedures related to compliance and enforcement actions, including sections 644.056 and 644.076, RSMo, and 10 CSR 20-3. No changes were made in response to this comment.

COMMENT #68: MCNA submitted comments requesting the department include provisions into rule requiring the Hydrologic Unit Code 12 (HUC 12) to be listed for each land application field. Additionally, the commenter requests the department compile this information to detail and report the total amount of material land applied material in each HUC 12.
RESPONSE: Operating permits contain detailed information on each permitted feature of the permitted activities. Land application fields are one such permitted feature. Information detailed for each permitted feature includes a legal description including the county and public land survey system subdivisions, application rate basis, and acreage area for approved land application in addition to the UTM coordinates and the HUC 12 information. By including this information in permits, the department allows members of the public to identify what land application fields are within their HUC 12. The department thanks MCNA for suggesting the department compile information on the total amount of land application per HUC 12 for easier public awareness, and the department will investigate ways to provide more land application information and resources in the future. No changes were made in response to this comment.

COMMENT #69: MCNA commented in support of the requirement for the INMTS to be followed for the land application of industrial wastewater and industrial wastewater treatment residuals, annual soil sampling requirements for all permitted features as stated in the INMTS, the requirement to flag sensitive features prior to land application as stated in the INMTS, and setback distance requirements.
RESPONSE: The department thanks MCNA for their comments in support. No changes were made in response to this comment.

COMMENT #70: The Missouri Farm Bureau Federation, The Poultry Federation, Missouri Cattlemen's Association, Missouri Pork Association, and Missouri Soybean Association jointly commented the proposed amendment should clarify that both Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs) are exempt from permitted requirements, as all CAFOs are AFOs but not all AFOs meet the definition of a CAFO. Additionally, the Missouri Pork Association submitted an additional comment requesting the term "concentrated" be removed from section (5) of the proposed amendment.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the commenters that the exemption language was not clear. The proposed amendment language has been updated to increase clarity. The department thanks the commenters for their comments.

COMMENT #71: The Missouri Pork Association commented on the exemption to manure from animal feeding operations, stating the revised language is not needed as the exemption already applies to AFOs.
RESPONSE: The department believes the revised language is needed to provide clarity on this exemption, especially as other stakeholders, including at least one during this rulemaking public notice, have raised questions about the department's ability to regulate exported manure or land application of other manure. The department believes the revised language clarifies the authority provided in the CAFO law, specifically that manure land applied from Animal Feeding Operations and other smaller agricultural operations not designated as CAFOs are exempt from permitting under 10 CSR 20-6.015. The amendment language further clarifies that the department's only authority over land applied exported manure is the setbacks established in section 640.760, RSMo. Further response is provided in the response to comment #100 below, including an explanation of "exported" manure.

COMMENT #72: The Missouri Pork Association commented on the exemption to the land applied products licensed under the Missouri Fertilizer Law. The Missouri Pork Association requests the rule be revised to remove the language requiring the material to be applied at agronomic rates for agricultural purposes, stating that once the material is sold, the business which has sold the material loses all control over how the material is used and where the material is applied.
RESPONSE: The department regulates the land application of wastewater, wastewater treatment residuals, and process waste. The department agrees with the Missouri Pork Association's determination that these materials can be licensed as a fertilizer under the Missouri Fertilizer law and then

be misused and misapplied by a separate entity other than the material generator. While the regulation requires submittal of the pollutant content, practices for material sampling, labeling, packaging, and regular updates as requested, the exemption also has limitations on how the material can be used to still be considered a fertilizer. If this material is being land applied in quantities and rates that exceed agronomic rates, and are thus not providing a benefit to soils, crops, or other agricultural commodity, the land application may not meet the requirements of an exemption, and instead may be considered disposal or "dumping," and thus require permitting action. In these situations, the land applier that is improperly managing the material may need a permit, but the material may still maintain its status as an eligible fertilizer. Previous fertilizer permit exemptions recognized the exemption for the material, but also established minimum practices necessary for the land application activities to maintain eligibility for that permit exemption. No changes were made in response to this comment.

COMMENT #73: The Missouri Pork Association submitted a comment asking if subparagraph (4)(A)1.D. applies to biosolids generated by treatment works treating domestic sewage.
RESPONSE: All wastewater, wastewater treatment residuals, and wastewater treatment sludge land application activities, including the land application of industrial materials and biosolids, are regulated by the department. While the department is not the delegated 40 CFR Part 503 authority, the department does hold the authority to permit and regulate the land application of biosolids per section 644.026.1(15), RSMo, and has done so through Standard Conditions III permit requirements for biosolids and sludge from domestic treatment facilities. No changes were made in response to this comment.

COMMENT #74: The Missouri Pork Association commented on the proposed amendment language at part (4)(A)1.E.(I), stating preventing stormwater runoff from fields is impossible.
RESPONSE AND EXPLANATION OF CHANGE: The department thanks the Missouri Pork Association for the comment. The department has revised the proposed amendment language to clarify the Land Application Management Plan shall include at a minimum site-specific conservation practices or operational management practices to prevent the direct runoff of land applied material and to minimize impacts to stormwater.

COMMENT #75: The Missouri Pork Association commented on phytotoxicity requirements, requesting language is included to allow land application to resume after plant life recovers from phytotoxicity, with land application rates being reduced to ensure phytotoxicity is reduced.
RESPONSE AND EXPLANATION OF CHANGE: The department thanks the Missouri Pork Association and has revised the proposed amendment language.

COMMENT #76: The Missouri Pork Association requested the removal of the minimum operating permit condition requirement which states "Adequately protective permit conditions must be established in land application areas where the Missouri Geological Survey has determined hydrogeologically sensitive features are present." The Missouri Pork Association contends that this requirement is unneeded as the proposed amendment already has setback requirements from losing streams, caves, and sinkholes, while also contending that the term "hydrogeologically sensitive" is undefined and may lead to future litigation.
RESPONSE AND EXPLANATION OF CHANGE: The department thanks the Missouri Pork Association for their comment and agrees the proposed amendment already has setback requirements for karst features such as losing streams, caves, and sinkholes, and also agrees the term "hydrogeologically" is unneeded. However, there are other sensitive features that the Missouri Geological Survey may identify as posing an increased risk of contamination to groundwater sources such as abandoned wells and mineshafts. As such, the department has clarified the language to remove the term "hydrogeologically" and to allow the department to establish adequately protective permit conditions in land application areas where the Missouri Geological Survey has determined sensitive features are present.

COMMENT #77: The Missouri Pork Association commented on subsection (6)(B) stating the sampling requirement for aluminum should be removed as aluminum is not regulated in the INMTS.
RESPONSE: Sampling requirements found in subsection (6)(B) apply to commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels. Sampling requirements for these structures can be found at section 644.051.8(5)(b)a., RSMo. This requirement is established in the Missouri Clean Water Law and, as such, no revisions were made in response to the comment.

COMMENT #78: MCNA commented stating landowners receiving the land application materials be given a list of all pollutants in addition to bacteria.
RESPONSE: This comment will be responded to with changes in the INMTS. Please see responses to comments #3, #15, and #16, above. Additionally, all permits for land application of materials will undergo a public notice period. This public notice period allows landowners and the general public an opportunity to review what pollutants will be monitored and sampled for. No changes were made in response to this comment.

COMMENT #79: Fox Smith commented the purpose statement must clarify that "No-Discharge really means no discharge to environmental media," and clarify domestic, non-domestic, industrial wastewater, and industrial wastewater treatment residuals must be completely absent of PFAS chemicals.
RESPONSE: The title of the rule is "No-Discharge Operations and Land Application Requirements." While the title establishes the intent of the rule and the intended facilities covered, the title itself does not establish the requirement. Rather the rule itself defines the expectations of the department for facilities covered under this rule. The rule does not prohibit or regulate all discharge or release of pollutants to all environmental media. The goal of these regulations is to protect, maintain, and improve water quality and to ensure that land application of wastewater and wastewater treatment residuals is conducted in a manner that ensures safe and clean soils and water while accommodating modern agricultural practices. In short, the goal of this rule is to ensure that wastewater and wastewater treatment residuals are stored, used, maintained, and treated, including through land application, to support all of the uses of our water and soils. The proposed amendment establishes those limits and standards to meet this goal. The Missouri Clean Water Law contains the general prohibition against unpermitted discharges to waters of the state, and 10 CSR 20-6.015 does not restate that prohibition, but instead serves to permit, restrict, and support appropriate practices of

wastewater and wastewater treatment residuals treatment, storage, and management in a manner that avoids discharges to waters of the state. No changes were made in response to this comment.

COMMENT #80: Fox Smith commented on the definition of no-discharge facility, stating the definition should include reference to storm intensities and events to ensure no-discharge facilities continue to adequately meet the definition in the event of increasing storm frequencies and events.

RESPONSE: The definition of no-discharge facility is in 10 CSR 20-2.010 and does include a reference to storm events. The department does acknowledge that storm frequencies and volumes are changing; the department evaluates the ability for a facility to operate as no-discharge at the time of design of the system, its construction, or permitting. If a facility is utilizing an earthen basin or lagoon, it is required to hold the average daily input of materials and the chronic and catastrophic storm events without discharging, per the requirements in 10 CSR 20-8.200(7). The permits for these facilities require that the facility have capacity to hold for a minimum number of days and if there is not sufficient freeboard in the earthen basin or if the precipitation amount increases, additional fields or storage capacity may be required. These changes would be addressed through the department's permitting and compliance procedures. No changes were made in response to this comment.

COMMENT #81: Fox Smith comments the requirement that land application must be appropriately monitored as stated in subparagraph (1)(B)2.A. is vague and is without value. Fox Smith requests this requirement be expanded to include requirements for all land application to be outfitted with surface monitoring devices, groundwater monitoring devices, and sampling, analysis evaluation, and reporting in accordance to a written land application plan approved by either the department or the Clean Water Commission prior to land application operations beginning. Additionally, Fox Smith requests provisions be added to subparagraph (1)(B)2.A. to specify land application must pause if "any environmental media become contaminated" until the contamination is mitigated and corrected. Comments further state language should clarify land application may not cause groundwater contamination.

RESPONSE: The language cited is part of the definition, or explanation of the expectations, of land application. This section is not intended to establish requirements for monitoring, as sampling, monitoring, and permitting requirements are established later in rule. No changes were made in response to this comment.

COMMENT #82: Fox Smith comments on subparagraph (1)(B)2.C. requesting the department cite specific regulations which apply to how the department will determine what is considered a "harmful impact."

RESPONSE: The language cited is part of the definition, or explanation of the expectations, of land application. This section is not intended to establish requirements, limitations, or thresholds for harmful impact, as those are established later in rule. No changes were made in response to this comment.

COMMENT #83: Fox Smith commented on subsection (2)(B) requesting the department change the term "operations" to clarify the rule applies to handling, transportation, storage, and land application. Additionally, Fox Smith comments on the word "assure" and requests the term be corrected to the proper term "ensure."

RESPONSE AND EXPLANATION OF CHANGE: The department appreciates the comments. Changes were made in response to these comments.

COMMENT #84: Fox Smith commented on subsection (2)(B) requesting the department change the phrasing "Permits may be required where necessary" to "permits *shall* be required where necessary."

RESPONSE: The list immediately following the referenced language provides examples of when the department may determine that a permit is necessary. However, the department may have other, more appropriate tools to use, rather than a permit to address the concerns listed. For example, "to correct noncompliance," the department may opt to use an enforcement agreement or order to correct noncompliance. In rare occasions, the department may determine that the continued noncompliance is egregious and prefer an order to require cessation of the activity, rather than permit it. As such, the department retains the language to retain flexibility when, in the department's judgment, other options may be more appropriate. No changes have been made as a result of this comment.

COMMENT #85: Fox Smith commented that the proposed amendment fails to include provisions which would quantify the occurrence and quality of groundwater before, during, and after land application, other than provisions for open storage basins and open storage vessels. Additionally, Fox Smith comments precipitation at land application sites will likely percolate to groundwater and constitute a discharge to waters of the state. As such, Fox Smith comments the proposed amendment must include monitoring of groundwater both hydraulically and geochemically.

RESPONSE: The regulatory requirements, including those provided in the INMTS, establish limits, conditions, practices, monitoring, site-specific feature evaluation, nutrient and pollutant loading, and treatment efficacy of the land application activities, to proactively control permitted activities to prevent impacts to waters of the state, including groundwater. If, in the judgment of the department, groundwater impacts may be reasonably expected to occur, the department retains the ability to monitor groundwater, but would rather establish appropriate limitations to protect groundwater. No change was made in response to this comment.

COMMENT #86: Fox Smith commented on paragraph (2)(B)3. that the term "on-site visit" is vague and the department should instead outline in the proposed rule amendment the protocols, evaluations, analysis, documentations, and determinations that will be utilized in the determination if construction and operating permits are necessary as stated in paragraph (2)(B)3., with an additional requirement for review to be approved by "qualified licensed professional persons within the department." Additionally, Fox Smith requests the paragraph be revised to change the term "geology" to "geologic and hydrologic conditions," stating geology in a literal sense only refers to the study of the earth. Fox Smith also requested the proposed amendment be revised to describe in more detail what specific watershed factors the department will review.

RESPONSE: The term on-site visit is intentionally broad, as the department retains the flexibility to use any collected information to render a determination that a permit is necessary to protect the environment, whether the on-site visit was a compliance evaluation inspection or a pre-construction

permit consultation. The term "qualified licensed professional persons" is unnecessary, because department staff who will perform these reviews are qualified to perform their duties and are professional. If department staff determines that a particular review should be performed by a licensed registered geologist or professional engineer, then it will be, in accordance with the relevant professional standards. As this list encompasses the requested language, no changes were made in response to this comment.

COMMENT #87: Fox Smith commented all land application on sites not lined will cause unauthorized discharges to waters of the state due to the percolation of precipitation into groundwater.

RESPONSE: The department disagrees with this assertion for the following reasons: Permits establish conditions under which a discharge is authorized or is not, in accordance with Missouri Clean Water Law and its supporting regulations. Lined agricultural fields may not support vegetation, which is what serves as the treatment system (agricultural operations) for nutrients when applied in conformance with the INMTS. Permit conditions and limitations are designed to minimize impacts from all permitted activities to all waters of the state and to ensure safe and clean soils to support all appropriate uses. Agricultural storm water discharges are exempt from permitting; thus, the purpose of these permit restrictions and limitations is to establish limitations that align with agricultural purposes, with special focus on the agricultural processes that remove nutrients or other pollutants to minimize impacts from stormwater runoff to any waters of the state. No changes were made in response to this comment.

COMMENT #88: Fox Smith commented on the *de minimis* exemption, requesting the department define in rule specific regulations used to determine a "negligible potential impact" and who determines if such an impact exists. Additionally, Fox Smith states the department should always require sampling and test methods prior to approval of the exemption, and requests the amendment language be updated to state "the department shall" rather than "the department may."

RESPONSE: Negligible potential impact is assessed and determined on a case-by-case basis. Many factors, including duration, volume, receiving soils or waters, and pollutants are all evaluated. The department will often require sampling to determine the pollutants; however, the department may also opt to evaluate the material or activity, how it is generated or processed, and other factors rather than require sampling. For example, use of groundwater or surface water may be used for cooling water, which is still considered a wastewater and may require a permit. But if the *de minimis* request is simply to land apply a small amount of groundwater that has been removed from a cooling system during a special maintenance project, and that cooling water has not been exposed to any pollutants during its use as cooling water, the department could determine that land application of it is *de minimis*. The flexibility provided in this language seems appropriate and, as such, no changes were made in response to this comment.

COMMENT #89: Fox Smith commented on the *de minimis* exemption, stating the department should include a requirement for the submittal of a Water Sampling Plan and a Statistics Evaluation Plan, which could include the determination of surface water and groundwater quality, specific monitoring devices, how many and which soil horizons were monitored, sampling protocols and procedures, sample shipment and chain-of custody protocols, analytical methods, and information on statistical evaluations used to determine if actions meet the requirements of a *de minimis* exemption.

RESPONSE: The *de minimis* exemption can cover a wide variety of activities if the constituents in the water are known and fully disclosed, and the volume and impacts of the discharge or activity will be minimal. The *de minimis* exemption is not automatically granted, and the department often asks many questions on the operations prior to granting an exemption, such as whether there are any chemicals used, and the volume of wastewater generated in all operating conditions. For example, a frequent *de minimis* exemption request is for the land application of wastewater from marijuana cultivation activities, which is typically agricultural rinsate from plant watering activities that is re-applied on agricultural fields. With examples like this one, a full water sampling plan, statistics evaluation plan, specific monitoring or soil methods may not be necessary for the department to understand the pollutants and the appropriate management. For other requests, the department may request one or all of the suggested documents. As the flexibility is appropriate, no changes were made in response to this comment.

COMMENT #90: Fox Smith commented on the removal of the requirement to test for total and leachable concentrations of pollutants compared to background levels, requesting the department refrain from deleting this language in the *de minimis* exemption subsection of the amendment.

RESPONSE: The department believes the addition of the statement "Prior to approval, the department may require sampling and test methods, as determined appropriate for the proposed activity," is more accurate as it allows the department to ask for information based on the proposed activity, rather than limiting the request to total and leachable concentrations of pollutants. This is relevant as the proposed amendment clarifies that the granting of a *de minimis* exemption can establish specific conditions on the activity and materials in order to maintain eligibility for the exemption. No changes were made in response to this comment.

COMMENT #91: Fox Smith comments on the term "harmful" as used in the exemption for land application for the beneficial use of water treatment plant residuals removed during the treatment of drinking water supplies, requesting the department cite specific regulations on what qualifies as "harmful," how the determination is made, and by whom.

RESPONSE: The department intends for the normal, everyday meaning of the term "harmful" to apply. The Merriam-Webster definition of harmful is "of a kind likely to be damaging." Harmful can mean negatively impacting designated uses in surface water, like recreational uses or aquatic life, or negatively impacting general criteria protections. Harmful to human health is sufficiently broad, such that any specific definition would likely limit the department's authority to regulate or limit the land application under a permit exemption, rather than support the broad possibilities of what could be harmful. The department will review the potential pollutants of concern, any sampling required, and any research or factors deemed relevant by the department. No changes were made in response to this comment.

COMMENT #92: Fox Smith submitted the following comment: "Regarding the sentence that begins "The land application of water treatment...," seems to give the Department the authority to allow contaminants currently not allowed by Missouri's Clean Water Law, to be land applied if the Department so chooses, but does not specify intentions in

doing so. i.e. Why is this a good thing for the environment? The proposed language is too vague and is susceptible to gross misinterpretation regardless of the intent of the language."

RESPONSE: The "land application of water treatment plant residuals" is a current exemption. The proposed amendment clarifies that prior to land application of water treatment plant residuals, sampling must be completed. For facilities under site-specific operating permits and the general operating permit, MOG64, a minimum of sampling parameters is established. Missouri's water quality standards regulations do not contain specific water quality criteria for every chemical or parameter, so requirements for pollutants of concern from land application of water treatment plant residuals are established through coordination with the Public Drinking Water Branch, or the department utilizes other resources to set standards such as the INMTS, the Missouri Risk-Based Corrective Action regulations, or EPA Soil Screening Levels, when deemed appropriate. If the department determines that land application of the material would violate the Missouri Clean Water Law, other relevant environmental laws and regulations, or would otherwise cause harm, the water treatment plant residuals will not be authorized for land application. No changes were made in response to this comment.

COMMENT #93: Fox Smith comments the exemption of manure land application in paragraph (3)(B)4. should be removed as it may be in direct conflict with the intentions of the Missouri Clean Water Act. Additionally, Fox Smith comments the department should ensure CAFO waste does not cause PFAS contamination.

RESPONSE: The proposed amendment to paragraph (3)(B)4. was to provide additional clarity to the rules, that there are exemptions in section 640.760, RSMo, for third-party appliers, that the CAFO specific conditions for application of manure are covered in 10 CSR 20-6.300, and that this rule does not apply to manure generated from animal feeding operations or other agricultural operations that are not CAFOs. CAFOs and their land application practices are not part of this proposed amendment, as those are covered in 10 CSR 20-6.300. For PFAS concerns, see response to comment #46.

COMMENT #94: Fox Smith comments on operating permit application requirements, stating recent aerial maps should be no older than 60 days, and topographic maps should be the most recent version published by the United States Geological Survey.

RESPONSE: For many areas of the state, especially rural areas, it may be impossible to obtain aerial imagery no older than 60 days. This would be an infeasible requirement, especially as the time frame for a facility to put an application together often exceeds 60 days and that the department's review is even longer. Currently, permit writers utilize multiple aerial imagery sources when reviewing applications and if there are discrepancies or differences discovered, clarification and discussion with the permittee occurs to verify what is on-site. No changes were made in response to this comment.

COMMENT #95: Fox Smith comments that minimum operating permit conditions found in paragraph (4)(B)2. should include the language "Permits shall be written specific enough as to allow no doubt in the mind of the Permittee, the public and regulatory personnel that level of degradation caused by land application of wastewater or treatment residuals or CAFO manure or its derivatives, if land applied in accordance with the permit and its associated required plans."

RESPONSE: The language in the department's proposed subsection (4)(B) contains the minimum operating requirements. Writing conditions specific enough to avoid all doubt is not feasible in permitting, as what may be specific enough to one audience may be too specific or not specific enough to another. The department strives to write conditions that are clear, specific, achievable, and enforceable. Permits are public noticed and go through the public participation process to allow the public to provide comments based on the site-specific operations and observations. No changes were made in response to this comment.

COMMENT #96: Fox Smith comments that minimum operating permit conditions should be updated to include requirements for the department to set analytical chemistry laboratory method detection limits that are low enough without qualified reporting requirements to be below regulatory limits and guidance for drinking water and soil.

RESPONSE: Standard Conditions Part I, which is incorporated into all permits issued under the Missouri Clean Water Law, requires all permitted facilities to use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentration of pollutants. The method detection limits must be low enough to determine compliance with the Water Quality Standards or permitting requirements, pursuant to Standard Conditions Part I Section A.4. For parameters for which there is not a sufficiently sensitive method capable of detecting below the permit limit or water quality standard, the operating permit will identify the EPA approved test method to use and the acceptable method detection limit. No changes were made in response to this comment.

COMMENT #97: Numerous comments were received pertaining to the permit development, specific permit conditions, applications, compliance evaluations, inspections, non-compliance, and enforcement used to compel compliance.

RESPONSE: The department appreciates the comments and suggestions provided to improve internal procedures, document development, compliance evaluations, and other implementation of the rule. Many of these comments were beyond the scope of the proposed amendment and, as such, no changes were made to the rule text. However, these types of concerns, questions, or comments may be considered moving forward through our implementation process or may be submitted during the public participation process for permits, if the permitting process did not, in the opinion of the commenters, adequately address the implementation concerns. No changes were made in response to these comments.

COMMENT #98: Fox Smith requested a definition of "hydrogeologically sensitive features," but also noted that one has not yet been prepared by a community of professional licensed geologists in Missouri.

RESPONSE: The department is also not aware of an agreed upon definition of hydrogeologically, geohydrologically, geologic, or hydrologic sensitive features. The comment pointed out the choice of terminology and, in response to the comment, the rule language was amended to use one term consistently throughout the Title 10, Division 20 regulations: geohydrologic. While this term is not defined, it is and has been used repeatedly in our regulations and typically relies on the professional judgment of geologists within the department's Missouri Geological Survey. Creating a definition within regulations promulgated under the Missouri Clean Water Law is not as good of a fit as statutes and regulations

developed for and by the Missouri Geological Survey. However, when the department has determined a sensitive feature impacts a permitting decision, whether construction or operating permits, those permit decisions typically involve a public participation process, during which the department's geologists' determination that a sensitive feature is, or is not, present is open for review, comment, and re-evaluation. Furthermore, the recommended language change proposed more significant application requirements, with approval from a registered geologist with the Missouri Geological Survey. The current rule language already relies on a decision rendered by the Missouri Geological Survey. Furthermore, the specific language suggested may not be all inclusive, or may be overly onerous, depending on the questions, concerns, or sensitive features identified. The department, through the permitting process, retains the authority to request additional technical information to support a permit application, prior to permit issuance. As such, no changes were made in response to this comment.

COMMENT #99: Fox Smith commented that an exemption from the INMTS and land application management plan (LAMP) for concentrated animal feeding operations (CAFOs) is unwarranted.

RESPONSE: CAFOs are only exempt from the specific requirements established within the amendments to this rule, because CAFOs are regulated under 10 CSR 20-6.300, as well as the Concentrated Animal Feeding Operations statutes, sections 640.700 to 640.760, RSMo, which also incorporates a nutrient management technical standard for CAFOs and nutrient management plans. These requirements are comparable to the amendments provided in this rulemaking. No changes were made in response to this comment.

COMMENT #100: Fox Smith provided comments on the manure exemption language, including the proposed amendments, as well as suggestions for CAFO regulations.

RESPONSE: The first comment specifically references the proposed amendment language concerning land application of liquid manure from CAFOs. During the 2019 Missouri legislative session, additional requirements for land application of manure that is given away or sold from a CAFO to a third party and is not under the full operational control of the CAFO (often referred to as exported manure) was considered. The final statutory language, developed in Senate Bill 391, promulgated in section 640.760 RSMo, states –

640.760. Liquified manure, surface applied, required setback. Notwithstanding any provision of law to the contrary, all liquified manure from a concentrated animal feeding operation that is purchased or received by a third party and is surface applied shall maintain an application setback of at least fifty feet from a property boundary, three hundred feet from any public drinking water lake, three hundred feet from any public drinking water well, three hundred feet from any public drinking water intake structure, one hundred feet from any perennial and intermittent streams without vegetation abutting such streams, and thirty-five feet from any perennial and intermittent streams with vegetation abutting such streams. If the department of natural resources promulgates rules providing for a distance requirement for the application of liquified manure from a concentrated animal feeding operation that is stricter than the provisions of this section, such rules shall apply to the spread of all liquified manure subject to the provisions of this section. Any violation of this section shall be subject to the penalties set forth in section 644.076.

The statute provides clear and explicit language on when and how the department may regulate the land application of exported manure. The statute does not provide any additional authority for further regulations for exported manure.

The comment also then references the agricultural storm water discharge exemption, section 644.059, RSMo, using it as the authority for the department to regulate land application of manure, including PFAS in manure, in these rule amendments. First, the regulations for CAFOs and AFOs are established in 10 CSR 20-6.300, not in these rule amendments. The exemption in this rule, 10 CSR 20-6.015, specifically reference the CAFO regulations as the proper rule in which to find requirements for CAFOs and AFOs. For PFAS concerns, see response to comment #46.

The department agrees that section 644.059, RSMo, provides the authority for the department to take enforcement action or require a permit for discharges of agricultural storm water and return flows from irrigated agriculture into waters of the state when the discharges have rendered such waters harmful, detrimental, or injurious to public health, safety, or welfare, or to industrial or agricultural uses, or to wild animals, birds, or fish. Short of any such impacts, the same statute also explicitly exempts all other agricultural storm water and return flows from irrigated agriculture from permitting. No changes were made in response to these comments.

COMMENT #101: Fox Smith commented that subsection (5)(D) references appropriate and preapproved publications, requesting the titles of publications that are or will be preapproved, for transparency. The commenter had a similar comment in reference to subsection (5)(F).

RESPONSE AND EXPLANATION OF CHANGE: Throughout the stakeholder engagement, the department has consistently used publications from the University of Missouri Extension Center, specifically the Agriculture and Environment program. The 2024 amended law specifically references Missouri's first land grant university, which is the University of Missouri. The law references the P-Index developed by the University of Missouri, which has published guidance and studies on nutrient management, in support of the P-Index. These publications are used as a reliable source for Missouri-specific guidance on appropriate agricultural practices and development of agronomic rates. Furthermore, these documents were referenced in the regulatory impact report and are also cited as references in the INMTS. However, as is common in many universities, studies continue and publications are often updated or replaced. Furthermore, the department recognizes that, while we relied heavily on these documents as a defensible and reliable source, there may be other related agronomic and agricultural studies that may be relevant, possibly from colleges more local to a facility or on specific new agricultural practices and efficacy. The awareness of, and studies on, the importance of proper agricultural practices to protect water quality is constantly growing and improving. The proposed amendment includes a reference to publications specifically from University of Missouri Extension Center, but also allows permittees to submit for consideration other related publications. Any other publications that may be used as part of a permitting process will be part of the permitting record and, as such, open to review during the permitting stakeholder engagement process. In review of the comment, however, the department noted that the language referencing the University of Missouri Extension center may have been unclear and made minor changes to ensure that the name of the Extension center is correctly referenced. No other changes were made in response to this comment.

COMMENT #102: Fox Smith requested the words "other earth materials" be added to subsection (5)(F).
RESPONSE AND EXPLANATION OF CHANGE: The department recognizes that the term soil could have been limiting and could be misinterpreted to exclude clay or other surficial materials in which agricultural activities may be occurring. The department appreciates the comment and made a change to the amended rule language.

COMMENT #103: Fox Smith requested clarifying language that not only is sampling required, but also the laboratory analysis (both chemical and statistical) and reporting.
RESPONSE AND EXPLANATION OF CHANGE: The department appreciates the comment and made a change to the amendment. The department modified the commenter's proposed language slightly on the type of analysis, as that is prescribed within the INMTS and permit conditions. Some samples that the department may opt to require in addition to the parameters on the list may be field screening only (like temperature) and not something that can, or must, be conducted within a laboratory.

COMMENT #104: Fox Smith provided comments about sensitive features (which is addressed above) associated with the commingled, offsite industrial wastewater or wastewater treatment residuals stores in open storage basins or open storage vessels, specifically that a minimum basin size should not apply.
RESPONSE: The minimum basin size was established in 2024 in sections 644.016(14) and (15), RSMo, through the amendments in House Bill Nos. 2134 and 1956. As such, no change was made in response to this comment.

COMMENT #105: Fox Smith provided a comment requesting the department state what is meant by "compromised" groundwater.
RESPONSE AND EXPLANATION OF CHANGE: The department replaced the term compromised with the language directly provided in the relevant statute.

COMMENT #106: Fox Smith commented that "the Department is using the hydrologic characterization, sampling, monitoring and reporting requirements found in 10 CSR 80," in referencing the proposed language in subsection (7)(A).
RESPONSE: The proposed language in subsection (7)(A) that references 10 CSR 80-2 specifically only uses the definitions found within the referenced rules. The reference does not bring in any other regulations found within those referenced rule chapters. The subsequent comments seem to rely on that misunderstanding of the reference inclusion. No changes were made in response to this comment.

In response to the comments stating or implying that land application sites should include groundwater monitoring, permits issued by the department must include limits and conditions on activities to protect all waters of the state, including groundwater. If, in the opinion of the department, an activity is reasonably certain to cause pollution to waters of the state, including groundwater, or which has reasonable potential to reduce the quality of waters of the state below the department's water quality standards, the department will establish permit conditions to prevent such pollution or water quality reductions, including but not limited to permit requirements, restrictions, and limitations on any such activities. This may include lowering previously permitted limits, establishing more restrictive conditions on the permitted facility or activity, or adding groundwater monitoring and/or limits. As the department already has all of this described authority in the statutory and regulatory framework, no changes were made in response to this comment.

COMMENT #107: Fox Smith requested the department provide a list of reasons that the department may exempt a permit applicant or holder from submitting a site characterization report or groundwater sampling and analysis plan and what additional reports the department may deem necessary. Fox Smith also requested additional data analysis be required.
RESPONSE: The first requests in this comment are not comments on the proposed amendments to the regulation, but rather simply pose requests for information. As such, these requests do not appear to fall within the purview of the proposed rulemaking. However, the department will briefly respond to address the intent of these flexibilities. Rather than provide a list of all possible reasons that the department may grant an exemption from groundwater sampling and analysis or from submitting a site characterization report, the department would provide two examples: 1) The department has already independently confirmed the presence of groundwater contamination and has our own technical assessment of the site, upon which we are already requiring action from the permittee to mitigate or cease the discharge to groundwater. The permittee may opt to conduct a full site characterization to refute the position of the department, but we may choose not to require a full site characterization from the permittee prior to requiring action to mitigate or cease the discharge, and 2) the site or the department already has a groundwater monitoring, sampling, and analysis plan, perhaps under a different environmental program or authority. The permittee may not need to re-submit it to meet the requirements in the regulation. The department's intention is not to waive or reduce responsibility for, or actions needed, to address, mitigate, or cease impacts to groundwater and the exemptions to not create such a loophole.

As for the comment that often statistical analysis, background concentrations, and other assessments are needed for a robust evaluation of impacts to groundwater, the department concurs but would not limit that list to just the items mentioned in the comment, which is why the rule amendment language includes "along with any additional reports the department deems necessary." The department believes that when the commenter's referenced studies, assessments, or additional documents are needed, they would fall within the regulatory authority provided in the amendment. No changes were made in response to this comment.

COMMENT #108: Fox Smith requested site characterization report be amended to site hydrogeologic characterization report, as well as a reference to 10 CSR 80. The commenter also requested the department replace "if any additional wells are needed" and replace with references to 10 CSR 80. The commenter also requested inclusion of 10 CSR 80 in other text of the amendment.
RESPONSE: The department prefers to retain language that provides flexibility to the department's requests for characterization, monitoring, and permitting of a site. 10 CSR 80 is promulgated to implement different federal regulatory, and state statutory, authority. While there are definite similarities in terminology, and even in the science and the approach to assessment, there are fundamental differences between the different frameworks. Groundwater impacts, monitoring, and related restrictions are addressed in permits on a case-by-case basis, in accordance with all relevant federal

Clean Water Act regulations, as well as the Missouri Clean Water Law and its implementing regulations. As such, no change was made in response to this comment.

COMMENT #109: Fox Smith provided the following comment on paragraph (7)(C)6: Please add the phrase "in each hydrostratigraphic unit (assuming there are multiple) occurring beneath the proposed IWW&IWWTR land application site" after the word "flow." Please remove the word "and" that occurs after "flow."
RESPONSE AND EXPLANATION OF CHANGE: The department added the suggested language pertaining to hydrostratigraphic unit in response to this comment, but did not remove the "and" as it is grammatically appropriate in the list.

COMMENT #110: Fox Smith provided a statement, rather than a rule comment, concerning the language in paragraph (7)(D)2. of the amendment.
RESPONSE AND EXPLANATION OF CHANGE: The comment asserts an inadequacy in the requirements but ignores the introductory portion, which uses the phrase "shall include a thorough...." "Shall include" establishes a minimum inclusion, but allows the department to determine if additional information is needed. As noted above, groundwater permitting, including the available data, monitoring requirements, limitations, conditions, and requests for further evaluation, are developed on a case-by-case basis and incorporated into permits, which are open for review and comment during the public participation process. No change in response to this comment was made or warranted.

COMMENT #111: Fox Smith referenced the use of the term "structure" as confusing. Fox Smith request the addition of "beneath the proposed land application site" in rule language as well.
RESPONSE: The term "structure" was used largely in reference to the new requirements for commingled offsite wastewater and wastewater treatment residuals stored in open storage basins or open storage vessels, as it was used in section (6). However, the department appreciates the concern with the use of the same term in section (7), as it has broader scope. As such, the department replaced the term structure with point source for the purposes of section (7). However, the adding of the term "land application" would add a requirement not explicitly provided for within the statutory language or intended within this rule. As such, this suggested change was not made to the rule text.

COMMENT #112: Fox Smith provided comments requesting definitions of multiple words or phrases used throughout the proposed amendment.
RESPONSE: Defining every word and every term used in a rule is onerous and would result in protracted and excessive rule text. Typically, in the absence of a regulatory definition, the normal, everyday meaning of the term is used, typically determined by consulting a traditional dictionary definition. Furthermore, as these are all requirements to be incorporated into permitting actions, the requirements and permit language and conditions can be clarified on a case-by-case basis, which is subject to public engagement and review during the public participation process. No changes were made in response to these comments, unless specifically noted in response to other comments on definitions contained herein.

COMMENT #113: Fox Smith commented on the use of the term "aquifer," which is defined within these regulations and relates their comment to a decision of a waters of the state.
RESPONSE: The two terms are not necessarily connected herein, nor does the use of different terms in this section reflect a decision of a determination that waters are, or are not, waters of the state. Rather, the regulations reflect a very clearly established effort within both state and federal law and regulations to not only identify waters of the state, but to ensure protection of the uses of those waters. The previous term "aquifer" (which is being amended within this same rulemaking process) more clearly aligned with the expected use of the aquifer as a water source for private or public use. The rule amendments to the aquifer definition attempt to provide clarity, while still aligning with intended or potential use of that layer type for raw or untreated drinking water supplies. The use of the term in this rule is intentional. As such, no changes were made as a request of this comment.

COMMENT #114: Fox Smith commented that the proposed amendment waives installation of borings if the lower confining unit is one hundred feet (100') or more below the top of the uppermost aquifer and requires the upper part of the uppermost aquifer to be characterized. Another comment also noted a minimum number of wells and requested that number be increased.
RESPONSE: The rule provides a standardized plan for the expected use of the rule. Exceptions are a possibility provided for, and addressed, within the rule, with the department's ability to require additional information if the site-specific data and situation warrants additional information (e.g., additional groundwater well information). The proposed "waiver" recognizes that characterizing the upper fifty feet of the uppermost aquifer will identify contaminants present when the hydrogeologic conditions exist. The "waiver" pertains to initial sampling and screenings. Should contamination or related concerns be identified within the upper 50 feet of the uppermost aquifer that suggest further contamination below the sampled area, the department can continue to require additional information, deeper and/or additional borings, further sampling, and/or risk assessment. No changes were made in response to this comment.

COMMENT #115: Fox Smith requested a change in the requirements for design and installation of a groundwater monitoring well to be observed, supervised and certified by a professional hydrogeologist licensed to practice geology in Missouri.
RESPONSE AND EXPLANATION OF CHANGE: The department appreciates the comment and reviewed the explanation provided with the comment. In response to the comment, the department agrees that part of that requirement would be well-suited to a professional hydrogeologist, while overseeing the well installation is better suited for a Missouri-certified well driller. The department concurs that the Missouri certification and/or Missouri-specific knowledge and training is important. As such, the language was changed to reflect these concerns, but modified to be broad enough to allow the department the flexibility to require the correct Missouri specific "professional" designation based on the specific task being covered.

COMMENT #116: Fox Smith submitted comments concerning, and potentially establishing, groundwater and related monitoring frequency and parameters in the rule.
RESPONSE: The rule provides the department the ability to address these requests and concerns through the permitting process, based on the available data, variability, nature of the

pollutants, site-specific conditions, operations, and any other relevant factors on a case-by-case basis. Monitoring frequency is regularly established through the permitting process, rather than in rule, and comments are considered during the public participation process. No changes were made in response to this comment.

COMMENT #117: Fox Smith provided comments on responsibility for "remediation" of contaminated groundwater from the permitted activities, if needed.
RESPONSE: Section 644.143, RSMo (Aug. 28, 1999), establishes the authority for the Clean Water Commission to establish procedures for determining whether remediation of groundwater is appropriate for any particular site. At this time, rules have not been promulgated by the Water Pollution Control Branch to implement this authority because legislation passed by the Missouri General Assembly in 2004 transferred authority for risk-based remediation rules from the Clean Water Commission to the Hazardous Waste Management Commission. In 2009, the department, with the assistance of certain stakeholders, developed a risk-based corrective action rule to codify the risk-based correction action process and its key elements and methodologies. The rulemaking process involved both the Clean Water Commission and the Hazardous Waste Management Commission. The rule, 10 CSR 25-18.010 Risk-Based Corrective Action Process, was adopted in June 2009 and became effective on Oct. 31, 2009. The department uses these rules for groundwater remediation activities and are considered during development of clean water permits.

These rule amendments under Missouri Clean Water Law were not intended to incorporate groundwater remediation statutes because the department already has, and uses, its authority to protect groundwater. In the event of groundwater contamination in excess of the water quality criteria established to protect groundwater, the department can permit, regulate, and address the discharge of contaminants to groundwater, including requiring actions to mitigate or prohibit the exposure of contaminants to groundwater. The commenter suggested requirements similar to those applied to a landfill; however, the framework of our authority to address groundwater, while present, is different than the referenced regulations.

No changes were made within the proposed amendment in response to this comment.

COMMENT #118: Judy Moore provided comments that covered both the rule and the incorporated INMTS. She commented that unknown materials should not be allowed and broader sampling should be required, including carcinogenic materials. She indicated that testing should be required, regardless of the storage size. She also provided general opposition to permit exemptions. She also said the regulations should require information on the source of the material, sampling, where it is land applied and provide records. She also suggested an alternative setback distance for land application from residences, but then commented on the odor concerns and air particulates.
RESPONSE: The current rule language, including the INMTS and the authority for permitting, and permits for these activities are intended to address the concerns the commenter raised. All material does have to be sampled and results submitted to the department. Land application fields will be in the application, plans, and the permits, with reporting on each field. All of these documents, including the sampling associated with the permit application, routine sampling, routine land application activity reports, and all other required data submissions are public record and will be available to the public. All materials to be land applied must be sampled, with additional sampling requirements for mixed materials, regardless of storage size. The commingled offsite industrial wastewater or wastewater treatment residuals open storage basin or open storage vessels are specifically referenced, with setbacks, because these were explicitly added into the law in 2024. The INMTS provides that sampling frequency may be increased for mixed materials; permits will establish the appropriate sampling for materials that are mixed prior to land application, regardless of the storage size. The INMTS also provides sampling requirements and limits for more pollutants than just metals and also notes that the department can request sampling for other regulated pollutants of concern, as deemed appropriate based on the materials, sources, and any other relevant information. The comment requesting additional setbacks associated with odor and air particulate concerns is beyond the scope of this rulemaking effort; no other explanation or support for extending the setbacks was provided, beyond the air pollution related comments. The commenter's concerns about previous land application issues under permit exemptions were broad and general and have been addressed previously, and no changes were made directly in response to this comment. However, changes were made in response to some specific comments that align with these comments; those comments and responses are included herein.

COMMENT #119: Comments were submitted on the Land Application Management Plan template, the regulatory impact report, related guidance documents, and other topics beyond the rule text and incorporated INMTS.
RESPONSE: These comments were beyond the scope of the rulemaking and, as such, are not addressed herein, but may still be discussed and updated later. No changes were made to the rule at this time.

COMMENT #120: Mr. Brent Haden, legal counsel representing the Poultry Foundation, expressed appreciation for the department's implementation of the law amendment and looks forward to working with the department in the future.
RESPONSE: The department appreciates the cooperation and looks forward to the continued collaboration with the commenter and his client on this matter.

10 CSR 20-6.015 No-Discharge Operations and Land Application Requirements

(2) General.

(B) Nothing shall prevent the department from taking action to ensure that the operations or activities listed in subsection (A) do not discharge into waters of the state, including requiring permits for operations normally exempted under this rule. Permits may be required where necessary to protect the environment, including the following:

1. To correct noncompliance;

2. To ensure when the department has determined that construction or operating practices are not adequate, that the facility will be operated in a no-discharge manner;

3. To require, by departmental determination from an on-site visit, that construction and operating permits are necessary for special operating controls or monitoring and reporting of site-specific conditions such as groundwater effects, surface runoff, waste or wastewater characteristics, topography, geology, watershed factors, or land application loading rates;

4. When an unauthorized discharge has occurred or has the potential to occur;

5. When a discharge results in violation of water quality standards under 10 CSR 20-7.031; or

6. Other relevant factors.

(4) Operating Permits. This rule does not apply to concentrated animal feeding operations (CAFOs) subject to 10 CSR 20-6.300, stormwater discharges subject to 10 CSR 20-6.200, activities exempted in section (3), animal feeding operations not classified as CAFOs, or other nonpoint sources. The requirements in this rule apply to no-discharge facilities and activities and to land application sites, including those at discharging facilities.

(A) Operating permit applications. This subsection describes the application process and minimum application requirements for no-discharge operations and land application sites. Additional application requirements may be applicable to a facility if additional operations are occurring.

1. The application shall include at a minimum the following documentation:

A. Narrative operational summary. This shall describe the no-discharge operations, types and sources of materials to be managed or land-applied, storage plans, design capacity, and operational capacity;

B. Adequate storage for management or land application of wastewater, sludge, wastewater treatment residuals, and process waste for the intended design flows and capacity;

C. A recent aerial or topographic map showing the location of any intended storage structure(s), composting area(s), and land application fields, including setbacks established for –

(I) Treatment works treating domestic sewage, in 10 CSR 20-8.200; or

(II) Non-domestic wastewater and residuals, the *Missouri Industrial Nutrient Management Technical Standard for Industrial Wastewater and Wastewater Treatment Residuals* (INMTS). The INMTS required by this rule, Edition 1.0, is incorporated by reference herein as published by the Department of Natural Resources, Division of Environmental Quality, Water Protection Program, PO Box 176, Jefferson City, MO 65102-0176, October 2025, and does not include any later amendments or additions. The INMTS is available on the department's website.

D. Applications for land application from treatment works treating domestic sewage must ensure land application will meet the design and operational requirements in 10 CSR 20-8.200; biosolids must be land applied in accordance with permit conditions;

E. Land Application Management Plan (LAMP) for all fields to be used for land application of industrial wastewater, industrial wastewater treatment residuals, or process waste, excluding manure, CAFO operations, AFOs, and treatment works treating domestic sewage. The LAMP must comply with the requirements established in the INMTS, unless otherwise approved by the department, typically for facilities land applying wastewater that does not contain nutrients or significant concentrations of other pollutants (e.g., treated water for irrigation or non-metallic sediment from a quarry settling basin). This subparagraph does not apply to biosolids that are regulated under 40 CFR Part 503. Privately owned operating locations managing a combination of domestic wastewater or sludges and non-domestic wastewater or sludges may be subject to this requirement at the department's discretion. Unless otherwise determined by the department, the LAMP shall include at a minimum –

(I) Site-specific conservation practices or operational management practices to prevent the direct runoff of land applied material and to minimize impacts to stormwater;

(II) Site-specific map(s) with sensitive features and setbacks;

(III) Field locations and field management plans used to establish land application rates for pollutant removal;

(IV) Calculations, data, and methods to be used to ensure appropriate management and removal of nutrients in the applied material; and

(V) Records that will be maintained to document implementation and management of the minimum elements described within this subparagraph.

F. Applications must be submitted on forms established by the department and must include information on potential pollutants in the wastewater or wastewater treatment residuals to be land applied.

(B) Minimum operating permit conditions.

1. There shall be no discharge or direct runoff of wastewater, wastewater treatment residuals, or other domestic or industrial wastes from the field as a result of the land application of these materials, excluding agricultural stormwater discharges.

2. The permits shall include conditions containing limitations, monitoring, reporting, and other requirements to protect soils, crops, surface waters, groundwater, public health, and the environment. These conditions include but are not limited to –

A. Sampling requirements, including parameters, frequency, and numeric limitations if warranted;

B. Land application minimum best management practices to appropriately conduct land application and prevent runoff;

C. Application must cease immediately if plant stress or phytotoxicity attributable to the application is observed, with land application resuming after plant recovery with land application rates reduced to prevent plant stress and phytotoxicity;

D. Application is not allowed on frozen, snow-covered, saturated soils;

E. Ponding of applied liquids is prohibited, except temporary ponding that does not leave the application area that absorbs into soil prior to the land applier leaving the field, and except for agricultural purposes where hydrophytic vegetation or crops are being established (such as rice);

F. Land application is an approved wastewater treatment method for pollutants, like nutrients, that can be effectively removed through soils, plants, and agronomic practices;

G. Land application is not allowed for the purposes of disposal, for the application of hazardous wastes, or for hazardous substances in amounts known to or having the potential to cause phytotoxicity or negative health or environmental impacts, or any other material deemed unsuitable by the department;

H. Adequately protective permit conditions must be established in land application areas where the Missouri Geologic Survey had determined geohydrological sensitive features are present; and

I. Incorporation of the INMTS.

3. A field permitted for the land application of industrial wastewater or wastewater treatment residuals shall only be incorporated into one (1) Missouri state operating permit.

(5) Excluding concentrated animal feeding operations (CAFOs), animal feeding operations not classified as CAFOs

or other nonpoint sources, land application of non-domestic wastewater must be conducted in accordance with the INMTS or an approved LAMP. Land application shall also be conducted in accordance with the following:

(A) Land application rates based on hydraulic, pollutant, and nutrient loading rates;

(B) Specific numeric pollutant limits for select parameters;

(C) A minimum of annual soil sampling for nutrients and appropriate parameters, as determined by the department, frequency may be increased in accordance with the INMTS;

(D) Appropriate agricultural publications from the University of Missouri Extension center or other pre-approved related publications, to determine crop uptake and land application rates;

(E) Setbacks, minimum distances from identified features; and

(F) Established permit conditions protective of crops, soil and other earthen material, waters of the state, human health, and the environment.

(6) Specific requirements for commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels. Volume is calculated by adding all of the open structure(s) occurring on one (1) operating location. Storage systems must, at a minimum –

(B) Sampling, analysis, and reporting of results must be conducted at least annually per 644.051, RSMo, with increased frequency as determined necessary in accordance with the INMTS for –

1. Metals, including arsenic, aluminum, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and thallium;

2. Pathogens, including *E. coli,* fecal coliform, and salmonella;

3. Other pollutants as determined by the department; and

(C) For systems equal to or greater than two and one-half million gallons (2.5 MG) storage capacity, groundwater monitoring wells shall be required when, in the determination of the division of Missouri Geological Survey, the storage structures are located in proximity to geological feature(s) that increase the likelihood of groundwater contamination.

(7) Groundwater monitoring and reporting requirements for operations subject to subsection (6)(C) and any other operation necessitating groundwater monitoring requirements as part of an assessment of a discharge to groundwater.

(D) At a minimum, the following characteristics will be described in the SCR:

1. Geologic materials;

2. Description of soil and bedrock to a depth adequate to allow evaluation of water quality protection provided by the soil and bedrock;

3. Groundwater elevation;

4. Proposed separation between the lowest point of the lowest structure and the maximum water table elevation;

5. Proximity of the structure(s) to water supply wells or surface water;

6. Rate and direction of groundwater flow in each relevant hydrostratigraphic unit; and

7. Current and projected use of water resources in the potential zone of influence of the point source(s).

(F) Groundwater monitoring wells shall be capable of yielding groundwater samples for analysis, effective monitoring of the site, and consist of at least one (1) well installed hydraulically upgradient, that is, in the direction of increasing static head from the point source(s); and at least two (2) wells installed hydraulically downgradient, that is, in the direction of decreasing hydraulic head from the point source(s); more wells may be required if determined necessary to adequately assess potential groundwater impacts. The quantity of wells, locations, and depths shall be sufficient to yield groundwater samples that are –

1. Representative of background water quality in the groundwater near the point source(s);

2. Capable of detecting any significant amounts of fluids generated by the structure(s) that migrate from the point source(s) to the groundwater;

3. Capable at a minimum of monitoring all saturated zones down to and including the uppermost aquifer; and

4. Located from the point source(s) a maximum distance of one hundred fifty meters (150 m) or four hundred ninety-two feet (492').

(G) The design and installation of groundwater monitoring well systems shall be observed, supervised, and certified by a Missouri groundwater professional, and the monitoring well system shall be approved by the department prior to installation. Additional wells may be required by the department at any time if the existing network is insufficient.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-6.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2025 (50 MoReg 1205-1206). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on September 16, 2025, and the public comment period ended September 23, 2025. At the public hearing, department staff presented the proposed amendment before forty-one (41) attendees. No comments were received during the hearing. Four (4) entities submitted a total of seven (7) comments electronically during the public comment period.

COMMENT #1: Darleen Groner with Four Points Land Surveying & Engineering, Inc., requested that public notification requirements regarding permit exemptions be added to 10 CSR 20-6.020.

RESPONSE: Activities that are exempt from permit requirements are also exempt from the related public notice and public participation rules found in regulation. The department understands the interest in understanding where activities that are exempt from permitting processes occur throughout the state and will work on developing a webpage to better inform interested members of the public. It should be noted, some categories of permit exemptions may not require the tracking of location by the department due to the nature of the exemption. No changes were made as a result of this

comment.

COMMENT #2: Elizabeth Hubertz with the Washington University Interdisciplinary Environmental Clinic (IEC) on behalf of The Moniteau County Neighbors Association (MCNA) stated that the commenter believes that "additional training of industrial waste storage basin operators and land appliers may be needed."
RESPONSE: The request for additional training of industrial waste storage basin operators and land appliers has been noted but is outside the scope of this rule. Additional training requirements may be established as permit requirements in future permits. These permits will be posted as notice of permit pending and they may be commented on as described in 10 CSR 20-6.020(1)(B) and (C). The process by which public notices may be commented on falls under the purview of this rule. No changes were made as a result of this comment.

COMMENT #3: IEC, on behalf of MCNA, provided a comment regarding concern that with the existing language of 10 CSR 20-6.020(1)(B), permits undergoing "minor modifications" may avoid public notice requirements. MCNA requested that even minor modifications undergo public notices, or that at least the term "minor modification" be defined.
RESPONSE AND EXPLANATION OF CHANGE: In response to this comment, the language of 10 CSR 20-6.020(1)(B)1. has been amended to say "minor modifications, as defined in 40 CFR 122.63," in order to remain consistent with federal regulations. The department will continue to not issue public notices for minor modifications; however, to provide clarity, relevant terms will be defined. This will ensure continuity between Public Notices for Site Specific Permits, and Public Notice for General Permits as 10 CSR 20-6.020(1)(C) states that Public Notices for General Permits must be completed in accordance with 10 CSR 20-6.020(1)(B) as well.

COMMENT #4: IEC, on behalf of MCNA, submitted a comment requesting that industrial waste storage basins be listed under the general permit items that require public notification.
RESPONSE AND EXPLANATION OF CHANGE: In response to this comment, the language of 10 CSR 20-6.020(1)(C)2. has been amended to include "industrial waste storage basins treating commingled, offsite industrial wastewater or wastewater treatment residuals" on the general permit public notice list. However, the department does not intend to offer general permits for these types of facilities.

COMMENT #5: It was suggested in a comment submitted by IEC on behalf of MCNA that notification of hearings should be mailed to all residents living within the affected radius of a proposed discharge.
RESPONSE AND EXPLANATION OF CHANGE: The proposed language of 10 CSR 20-6.020(1)(E) will be amended to say specifically that "Notice of permit pending will be posted on the department webpage," as opposed to the current language explaining that notice will be circulated within the geographical areas of the proposed discharge. The additional methods by which notice may be circulated, including posting notice at a post office or other public place near the discharge, and near the entrance of the applicant's premises, will be removed.

The department may request posting of a physical public notice, or notice for hearing, should the surrounding communities be unlikely to see or engage with online postings. Any hearings that have been requested will still be posted in local newspapers, as well as on the department's webpage.

There will be no changes to the neighbor notice procedures for the process described in 10 CSR 20-6.020(1)(E). Neighbor notice has been and continues to be required for new or expanding concentrated animal feeding operations (CAFOs) under section 640.715, RSMo.

COMMENT #6: Comment submitted by Brundage Environmental and Ag Law LLC proposes that the options for posting notices at post offices and applicant's premises be removed entirely and that notices of permit pending be solely on the department's webpage, or that wording be changed to allow the department the option to post notices of permit pending in the physical locations or online.
RESPONSE AND EXPLANATION OF CHANGE: In response to multiple comments, the requirement for posting notices at post office (or other public place in close proximity to the discharge) and at the applicant's premises will be removed from 10 CSR 20-6.020(1)(E). While post office and premises postings will no longer be required, the department retains the option to require physical postings should extra steps need to be taken to ensure the public is provided with necessary information.

COMMENT #7: A comment was received from Lynn Schluns asking that regulations for land application of sludge to farmlands include requirements for testing of all elements contained within the land applied sludge. Ms. Schluns specifically cited 10 CSR 20-6.015 in her comment.
RESPONSE: This comment is outside of the scope of 10 CSR 20-6.020 and its proposed amendments and thus will be addressed in the 10 CSR 20-6.015 comment responses. No changes were made as a result of this comment.

COMMENT #8: A comment was received from Sarah Schappe, Director of the Joint Committee on Administrative Rules, requesting language be added to incorporate 40 CFR 122.63 by reference in subsection (1)(B).
RESPONSE AND EXPLANATION OF CHANGE: Language was added to incorporate 40 CFR 122.63 by reference in subsection (1)(B).

10 CSR 20-6.020 Public Participation, Hearings, and Notice to Governmental Agencies

(1) Public Participation.

(B) Public Notice for Site Specific Permits.

1. A public notice of permit pending will be prepared by the department. Except for minor modifications there shall be a period of not less than thirty (30) days following the date of the public notice when interested persons may submit their written views on the proposed permit. The term, minor modifications, is defined in 40 CFR 122.63, October 22, 2015, which is hereby incorporated by reference in this rule, as published by the EPA Docket Center, EPA West, 1301 Constitution Avenue NW, Washington, DC 20004. This rule does not incorporate any subsequent amendments or additions. The department will issue or deny the permit within sixty (60) days after all requirements of the Federal Clean Water Act, the Missouri Clean Water Law and those regulations concerning the issuance of permits have been satisfied.

(C) Public Notice for General Permits.

1. Public notice of newly created, or the reissuance of an existing statewide general permit shall be prepared by the department in accordance with subsections (1)(B) and (D) of this rule.

2. For issuance of the initial individual general permit

for any newly constructed water contaminant source, point source, or wastewater treatment facility, public notice shall occur in accordance with subsections (1)(B) and (C) of this rule. This applies to the following general permits:

A. Airports;
B. Chemical manufacturing;
C. Fabricated structured metal;
D. Foundries;
E. Limestone and rock quarries;
F. Lubricant manufacturing;
G. Petroleum storage greater than fifty thousand (50,000) gallons;
H. Wood treaters; and
I. Commingled, offsite industrial wastewater or wastewater treatment residuals stored in open storage basins or open storage vessels.

3. As new general permits are created, the need for an individual facility public notification process shall be determined and identified in the general permit.

(E) Notice of permit pending will be posted on the department webpage. The department may request posting of a physical notice of Permit Pending in order to accommodate for certain groups determined by the department.

1. Posting in the post office and public places of the municipality nearest the proposed discharge;
2. Posting near the entrance to the applicant's premises; and
3. The department webpage.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-6.060 Water Quality Certification **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2025 (50 MoReg 1207–1208). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

The public comment period began on August 15, 2025, and a public hearing was held on September 16, 2025. At the public hearing, department staff presented the proposed amendment to forty-one (41) attendees. No comments were received during the hearing. One (1) comment was submitted electronically during the public comment period. The public comment period ended September 23, 2025.

COMMENT #1: A commenter stated that Missouri must protect our waters better than we currently are doing. DNR must be sure that regulations for application of waste to farmlands (such as 10 CSR 20-6.015) include provisions for complete testing of all elements contained in the sludge. If DNR cannot substantiate that the sludge contains harmful elements, the application should be prohibited.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-6.060. This comment will be addressed under 10 CSR 20-6.015. No changes were made to this rule as a result of this comment.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-6.200 Storm Water Regulations **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2025 (50 MoReg 1208–1215). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on September 16, 2025, with forty-one (41) people in attendance. No comments were received during the hearing and two (2) comments were received electronically.

COMMENT #1: A commenter stated that 10 CSR 20-6.200 should be revised to clarify that no-discharge permits do not require a SWPPP and that 10 CSR 20-6.200 does not impose any other conditions on no-discharge permits.
RESPONSE: Land application facilities are subject to 10 CSR 20-6.200. The department uses permit conditions to establish stormwater requirements, both in site-specific and general permits. A common condition in stormwater permits is the requirement to prepare a Stormwater Pollution Prevention Plan (SWPPP). For most land application sites, the department often omits a separate SWPPP requirement if, in the determination of the department, the permit conditions are equivalent to SWPPP requirements. No changes have been made to the rule as a result of this comment.

COMMENT #2: A commenter stated that Missouri must protect our waters better than we currently are doing. DNR must be sure that regulations for application of waste to farmlands (such as 10 CSR 20-6.015) include provisions for complete testing of all elements contained in the sludge. If DNR cannot substantiate that the sludge contains harmful elements, the application should be prohibited.
RESPONSE: This comment appears to be for 10 CSR 20-6.015 and is not in the purview of 10 CSR 20-6.200. This comment will be addressed under 10 CSR 20-6.015. No changes have been made to the rule as a result of this comment.

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 85 – Veterans Affairs
Chapter 1 – Veterans Affairs

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterans Commission under sections 42.007.6, 42.010, and 536.023(3), RSMo 2016, the commission amends a rule as follows:

11 CSR 85-1.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2025 (50 MoReg 1285–1286). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Veterans Commission received two (2) comments on the proposed amendment.

COMMENT #1: Sarah Schappe, Director and General Counsel of the Joint Committee on Administrative Rules, requested that section 42.007.6, RSMo, be added to the authority section of the rule.
RESPONSE AND EXPLANATION OF CHANGE: Section 42.007.6, RSMo, will be added to the authority section of the rule.

COMMENT #2: Sarah Schappe, Director and General Counsel of the Joint Committee on Administrative Rules, requested that the reference in subsection (3)(B) to Title 38 U.S.C. Chapter 24 be changed to Title 38 U.S.C. Section 2408.
RESPONSE AND EXPLANATION OF CHANGE: The reference in subsection (3)(B) of the rule to "Title 38 U.S.C. Chapter 24" will be changed to "Title 38 U.S.C. Section 2408."

11 CSR 85-1.050 Veterans Cemeteries Program

(3) Operations.

(B) Operation and Maintenance. The cemetery shall be operated and maintained in accordance with national standards set forth in Title 38 U.S.C. Section 2408. Cemetery regulations and any changes thereto shall be posted at each cemetery in a location accessible to the public. Missouri Veterans Cemeteries (MVC) reserves the right to change cemetery regulations as necessary to align with the national standards or to conform to current conditions.

AUTHORITY: sections 42.007.6, 42.010, and 536.023(3), RSMo 2016. Original rule filed Jan. 7, 2009, effective July 30, 2009. Amended: Filed June 11, 2013, effective Dec. 30, 2013. Amended: Filed Oct. 2, 2020, effective April 30, 2021. Amended: Filed Aug. 4, 2025.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 143.091, 143.401, and 143.581, RSMo 2016, the department amends a rule as follows:

12 CSR 10-2.140 Partnership Filing Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1325-1326). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 135.339, 136.120, and 143.961, RSMo 2016, the department amends a rule as follows:

12 CSR 10-2.740 Adoption Tax Credit **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1326-1328). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.3175, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-23.090 Back the Blue Special Plate Donation Processing **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1328). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under

sections 301.144, 301.449, and 301.453, RSMo 2016, and section 301.130, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-23.100 Special License Plates **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1328-1329). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.144, RSMo 2016, the department amends a rule as follows:

12 CSR 10-23.185 Obscene License Plates **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1329). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.145, RSMo Supp. 2025, the Department of Revenue rescinds a rule as follows:

12 CSR 10-23.210 Congressional Medal of Honor License Plates **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1329-1330). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.025, RSMo 2016, the department amends a rule as follows:

12 CSR 10-23.295 Witnessing Proof of Federal Heavy Vehicle Use Tax Payment or Exemption **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1330). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.140, RSMo Supp. 2025, the department rescinds a rule as follows:

12 CSR 10-23.400 Transfer of License Plates **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1330). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 301.010 and 301.190, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-23.430 Registration of a Motor Vehicle or Trailer When the Out-of-State Lienholder Refuses to Release the Title **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register*

on October 1, 2025 (50 MoReg 1330-1331). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 301.196, 301.197, and 301.198, RSMo 2016, the department amends a rule as follows:

12 CSR 10-23.470 Notice of Sale **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1331). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 700.111, RSMo 2016, the department amends a rule as follows:

12 CSR 10-23.475 Fees and Required Documentation for Designating Manufactured Homes as Real or Personal Property **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1331-1332). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 23 – Motor Vehicle

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 301.130, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-23.500 Optional Second Plate for Commercial Motor Vehicles **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1332). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 302.175, RSMo 2016, the department amends a rule as follows:

12 CSR 10-24.090 Missouri Driver License or Permit Vision Test Guidelines **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1332–1333). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations.*

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 302.233, 302.273, and 302.765, RSMo 2016, and sections 302.010, 302.272, 302.700, and 302.735, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-24.300 Commercial Driver License Written Examinations **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1333–1334). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 302.720, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-24.380 Hazardous Materials Written Test Requirements for Commercial Driver License Transfer or Renewal **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1334). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 302.765 and 302.775, RSMo 2016, the department amends a rule as follows:

12 CSR 10-24.412 Commercial Driver License Waiver For Farm-Related Service Industries **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1334–1335). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 302.765 and 302.775, RSMo 2016, the department amends a rule as follows:

12 CSR 10-24.444 Ten-Year Disqualification **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1335–1336). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 26 – Dealer Licensure

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 301.114 and 301.218, RSMo 2016, and sections 301.553 and 301.557, RSMo Supp. 2025, the department rescinds a rule as follows:

12 CSR 10-26.120 Procedures for Filing Complaints with the Director of Revenue **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1336). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 41 – General Tax Provisions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 32.057, RSMo 2016, the department amends a rule as follows:

12 CSR 10-41.020 Disclosure of Information, Returns, Reports, or Facts Shown By Them to State and Federal Prosecuting Officials **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1336–1337). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 41 – General Tax Provisions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 32.057.2(1)(a), RSMo 2016, the department amends a rule as follows:

12 CSR 10-41.025 Disclosure of Confidential Taxpayer Information to Officers, Members, Partners, and Employees of a Business **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1337). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed rule.

COMMENT: Ray McCarty, with Associated Industries of Missouri, said the organization supports the amendment to address the issue of determining the correct employee in a company to whom confidential information may be disclosed.
RESPONSE: No changes have been made to the rule as a result of this comment.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 103 – Sales/Use Tax – Imposition of Tax

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, the department amends a rule as follows:

12 CSR 10-103.017 Ticket Sales **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1337–1338). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 103 – Sales/Use Tax – Imposition of Tax

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, the department amends a rule as follows:

12 CSR 10-103.050 Drinks and Beverages **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1338). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 103 – Sales/Use Tax – Imposition of Tax

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 144.270 and 144.705, RSMo 2016, the department amends a rule as follows:

12 CSR 10-103.390 Veterinary Transactions **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1338). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 104 – Sales/Use Tax – Registration

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 144.270 and 144.705, RSMo 2016, the department amends a rule as follows:

12 CSR 10-104.020 Sales and Use Tax Bonds **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1339–1340). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE

Division 10 – Director of Revenue
Chapter 104 – Sales/Use Tax – Registration

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.190, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-104.040 Direct-Pay Agreements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1340–1341). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 110 – Sales/Use Tax – Exemptions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, the department amends a rule as follows:

12 CSR 10-110.013 Drugs and Medical Equipment **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1341-1342). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed amendment.

COMMENT: Ray McCarty, with Associated Industries of Missouri, commented that the department in filing the proposed amendment should include a definition of the term "durable medical equipment" to ensure future administrations of the department could not change the interpretation of this rule or the statute.
RESPONSE: The rule is being amended to update the existing definitions in this rule to match the definitions in statutes. The department notes the term "durable medical equipment" is not defined in statutes and would require a statutory definition before the department adds the definition to the rule. No changes have been made as a result of this comment.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 110 – Sales/Use Tax – Exemptions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, and section 144.030, RSMo Supp. 2025, the department amends a rule as follows:

12 CSR 10-110.300 Common Carriers and 54,000 Pound Carriers **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1342). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 110 – Sales/Use Tax-Exemptions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, the department rescinds a rule as follows:

12 CSR 10-110.846 Taxability of Sales Made at Fund-Raising Events Conducted by Clubs and Organizations Not Otherwise Exempt From Sales Taxation **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1342-1343). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 110 – Sales/Use Tax – Exemptions

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under section 144.270, RSMo 2016, the department amends a rule as follows:

12 CSR 10-110.955 Sales and Purchases – Exempt Organizations **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1343). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 112 – Sales/Use Tax – Contractors

ORDER OF RULEMAKING

By the authority vested in the Department of Revenue under sections 144.270 and 144.705, RSMo 2016, the department amends a rule as follows:

12 CSR 10-112.300 Sales to the United States Government and Government Contractors **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1343-1344). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, and section 338.280, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-7.010 General Licensing Rules **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1363-1364). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.025 Intern Pharmacist Licensure **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1364). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.027 Approved Missouri Schools/Colleges of Pharmacy **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1364-1365). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.030 Pharmacist Licensure by Examination **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1365-1366). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.040 Foreign Graduates **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1366-1368). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.050 License Transfer/Reciprocity **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1369). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 7 – Licensing

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2025, the board amends a rule as follows:

20 CSR 2220-7.060 Score Transfer **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1369-1370). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 2234 – Board of Private Investigator and Private Fire Investigator Examiners
Chapter 6 – Continuing Education Requirements – Private Investigators and Agency Investigator Employees

ORDER OF RULEMAKING

By the authority vested in the Board of Private Investigator and Private Fire Investigator Examiners under section 324.1138, RSMo 2016, the board amends a rule as follows:

20 CSR 2234-6.010 Continuing Education **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1370). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 60 – Missouri Health Facilities Review Committee
Chapter 50 – Certificate of Need Program

NOTIFICATION OF REVIEW: APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for January 23, 2026. These applications are available for public inspection at the address shown below.

Date Filed
Project Number: Project Name
City (County)
Cost, Description

12/10/2025
#6253 HT: St. Luke's Hospital
Chesterfield (St. Louis County)
$2,600,000, Replace MRI unit

12/11/2025
#6258 HT: St. Louis Children's Hospital
St. Louis (St. Louis City)
$3,615,201, Replace 2 cardiac cath labs

12/12/2025
#6259 HT: Mercy Hospital Washington
Washington (Franklin County)
$1,132,132, Replace cardiac cath lab

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by January 14, 2026. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
920 Wildwood Dr.
PO Box 570
Jefferson City, MO 65102

For additional information, contact Alison Dorge at alison.dorge@health.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in editable electronic file manuscript by email to adrules.dissolutions@sos.mo.gov.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CALLAHAN REAL ESTATE, LLC

On December 2, 2025, Callahan Real Estate, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Company requests that any and all claims against the Company be presented by letter to:

The Company
c/o Tracy Hess, RBC Trust Company (Delaware) Limited
10801 W. Charleston Blvd., Ste. 250
Las Vegas, NV 89135

Each claim against the Company must include the following information:
1) The name, the address, and telephone number of the claimant;
2) The amount of the claim;
3) The date on which the claim arose;
4) A brief description of the nature of or the basis for the claim; and
5) Any documentation related to the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST PERRYVILLE HEALTHCARE CORPORATION

On November 11, 2025, Perryville Healthcare Corporation, a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at the following address:

Perryville Healthcare Corporation
434 N West St
Perryville, MO 63775

All claims must include:
1) The name and address of the claimant;
2) The amount claimed;
3) The basis for and a description of the claim; and
4) The date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Any claims against will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of the three notices authorized by statute, whichever is published last.

NOTICE OF WINDING UP OF TO ALL CREDITORS OF AND CLAIMANTS AGAINST UNITED ACCESS HOLDINGS, LLC

On December 3, 2025, United Access Holdings, LLC, a Missouri limited liability company, filed its Articles of Termination and Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on October 29, 2025. Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

United Access Holdings, LLC
Attn: Richard Wayne May, Manager
9389 Natural Bridge Road
St. Louis, MO 63134

With a copy to:

Sandberg Phoenix & von Gontard, P.C.
Attn: Anthony J. Soukenik, Esq.
701 Market Street, Suite 600
St. Louis, MO 63101
(314) 231-3332

All claims must include:
1) The name and address of the claimant;
2) The amount claimed;
3) The basis for the claim; and
4) The date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the notice of winding up of United Access Holdings, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the notices authorized by statute, whichever is published last.

NOTICE TO CREDITORS AND CLAIMANTS OF FAIRVIEW REALTY INVESTORS, LLC

Fairview Realty Investors, LLC, a Missouri limited liability company (the Company), has dissolved and is in the process of winding up its affairs. On December 4, 2025, the Company filed a Notice of Winding Up with the Missouri Secretary of State pursuant to RSMo, section 347.137. All claims against the Company should be presented in accordance with this notice. Claims should be in writing and sent to the Company at this mailing address:

Fairview Realty Investors, LLC
c/o Gregory Luzecky
50 Crestwood Executive Center, Suite 522
St. Louis, MO 63126

The claim must contain:
1) The name, address, and telephone number of the claimants;
2) The amount of the claim or other relief demanded;
3) The basis of the claim and any documents related to the claim; and
4) The date(s) as of which the event(s) on which the claim is based occurred.

Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST RAY ROLING & SON CONSTRUCTION CO., INC

Notice is hereby given that Ray Roling & Son Construction Co., Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on November 24, 2025. Any claims against Ray Roling & Son Construction Co., Inc. must be sent to:

Jeffrey Roling
757 C Stadium Blvd.
Jefferson City, MO 65109

Each claim must include the following:
1) The name, address, telephone number, and e-mail address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) The documentation of the claim.

All claims against the corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A ST CHARLES ACQ, LLC

On December 8, 2025, L&A St. Charles ACQ, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A 60, LLC

On December 8, 2025, L&A 60, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;

3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A REDROSE ART, LLC

On December 8, 2025, L&A Redrose Art, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A 75, LLC

On December 8, 2025, L&A 75, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A 9651 CLAYTON, LLC

On December 8, 2025, L&A 9651 Clayton, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST REDROSE PERSHING LLC

On December 8, 2025, RedRose Pershing, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST MARYLAND MANOR ACQ, LLC

On December 8, 2025, Maryland Manor ACQ, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST RR LAND ACQ, LLC

On December 8, 2025, RR Land ACQ, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A GP ACQ I, LLC

On December 8, 2025, L&A GP ACQ I LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST WESTPORT ACQ II, LLC

On December 8, 2025, Westport ACQ II, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST L&A KC ACQ, LLC

On December 8, 2025, L&A KC ACQ, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Kyle Hertel, Lathrop GPM LLP
2345 Grand Boulevard, Suite 2200
Kansas City, MO 64108

All claims must include the following information:
1) The name and address of the claimant;
2) The amount claimed;
3) The date on which the claim arose;
4) The basis for the claim; and
5) Any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CLACK ENTERPRISES, INC

On November 20, 2025, Clack Enterprises, Inc., filed its Articles of Dissolution with the Missouri Secretary of State's Office. The dissolution became effective upon that date. You are hereby notified that if you believe you have a claim against Clack Enterprises, Inc., you must submit a summary in writing of the circumstances surrounding your claim to the corporation at:

Clack Enterprises, Inc.
4209 Amy Clark Rd.
Hillsboro, MO 63050

The summary of your claim must include the following information:
1) The name, address and telephone number of the Claimant;
2) The amount of claim;
3) The date of the event on which the claim is alleged to have occurred;
4) A brief description of the nature of the debt and the basis for the claim.

All claims against Clack Enterprises, Inc. will be barred unless the proceeding to enforce a claim is commenced within two (2) years after publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST WISER HOLDINGS, LLC

On December 2, 2025, Wiser Holdings, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit a written summary of any claims against the Company to:

Wiser Holdings, LLC
c/o Andrew T. Peebles, Esq.
Carnahan Evans PC
2805 S. Ingram Mill Road
Springfield, MO 65804

The summary of your claim must include the following:
1) The claimant's name, address, and telephone number;
2) The amount of claim;
3) The date(s) claim accrued (or will accrue);

4) A brief description of the nature of the debt or the basis for the claim; and
5) If the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST NUARBOUR PARTNERS, LLC

Nuarbour Partners, LLC, a Missouri limited liability Company, plans to dissolve and has filed a Notice of Winding Up with the Missouri Secretary of State on December 9, 2025. Any and all claims against Nuarbour Partners, LLC should be forwarded to:

Marian V. Mehan
12935 N. Forty Dr., Ste. 102
St. Louis, MO 63141

Each claim should include the following:
1) The name, address, and telephone number of the claimant;
2) The amount of the claim;
3) The basis for the claim; and
4) The documentation of the claim.

Any claims against Nuarbour Partners, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST TAYLOR-HUTNER DEVELOPMENT COMPANY, LLC

On December 4, 2025, Taylor-Hutner Development Company, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit a written summary of any claims against the Company to:

Taylor-Hutner Development Company, LLC
c/o Thomas D. Peebles, Jr., Esq.
Carnahan Evans PC
2805 S. Ingram Mill Road
Springfield, MO 65804

The summary of your claim must include the following:
1) The claimant's name, address, and telephone number;
2) The amount of claim;
3) The date(s) claim accrued (or will accrue);
4) A brief description of the nature of the debt or the basis for the claim; and
5) If the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF WINDING UP OF TO ALL CREDITORS OF AND CLAIMANTS AGAINST KANSAS DAIRY INGREDIENTS II, LLC

On December 2, 2025, Kansas Dairy Ingredients II, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit a written summary of any claims against the Company to:

Kansas Dairy Ingredients II, LLC
c/o Frank C. Carnahan, Esq.
Carnahan Evans PC
2805 S. Ingram Mill Road
Springfield, MO 65804

The summary of your claim must include the following:
1) The claimant's name, address, and telephone number;
2) The amount of claim;
3) The date(s) claim accrued (or will accrue);
4) A brief description of the nature of the debt or the basis for the claim; and
5) If the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF WINDING UP OF TO ALL CREDITORS OF AND CLAIMANTS AGAINST SEEBURG MUFFLER & BRAKE, LLC

On December 2, 2025, Seeburg Muffler & Brake, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding

Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit a written summary of any claims against the Company to:

Seeburg Muffler & Brake, LLC
c/o Andrew T. Peebles, Esq.
Carnahan Evans PC
2805 S. Ingram Mill Road
Springfield, MO 65804

The summary of your claim must include the following:
1) The claimant's name, address, and telephone number;
2) The amount of claim;
3) The date(s) claim accrued (or will accrue);
4) A brief description of the nature of the debt or the basis for the claim; and
5) If the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST WISER PROPERTIES, LLC

On December 2, 2025, Wiser Properties, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit a written summary of any claims against the Company to:

Wiser Properties, LLC
c/o Andrew T. Peebles, Esq.
Carnahan Evans PC
2805 S. Ingram Mill Road
Springfield, MO 65804

The summary of your claim must include the following:
1) The claimant's name, address, and telephone number;
2) The amount of claim;
3) The date(s) claim accrued (or will accrue);
4) A brief description of the nature of the debt or the basis for the claim; and
5) If the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST 2D FUND, INC

On January 9, 2025, 2D Fund, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against 2D Fund, Inc., you must submit a summary in writing of the circumstances surrounding your claim to:

Stacee Cohn Law
Attn: Stacee Cohn Bright
7920 Ward Parkway, Suite 205
Kansas City, MO 64114

The summary of your claim must include the following information:
1) The name, address, and telephone number of the claimant;
2) The amount of the claim;
3) The date on which the event on which the claim is based occurred; and
4) A brief description of the nature of the debt or the basis for the claim.

All claims against 2D Fund, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

NOTICE TO CREDITORS AND CLAIMANTS OF THE MICHAEL LUZECKY LIMITED PARTNERSHIP

The Michael Luzecky Limited Partnership**,** a Missouri limited partnership (the "Limited Partnership"), has dissolved and is in the process of winding up its affairs. Pursuant to RSMo, section 359.481, all claims against the Limited Partnership should be presented in accordance with this notice. Claims should be in writing and sent to the Limited Partnership at this mailing address:

The Michael Luzecky Limited Partnership
c/o Gregory Luzecky
50 Crestwood Executive Center, Suite 522
St. Louis, MO 63126

The claim must contain:
1) The name, address, and telephone number of the claimants;
2) The amount of the claim or other relief demanded;
3) The basis of the claim and any documents related to the claim; and
4) The date(s) as of which the event(s) on which the claim is based occurred.

Any and all claims against the Limited Partnership will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE TO CREDITORS AND CLAIMANTS OF THE BROWN LIMITED PARTNERSHIP

The Brown Limited Partnership**,** a Missouri limited partnership (the "Limited Partnership"), has dissolved and is in the process of winding up its affairs. Pursuant to RSMo, section 359.481, all claims against the Limited Partnership should be presented in accordance with this notice. Claims should be in writing and sent to the Limited Partnership at this mailing address:

The Brown Limited Partnership
c/o Tracie E. Engel
7409 Danbury Drive
West Bloomfield, MI 48322

The claim must contain:
1) The name, address, and telephone number of the claimants;
2) The amount of the claim or other relief demanded;
3) The basis of the claim and any documents related to the claim; and
4) The date(s) as of which the event(s) on which the claim is based occurred.

Any and all claims against the Limited Partnership will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST EXECUTIVE HEALTHCARE STAFFING, LLC

Executive Healthcare Staffing, LLC, a Missouri limited liability company, has ceased conducting business operations as of January 2025 and has filed or will file its Articles of Dissolution with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against Executive Healthcare Staffing LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

Executive Healthcare Staffing, LLC
Attn: Syreeta Jackson, CEO
8301 State Line Rd Ste 220 #2633
Kansas City, MO 64114-2025

The summary of your claim must include the following information:
1) The name, address, and telephone number of the claimant;
2) The amount of the claim;
3) The date of the event on which the claim is based; and
4) A brief description of the nature of the debt or the basis for the claim.

All claims against Executive Healthcare Staffing LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST PROGRESSIVE WEB LOGIC, LLC

On December 15, 2025, Progressive Web Logic, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against Progressive Web Logic, LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

Paul J. Guastello, Jr.
10126 N. Montgall Avenue
Kansas City, MO 64155

The summary of your claim must include the following information:
1) The name, address, and telephone number of the claimant;
2) The amount of the claim;
3) The date on which the event on which the claim is based occurred; and
4) A brief description of the nature of the debt or the basis for the claim.

All claims against Progressive Web Logic, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 50 (2025) and 51 (2026). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
	OFFICE OF ADMINISTRATION				
1 CSR	Notice of Periodic Rule Review				50 MoReg 960
1 CSR 10	State Officials' Salary Compensation Schedule				47 MoReg 1457
	DEPARTMENT OF AGRICULTURE				
2 CSR	Notice of Periodic Rule Review				50 MoReg 960
2 CSR 80-5.010	State Milk Board		50 MoReg 1631		
2 CSR 80-6.055	State Milk Board		50 MoReg 1746		
2 CSR 90	Weights, Measures and Consumer Protection				50 MoReg 718
2 CSR 90-21.010	Weights, Measures and Consumer Protection		50 MoReg 1318	This Issue	
	DEPARTMENT OF CONSERVATION				
3 CSR	Notice of Periodic Rule Review				50 MoReg 960
3 CSR 10-4.111	Conservation Commission		50 MoReg 1631		
3 CSR 10-4.200	Conservation Commission		This Issue R This Issue		
3 CSR 10-5.215	Conservation Commission		50 MoReg 890	50 MoReg 1681	
3 CSR 10-5.222	Conservation Commission		50 MoReg 890R	50 MoReg 1681R	
3 CSR 10-5.225	Conservation Commission		50 MoReg 891	50 MoReg 1682	
3 CSR 10-5.250	Conservation Commission		50 MoReg 891	50 MoReg 1682	
3 CSR 10-5.300	Conservation Commission		50 MoReg 891	50 MoReg 1683	
3 CSR 10-5.310	Conservation Commission		50 MoReg 892	50 MoReg 1683	
3 CSR 10-5.315	Conservation Commission		50 MoReg 892	50 MoReg 1683	
3 CSR 10-5.320	Conservation Commission		50 MoReg 892	50 MoReg 1683	
3 CSR 10-5.324	Conservation Commission		50 MoReg 893	50 MoReg 1683	
3 CSR 10-5.330	Conservation Commission		50 MoReg 893	50 MoReg 1684	
3 CSR 10-5.331	Conservation Commission		50 MoReg 894	50 MoReg 1684	
3 CSR 10-5.340	Conservation Commission		50 MoReg 894	50 MoReg 1684	
3 CSR 10-5.345	Conservation Commission		50 MoReg 894	50 MoReg 1684	
3 CSR 10-5.351	Conservation Commission		50 MoReg 894	50 MoReg 1685	
3 CSR 10-5.352	Conservation Commission		50 MoReg 895	50 MoReg 1685	
3 CSR 10-5.359	Conservation Commission		50 MoReg 895	50 MoReg 1685	
3 CSR 10-5.360	Conservation Commission		50 MoReg 895	50 MoReg 1686	
3 CSR 10-5.365	Conservation Commission		50 MoReg 896	50 MoReg 1686	
3 CSR 10-5.370	Conservation Commission		50 MoReg 896	50 MoReg 1686	
3 CSR 10-5.425	Conservation Commission		50 MoReg 896	50 MoReg 1687	
3 CSR 10-5.429	Conservation Commission		50 MoReg 897	50 MoReg 1687	
3 CSR 10-5.430	Conservation Commission		50 MoReg 897	50 MoReg 1688	
3 CSR 10-5.434	Conservation Commission		50 MoReg 897	50 MoReg 1688	
3 CSR 10-5.435	Conservation Commission		50 MoReg 898	50 MoReg 1688	
3 CSR 10-5.436	Conservation Commission		50 MoReg 898	50 MoReg 1689	
3 CSR 10-5.440	Conservation Commission		50 MoReg 898	50 MoReg 1689	
3 CSR 10-5.445	Conservation Commission		50 MoReg 899	50 MoReg 1689	
3 CSR 10-5.460	Conservation Commission		50 MoReg 899	50 MoReg 1689	
3 CSR 10-5.465	Conservation Commission		50 MoReg 899	50 MoReg 1689	
3 CSR 10-5.535	Conservation Commission		50 MoReg 900	50 MoReg 1690	
3 CSR 10-5.540	Conservation Commission		50 MoReg 900	50 MoReg 1690	
3 CSR 10-5.545	Conservation Commission		50 MoReg 900	50 MoReg 1690	
3 CSR 10-5.551	Conservation Commission		50 MoReg 901	50 MoReg 1690	
3 CSR 10-5.552	Conservation Commission		50 MoReg 901	50 MoReg 1691	
3 CSR 10-5.554	Conservation Commission		50 MoReg 901	50 MoReg 1691	
3 CSR 10-5.559	Conservation Commission		50 MoReg 901	50 MoReg 1691	
3 CSR 10-5.560	Conservation Commission		50 MoReg 902	50 MoReg 1692	
3 CSR 10-5.565	Conservation Commission		50 MoReg 902	50 MoReg 1692	
3 CSR 10-5.567	Conservation Commission		50 MoReg 902	50 MoReg 1693	
3 CSR 10-5.570	Conservation Commission		50 MoReg 903	50 MoReg 1693	
3 CSR 10-5.576	Conservation Commission		50 MoReg 903	50 MoReg 1693	
3 CSR 10-5.579	Conservation Commission		50 MoReg 903	50 MoReg 1693	
3 CSR 10-5.580	Conservation Commission		50 MoReg 904	50 MoReg 1694	
3 CSR 10-5.600	Conservation Commission		50 MoReg 904	50 MoReg 1694	
3 CSR 10-5.605	Conservation Commission		50 MoReg 904	50 MoReg 1694	
3 CSR 10-5.700	Conservation Commission		50 MoReg 905	50 MoReg 1694	
3 CSR 10-5.710	Conservation Commission		50 MoReg 905	50 MoReg 1695	
3 CSR 10-5.800	Conservation Commission		50 MoReg 905	50 MoReg 1695	
3 CSR 10-5.805	Conservation Commission		50 MoReg 905	50 MoReg 1695	
3 CSR 10-5.900	Conservation Commission		50 MoReg 906	50 MoReg 1695	
3 CSR 10-5.950	Conservation Commission		50 MoReg 906	50 MoReg 1695	
3 CSR 10-6.505	Conservation Commission		50 MoReg 1632		
3 CSR 10-6.540	Conservation Commission		50 MoReg 1632		
3 CSR 10-7.410	Conservation Commission		50 MoReg 919 This Issue	50 MoReg 1707	
3 CSR 10-7.431	Conservation Commission		This Issue		
3 CSR 10-7.432	Conservation Commission		This Issue		
3 CSR 10-7.433	Conservation Commission		This Issue		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
3 CSR 10-7.435	Conservation Commission		This Issue R		
3 CSR 10-7.439	Conservation Commission		This Issue		
3 CSR 10-7.450	Conservation Commission		This Issue		
3 CSR 10-7.455	Conservation Commission		This Issue		
3 CSR 10-8.510	Conservation Commission		50 MoReg 919	50 MoReg 1708W	
3 CSR 10-8.515	Conservation Commission		50 MoReg 921	50 MoReg 1708	
3 CSR 10-9.105	Conservation Commission		50 MoReg 921	50 MoReg 1708	
3 CSR 10-9.106	Conservation Commission		50 MoReg 922	50 MoReg 1709	
3 CSR 10-9.350	Conservation Commission		50 MoReg 922	50 MoReg 1709	
3 CSR 10-9.351	Conservation Commission		50 MoReg 922	50 MoReg 1709	
3 CSR 10-9.352	Conservation Commission		50 MoReg 923	50 MoReg 1709	
3 CSR 10-9.360	Conservation Commission		50 MoReg 1632		
3 CSR 10-9.370	Conservation Commission		50 MoReg 923	50 MoReg 1709	
3 CSR 10-9.420	Conservation Commission		50 MoReg 923	50 MoReg 1710	
3 CSR 10-9.425	Conservation Commission		50 MoReg 924	50 MoReg 1710	
3 CSR 10-9.440	Conservation Commission		50 MoReg 924	50 MoReg 1710	
3 CSR 10-9.560	Conservation Commission		50 MoReg 924	50 MoReg 1710	
3 CSR 10-9.565	Conservation Commission		50 MoReg 925 50 MoReg 1747	50 MoReg 1710	
3 CSR 10-9.570	Conservation Commission		50 MoReg 928	50 MoReg 1710	
3 CSR 10-9.575	Conservation Commission		50 MoReg 928	50 MoReg 1711	
3 CSR 10-9.625	Conservation Commission		50 MoReg 929	50 MoReg 1711	
3 CSR 10-9.627	Conservation Commission		50 MoReg 929	50 MoReg 1711	
3 CSR 10-9.640	Conservation Commission		50 MoReg 929	50 MoReg 1711	
3 CSR 10-9.950	Conservation Commission		50 MoReg 930	50 MoReg 1711	
3 CSR 10-10.705	Conservation Commission		50 MoReg 936	50 MoReg 1712	
3 CSR 10-10.707	Conservation Commission		50 MoReg 936	50 MoReg 1712	
3 CSR 10-10.708	Conservation Commission		50 MoReg 936	50 MoReg 1712	
3 CSR 10-10.720	Conservation Commission		50 MoReg 937	50 MoReg 1712	
3 CSR 10-10.722	Conservation Commission		50 MoReg 937	50 MoReg 1712	
3 CSR 10-10.724	Conservation Commission		50 MoReg 937	50 MoReg 1713	
3 CSR 10-10.728	Conservation Commission		50 MoReg 938	50 MoReg 1713	
3 CSR 10-10.732	Conservation Commission		50 MoReg 938	50 MoReg 1713	
3 CSR 10-10.739	Conservation Commission		50 MoReg 938	50 MoReg 1713	
3 CSR 10-10.744	Conservation Commission		50 MoReg 939	50 MoReg 1713	
3 CSR 10-10.767	Conservation Commission		50 MoReg 939	50 MoReg 1714	
3 CSR 10-10.771	Conservation Commission		50 MoReg 939	50 MoReg 1714	
3 CSR 10-10.788	Conservation Commission		50 MoReg 940	50 MoReg 1714	
3 CSR 10-10.789	Conservation Commission		50 MoReg 940	50 MoReg 1714	
3 CSR 10-10.800	Conservation Commission		50 MoReg 940	50 MoReg 1715	
3 CSR 10-10.805	Conservation Commission		50 MoReg 941	50 MoReg 1715	
3 CSR 10-10.810	Conservation Commission		50 MoReg 941	50 MoReg 1715	
3 CSR 10-10.950	Conservation Commission		50 MoReg 942	50 MoReg 1715	
3 CSR 10-11.125	Conservation Commission		50 MoReg 1633		
3 CSR 10-11.155	Conservation Commission		50 MoReg 1634		
3 CSR 10-11.180	Conservation Commission		50 MoReg 1636		
3 CSR 10-12.110	Conservation Commission		50 MoReg 1636		
3 CSR 10-12.115	Conservation Commission		50 MoReg 1637		
3 CSR 10-12.125	Conservation Commission		50 MoReg 1638		
3 CSR 10-12.135	Conservation Commission		50 MoReg 1639		
3 CSR 10-12.140	Conservation Commission		50 MoReg 1639		
3 CSR 10-12.145	Conservation Commission		50 MoReg 1639		
3 CSR 10-20.805	Conservation Commission		50 MoReg 947	50 MoReg 1716W	
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR	Notice of Periodic Rule Review				50 MoReg 960
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR	Notice of Periodic Rule Review				50 MoReg 960
5 CSR 20-100.130	Division of Learning Services		50 MoReg 1533		
5 CSR 20-300.110	Division of Learning Services	50 MoReg 1529	50 MoReg 1533		
5 CSR 20-400.450	Division of Learning Services		50 MoReg 988	50 MoReg 1771	
5 CSR 20-400.530	Division of Learning Services		50 MoReg 989	50 MoReg 1771	
5 CSR 20-400.540	Division of Learning Services		50 MoReg 990 51 MoReg 7	50 MoReg 1772	
5 CSR 20-400.560	Division of Learning Services		50 MoReg 1749		
5 CSR 20-400.600	Division of Learning Services		50 MoReg 991	50 MoReg 1772	
5 CSR 20-500.140	Division of Learning Services		This Issue		
5 CSR 20-500.370	Division of Learning Services		This Issue		
	DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT				
6 CSR	Notice of Periodic Rule Review				50 MoReg 960
6 CSR 10-2.220	Commissioner of Education		This Issue		
6 CSR 10-5.010	Commissioner of Education		This Issue		
	MISSOURI DEPARTMENT OF TRANSPORTATION				
7 CSR 10-11.020	Missouri Highways and Transportation Commission		50 MoReg 1814		
	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS				
8 CSR 20-2.010	Labor and Industrial Relations Commission		50 MoReg 1285	51 MoReg 31	
	DEPARTMENT OF MENTAL HEALTH				
9 CSR 30-3.132	Certification Standards		50 MoReg 1318		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
9 CSR 30-6.010	Certification Standards		50 MoReg 1640		
	DEPARTMENT OF NATURAL RESOURCES				
10 CSR 10-6.025	Air Conservation Commission		50 MoReg 1814		
10 CSR 10-6.060	Air Conservation Commission		50 MoReg 1817		
10 CSR 10-6.061	Air Conservation Commission		50 MoReg 770	50 MoReg 1772	
10 CSR 10-6.062	Air Conservation Commission		50 MoReg 1822		
10 CSR 10-6.065	Air Conservation Commission		50 MoReg 1823		
10 CSR 10-6.110	Air Conservation Commission		50 MoReg 1831		
10 CSR 10-6.140	Air Conservation Commission		50 MoReg 775R	50 MoReg 1773R	
10 CSR 10-6.241	Air Conservation Commission		50 MoReg 1834		
10 CSR 10-6.250	Air Conservation Commission		50 MoReg 1836		
10 CSR 10-6.255	Air Conservation Commission		50 MoReg 1838		
10 CSR 20-2.010	Clean Water Commission		50 MoReg 1189	This Issue	
10 CSR 20-6.010	Clean Water Commission		51 MoReg 12		
10 CSR 20-6.015	Clean Water Commission		50 MoReg 1195	This Issue	
10 CSR 20-6.020	Clean Water Commission		50 MoReg 1205	This Issue	
10 CSR 20-6.060	Clean Water Commission		50 MoReg 1207	This Issue	
10 CSR 20-6.200	Clean Water Commission		50 MoReg 1208	This Issue	
10 CSR 25-7	Hazardous Waste Management Commission				50 MoReg 718
10 CSR 90-2.030	State Parks		50 MoReg 950	50 MoReg 1544	
	DEPARTMENT OF PUBLIC SAFETY				
11 CSR 40-5.110	Fire Safety		50 MoReg 1537		
11 CSR 70-2.080	Division of Alcohol and Tobacco Control		51 MoReg 20		
11 CSR 70-2.100	Division of Alcohol and Tobacco Control	51 MoReg 5	51 MoReg 21		
11 CSR 85-1.050	Veterans Affairs		50 MoReg 1285	This Issue	
	DEPARTMENT OF REVENUE				
12 CSR 10-2.010	Director of Revenue		50 MoReg 1839		
12 CSR 10-2.015	Director of Revenue		50 MoReg 1752		
12 CSR 10-2.045	Director of Revenue		50 MoReg 1753		
12 CSR 10-2.140	Director of Revenue		50 MoReg 1325	This Issue	
12 CSR 10-2.740	Director of Revenue		50 MoReg 1326	This Issue	
12 CSR 10-16.090	Director of Revenue		50 MoReg 1250	50 MoReg 1773	
12 CSR 10-23.090	Director of Revenue		50 MoReg 1328	This Issue	
12 CSR 10-23.100	Director of Revenue		50 MoReg 1328	This Issue	
12 CSR 10-23.185	Director of Revenue		50 MoReg 1329	This Issue	
12 CSR 10-23.210	Director of Revenue		50 MoReg 1329R	This Issue R	
12 CSR 10-23.295	Director of Revenue		50 MoReg 1330	This Issue	
12 CSR 10-23.350	Director of Revenue		51 MoReg 23R		
12 CSR 10-23.400	Director of Revenue		50 MoReg 1330R	This Issue R	
12 CSR 10-23.430	Director of Revenue		50 MoReg 1330	This Issue	
12 CSR 10-23.470	Director of Revenue		50 MoReg 1331	This Issue	
12 CSR 10-23.475	Director of Revenue		50 MoReg 1331	This Issue	
12 CSR 10-23.500	Director of Revenue		50 MoReg 1332	This Issue	
12 CSR 10-24.090	Director of Revenue		50 MoReg 1332	This Issue	
12 CSR 10-24.300	Director of Revenue		50 MoReg 1333	This Issue	
12 CSR 10-24.360	Director of Revenue		50 MoReg 1250	50 MoReg 1773	
12 CSR 10-24.380	Director of Revenue		50 MoReg 1334	This Issue	
12 CSR 10-24.395	Director of Revenue		50 MoReg 1251	50 MoReg 1773	
12 CSR 10-24.412	Director of Revenue		50 MoReg 1334	This Issue	
12 CSR 10-24.444	Director of Revenue		50 MoReg 1335	This Issue	
12 CSR 10-26.120	Director of Revenue		50 MoReg 1336R		
12 CSR 10-41.010	Director of Revenue	50 MoReg 1743	50 MoReg 1761		
12 CSR 10-41.020	Director of Revenue		50 MoReg 1336	This Issue	
12 CSR 10-41.025	Director of Revenue		50 MoReg 1337	This Issue	
12 CSR 10-101.600	Director of Revenue		50 MoReg 1252	50 MoReg 1773	
12 CSR 10-102.016	Director of Revenue		50 MoReg 1648		
12 CSR 10-103.017	Director of Revenue		50 MoReg 1337	This Issue	
12 CSR 10-103.050	Director of Revenue		50 MoReg 1338	This Issue	
12 CSR 10-103.381	Director of Revenue		50 MoReg 1648R		
12 CSR 10-103.390	Director of Revenue		50 MoReg 1338	This Issue	
12 CSR 10-103.555	Director of Revenue		50 MoReg 1339		
12 CSR 10-104.020	Director of Revenue		50 MoReg 1339	This Issue	
12 CSR 10-104.040	Director of Revenue		50 MoReg 1340	This Issue	
12 CSR 10-110.013	Director of Revenue		50 MoReg 1341	This Issue	
12 CSR 10-110.201	Director of Revenue		50 MoReg 1649R		
12 CSR 10-110.300	Director of Revenue		50 MoReg 1342	This Issue	
12 CSR 10-110.601	Director of Revenue		50 MoReg 1649		
12 CSR 10-110.621	Director of Revenue		50 MoReg 1650R		
12 CSR 10-110.846	Director of Revenue		50 MoReg 1342R	This Issue R	
12 CSR 10-110.900	Director of Revenue		50 MoReg 1651		
12 CSR 10-110.910	Director of Revenue		50 MoReg 1252	50 MoReg 1774	
12 CSR 10-110.955	Director of Revenue		50 MoReg 1343	This Issue	
12 CSR 10-110.990	Director of Revenue		50 MoReg 1653		
12 CSR 10-111.060	Director of Revenue		50 MoReg 1654		
12 CSR 10-111.061	Director of Revenue		50 MoReg 1654		
12 CSR 10-112.300	Director of Revenue		50 MoReg 1343	This Issue	
12 CSR 10-113.300	Director of Revenue		50 MoReg 1655		
	DEPARTMENT OF SOCIAL SERVICES				
13 CSR 35-34.080	Children's Division	50 MoReg 1619R	50 MoReg 1655R		
13 CSR 35-60.010	Children's Division	50 MoReg 1619	50 MoReg 1655		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
13 CSR 35-71.050	Children's Division		50 MoReg 1286	51 MoReg 31	
13 CSR 40-91.020	Children's Division		50 MoReg 1656		
13 CSR 70-3.200	MO HealthNet Division	50 MoReg 1033	50 MoReg 1076	50 MoReg 1774	
13 CSR 70-3.230	MO HealthNet Division		50 MoReg 1252	51 MoReg 31	
13 CSR 70-3.250	MO HealthNet Division		50 MoReg 1079	50 MoReg 1774	
13 CSR 70-7.050	MO HealthNet Division		50 MoReg 1289		
13 CSR 70-10.020	MO HealthNet Division		51 MoReg 23		
13 CSR 70-10.040	MO HealthNet Division		50 MoReg 1841		
13 CSR 70-10.110	MO HealthNet Division	50 MoReg 1036	50 MoReg 1289		
13 CSR 70-15.010	MO HealthNet Division	50 MoReg 1036	50 MoReg 1407		
13 CSR 70-15.015	MO HealthNet Division	50 MoReg 1048	50 MoReg 1079	50 MoReg 1774	
13 CSR 70-15.110	MO HealthNet Division	50 MoReg 1054	50 MoReg 1086	50 MoReg 1774	
13 CSR 70-15.160	MO HealthNet Division	50 MoReg 1059	50 MoReg 1090	50 MoReg 1859	
13 CSR 70-15.190	MO HealthNet Division	50 MoReg 1063	50 MoReg 1094	50 MoReg 1775	
13 CSR 70-15.220	MO HealthNet Division	50 MoReg 1063	50 MoReg 1094	50 MoReg 1775	
13 CSR 70-15.230	MO HealthNet Division		50 MoReg 1344		
13 CSR 70-20.320	MO HealthNet Division	50 MoReg 1070	50 MoReg 1100	50 MoReg 1775	
	ELECTED OFFICIALS				
15 CSR 30-50.030	Secretary of State		50 MoReg 1103	50 MoReg 1716	
15 CSR 30-51.170	Secretary of State		50 MoReg 1103	50 MoReg 1716	
15 CSR 30-51.172	Secretary of State		50 MoReg 1104	50 MoReg 1716	
15 CSR 30-54.205	Secretary of State		50 MoReg 1105	50 MoReg 1717	
15 CSR 30-70.030	Secretary of State		50 MoReg 992	50 MoReg 1775	
15 CSR 50-5.010	Treasurer		50 MoReg 993R 50 MoReg 1105	50 MoReg 1860R 50 MoReg 1860	
15 CSR 50-5.020	Treasurer		50 MoReg 993R 50 MoReg 1105	50 MoReg 1860R 50 MoReg 1860	
15 CSR 50-5.030	Treasurer		50 MoReg 993R 50 MoReg 1106	50 MoReg 1860R 50 MoReg 1861	
15 CSR 50-5.035	Treasurer	50 MoReg 1249	50 MoReg 994	50 MoReg 1861	
15 CSR 60-19.010	Attorney General		50 MoReg 852	50 MoReg 1717W	
15 CSR 60-19.020	Attorney General		50 MoReg 853	50 MoReg 1717W	
15 CSR 60-19.030	Attorney General		50 MoReg 858	50 MoReg 1717W	
15 CSR 60-19.040	Attorney General		50 MoReg 858	50 MoReg 1718W	
	RETIREMENT SYSTEMS				
16 CSR 20-2.010	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1215	51 MoReg 31	
16 CSR 20-2.085	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1216	51 MoReg 32	
16 CSR 20-2.086	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1217	51 MoReg 32	
16 CSR 20-3.020	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1218	51 MoReg 32	
16 CSR 50-1.010	The County Employees' Retirement Fund		50 MoReg 1662		
16 CSR 50-1.030	The County Employees' Retirement Fund		50 MoReg 1663		
16 CSR 50-2.010	The County Employees' Retirement Fund		50 MoReg 1663		
16 CSR 50-2.035	The County Employees' Retirement Fund		50 MoReg 1664		
16 CSR 50-2.050	The County Employees' Retirement Fund		50 MoReg 1664		
16 CSR 50-2.080	The County Employees' Retirement Fund		50 MoReg 1665		
16 CSR 50-2.090	The County Employees' Retirement Fund		50 MoReg 1665		
16 CSR 50-2.120	The County Employees' Retirement Fund		50 MoReg 1666		
16 CSR 50-3.010	The County Employees' Retirement Fund		50 MoReg 1666		
16 CSR 50-10.050	The County Employees' Retirement Fund		50 MoReg 1667		
16 CSR 50-10.070	The County Employees' Retirement Fund		50 MoReg 1668		
16 CSR 50-20.020	The County Employees' Retirement Fund		50 MoReg 1668		
16 CSR 50-20.030	The County Employees' Retirement Fund		50 MoReg 1669		
16 CSR 50-20.050	The County Employees' Retirement Fund		50 MoReg 1669		
16 CSR 50-20.120	The County Employees' Retirement Fund		50 MoReg 1670		
	DEPARTMENT OF HEALTH AND SENIOR SERVICES				
19 CSR 20-80.010	Division of Community and Public Health		50 MoReg 1761R		
19 CSR 25-32.010	Missouri State Public Health Laboratory		50 MoReg 1762R		
19 CSR 30-1.002	Division of Regulation and Licensure	50 MoReg 1620	50 MoReg 1671		
19 CSR 30-1.006	Division of Regulation and Licensure		50 MoReg 1253	51 MoReg 32	
19 CSR 30-82.060	Division of Regulation and Licensure		50 MoReg 1347		
19 CSR 30-86.047	Division of Regulation and Licensure		50 MoReg 1762		
19 CSR 30-100.020	Division of Regulation and Licensure		This Issue		
19 CSR 60-50	Missouri Health Facilities Review Committee				50 MoReg 1719 50 MoReg 1777
19 CSR 60-50.300	Missouri Health Facilities Review Committee		50 MoReg 1348		
19 CSR 60-50.400	Missouri Health Facilities Review Committee		50 MoReg 1349		
19 CSR 60-50.410	Missouri Health Facilities Review Committee		50 MoReg 1350		
19 CSR 60-50.420	Missouri Health Facilities Review Committee		50 MoReg 1356		
19 CSR 60-50.430	Missouri Health Facilities Review Committee		50 MoReg 1357		
19 CSR 60-50.450	Missouri Health Facilities Review Committee		50 MoReg 1361		
19 CSR 60-50.470	Missouri Health Facilities Review Committee		50 MoReg 1361		
19 CSR 60-50.500	Missouri Health Facilities Review Committee		50 MoReg 1362		
19 CSR 60-50.700	Missouri Health Facilities Review Committee		50 MoReg 1362		
19 CSR 60-50.800	Missouri Health Facilities Review Committee		50 MoReg 1363		
19 CSR 100-1.060	Division of Cannabis Regulation		50 MoReg 1844		
19 CSR 100-1.190	Division of Cannabis Regulation		50 MoReg 1848		
	DEPARTMENT OF COMMERCE AND INSURANCE				

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
20 CSR	Applied Behavior Analysis Maximum Benefit				50 MoReg 309
20 CSR	Construction Claims Binding Arbitration Cap				50 MoReg 309
20 CSR	Non-Economic Damages in Medical Malpractice Cap				50 MoReg 309
20 CSR	Sovereign Immunity Limits				49 MoReg 1905
20 CSR	State Legal Expense Fund Cap				50 MoReg 309
20 CSR 100-8.040	Insurer Conduct		50 MoReg 1542		
20 CSR 200-4.010	Insurance Solvency and Company Regulation		50 MoReg 1542		
20 CSR 200-9.800	Insurance Solvency and Company Regulation		51 MoReg		
20 CSR 200-12.030	Insurance Solvency and Company Regulation		50 MoReg 1542R		
20 CSR 200-18.040	Insurance Solvency and Company Regulation		This Issue		
20 CSR 500-4.300	Property and Casualty		This Issue		
20 CSR 2070-2.080	State Board of Chiropractic Examiners		This Issue		
20 CSR 2070-2.110	State Board of Chiropractic Examiners		50 MoReg 1291R	51 MoReg 32R	
20 CSR 2085-4.070	Board of Cosmetology and Barber Examiners		50 MoReg 1255	50 MoReg 1861	
20 CSR 2117-2.080	Office of Statewide Electrical Contractors		50 MoReg 1849R		
20 CSR 2150-2.125	State Board of Registration for the Healing Arts		50 MoReg 1849		
20 CSR 2150-5.030	State Board of Registration for the Healing Arts		50 MoReg 744	50 MoReg 1544W	
20 CSR 2197-4.030	Board of Therapeutic Massage		50 MoReg 1292	51 MoReg 33	
20 CSR 2220-2.200	State Board of Pharmacy		This Issue		
20 CSR 2220-2.500	State Board of Pharmacy		This Issue		
20 CSR 2220-7.010	State Board of Pharmacy		50 MoReg 1363	This Issue	
20 CSR 2220-7.025	State Board of Pharmacy		50 MoReg 1364	This Issue	
20 CSR 2220-7.027	State Board of Pharmacy		50 MoReg 1364	This Issue	
20 CSR 2220-7.030	State Board of Pharmacy		50 MoReg 1365	This Issue	
20 CSR 2220-7.040	State Board of Pharmacy		50 MoReg 1366	This Issue	
20 CSR 2220-7.050	State Board of Pharmacy		50 MoReg 1369	This Issue	
20 CSR 2220-7.060	State Board of Pharmacy		50 MoReg 1369	This Issue	
20 CSR 2231-2.010	Division of Professional Registration		50 MoReg 1255	50 MoReg 1861	
20 CSR 2234-6.010	Board of Private Investigator and Private Fire Investigator Examiners		50 MoReg 1370	This Issue	
20 CSR 2245-3.005	Real Estate Appraisers		50 MoReg 1763		
20 CSR 2245-6.017	Real Estate Appraisers		50 MoReg 858	50 MoReg 1544	
20 CSR 2245-6.018	Real Estate Appraisers		50 MoReg 860	50 MoReg 1545	
20 CSR 2245-8.010	Real Estate Appraisers		50 MoReg 1679		
20 CSR 2245-8.030	Real Estate Appraisers		50 MoReg 1680		
20 CSR 2263-2.031	State Committee for Social Workers		50 MoReg 1107	50 MoReg 1775	
20 CSR 2263-2.070	State Committee for Social Workers		50 MoReg 1107	50 MoReg 1775	
20 CSR 2270-1.031	Missouri Veterinary Medical Board		50 MoReg 1218	51 MoReg 33	
20 CSR 2270-2.031	Missouri Veterinary Medical Board		50 MoReg 1219	51 MoReg 33	
20 CSR 2270-2.041	Missouri Veterinary Medical Board		50 MoReg 1219	51 MoReg 33	
20 CSR 2270-3.020	Missouri Veterinary Medical Board		50 MoReg 1219	51 MoReg 33	
20 CSR 2270-4.060	Missouri Veterinary Medical Board		50 MoReg 1108	51 MoReg 34	
20 CSR 2085-4.070	Board of Cosmetology and Barber Examiners		50 MoReg 1255		
20 CSR 4240-10.035	Public Service Commission		50 MoReg 1370		
20 CSR 4240-10.165	Public Service Commission		50 MoReg 1376		
20 CSR 4240-10.195	Public Service Commission		50 MoReg 1765		
20 SCR 4240-13.055	Public Service Commission		50 MoReg 1376		
	MISSOURI CONSOLIDATED HEALTH CARE PLAN				
22 CSR 10-2.053	Health Care Plan	50 MoReg 1801	50 MoReg 1850		
22 CSR 10-2.075	Health Care Plan	50 MoReg 1802	50 MoReg 1850		
22 CSR 10-2.089	Health Care Plan	50 MoReg 1804	50 MoReg 1852		
22 CSR 10-2.090	Health Care Plan	50 MoReg 1804	50 MoReg 1853		
22 CSR 10-3.055	Health Care Plan	50 MoReg 1806	50 MoReg 1854		
22 CSR 10-3.075	Health Care Plan	50 MoReg 1807	50 MoReg 1854		
22 CSR 10-3.090	Health Care Plan	50 MoReg 1809	50 MoReg 1856		
	MISSOURI DEPARTMENT OF THE NATIONAL GUARD				
23 CSR 10-3.015	National Guard		50 MoReg 1767		

AGENCY		PUBLICATION	EFFECTIVE	EXPIRATION
Department of Agriculture				
2 CSR 30-10.010	Inspection of Meat and Poultry	Next Issue	Jan. 8, 2026	July 6, 2026
Department of Elementary and Secondary Education				
Division of Learning Services				
5 CSR 20-300.110	Individuals with Disabilities Education Act, Part B	50 MoReg 1529	Sept. 30, 2025	March 28, 2026
Department of Public Safety				
Division of Alcohol and Tobacco Control				
11 CSR 70-2.100	Report of Brewers, Beer Manufacturers, Solicitors, and Beer Wholesalers	51 MoReg 5	Dec. 5, 2025	June 2, 2026
Department of Revenue				
Director of Revenue				
12 CSR 10-41.010	Annual Adjusted Rate of Interest	50 MoReg 1743	Jan 1, 2026	June 29, 2026
Department of Social Services				
Children's Division				
13 CSR 35-24.080	Children's Income Disbursement System (KIDS)	50 MoReg 1619	Oct. 23, 2025	April 20, 2026
13 CSR 35-60.010	Family Homes Offering Foster Care	50 MoReg 1619	Oct. 23, 2025	April 20, 2026
13 CSR 35-60.040	Physical and Environmental Standards	50 MoReg 741	May 5, 2025	Feb. 11, 2026
MO HealthNet Division				
13 CSR 70-3.200	Ambulance Service Reimbursement Allowance	50 MoReg 1033	July 7, 2025	Feb. 26, 2026
13 CSR 70-10.110	Nursing Facility Reimbursement Allowance	50 MoReg 1036	July 8, 2025	Feb. 26, 2026
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Methodology	50 MoReg 1036	July 8, 2025	Feb. 26, 2026
13 CSR 70-15.015	[Direct Medicaid]Supplemental Payments	50 MoReg 1048	July 7, 2025	Feb. 26, 2026
13 CSR 70-15.070	Inpatient Psychiatric Services for Individuals Under Age Twenty-One	Next Issue	Dec. 31, 2025	June 28, 2026
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	50 MoReg 1054	July 7, 2025	Feb. 26, 2026
13 CSR 70-15.160	Outpatient Hospital Services Reimbursement Methodology	50 MoReg 1059	July 7, 2025	Feb. 26, 2026
13 CSR 70-15.190	Out-of-State Hospital Services Reimbursement Plan	50 MoReg 1063	July 7, 2025	Feb. 26, 2026
13 CSR 70-15.220	Disproportionate Share Hospital (DSH) Payments	50 MoReg 1063	July 7, 2025	Feb. 26, 2026
13 CSR 70-20.320	Pharmacy Reimbursement Allowance	50 MoReg 1070	July 8, 2025	Feb. 26, 2026
Elected Officials				
Treasurer				
15 CSR 50-5.035	Grant Program	50 MoReg 1249	Aug. 8, 2025	Feb. 3, 2026
Department of Health and Senior Services				
Division of Regulation and Licensure				
19 CSR 30-1.002	Schedules of Controlled Substances	50 MoReg 1620	Oct. 29, 2025	April 26, 2026
Missouri Consolidated Health Care Plan				
Health Care Plan				
22 CSR 10-2.053	Health Savings Account Plan Benefit Provisions and Covered Charges	50 MoReg 1801	Jan. 1, 2026	June 29, 2026
22 CSR 10-2.075	Review and Appeals Procedure	50 MoReg 1802	Jan. 1, 2026	June 29, 2026
22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members	50 MoReg 1804	Jan. 1, 2026	June 29, 2026
22 CSR 10-2.090	Pharmacy Benefit Summary	50 MoReg 1804	Jan. 1, 2026	June 29, 2026
22 CSR 10-3.055	Health Savings Account Plan Benefit Provisions and Covered Charges	50 MoReg 1806	Jan. 1, 2026	June 29, 2026
22 CSR 10-3.075	Review and Appeals Procedure	50 MoReg 1807	Jan. 1, 2026	June 29, 2026
22 CSR 10-3.090	Pharmacy Benefit Summary	50 MoReg 1809	Jan. 1, 2026	June 29, 2026

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
	2025		
25-38	Extends Executive Order 25-31 until January 31, 2026	December 31, 2025	Next Issue
25-37	Orders state offices to be closed on Wednesday, December 24, 2025	December 19, 2025	Next Issue
25-36	Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuels until January 2, 2026	December 15, 2025	This Issue
25-35	Orders state offices to be closed on Friday, December 26, 2025	December 5, 2025	50 MoReg 1813
25-34	Extends Executive Order 25-29 and directs 21 additional counties declared in Drought Alert until April 1, 2026	November 26, 2025	51 MoReg 6
25-33	Orders state offices to be closed on Friday, November 28, 2025	November 7, 2025	50 MoReg 1812
25-32	Reinstates with revisions the "Missouri Manual for Courts-Martial, 2025."	November 7, 2025	50 MoReg 1811
25-31	Extends Executive Order 25-28 until December 31, 2025	October 29, 2025	50 MoReg 1745
25-30	Orders the Director of the Missouri Department of Social Services to prepare and submit a request for a waiver to the United States Department of Agriculture to authorize alterations to Missouri's SNAP program in a manner that prioritizes healthy food and nutritional value	September 28, 2025	50 MoReg 1531
25-29	Declares a Drought Alert in several Missouri counties, directs the Director of the Department of Natural Resources to promote the use of Condition Monitoring Observer Reports, and directs all state agencies to provide assistance to affected communities	September 22, 2025	50 MoReg 1530
25-28	Extends portions of Executive Order 25-27 until October 31, 2025	August 28, 2025	50 MoReg 1317
25-27	Extends Executive Orders 25-23 and 25-24 until August 31, 2025	June 30, 2025	50 MoReg 1075
25-26	Designates members of his staff to have supervisory authority over departments, divisions, and agencies of state government	June 24, 2025	50 MoReg 1073
25-25	Declares a State of Emergency and orders the Adjutant General to call into active service any state militia deemed necessary to support civilian authorities due to civil unrest in Missouri	June 12, 2025	50 MoReg 987
Proclamation	Convenes the First Extraordinary Session of the First Regular Session of the One Hundred Third General Assembly to appropriate money to specific areas as well as enact legislation regarding income tax deductions, the Missouri Housing Trust Fund, tax credits, and economic incentives	May 27, 2025	50 MoReg 888
25-24	Orders the Director of the Missouri Department of Health and Senior Services and the State Board of Pharmacy vested with full discretionary authority to temporarily waive or suspend statutory or administrative rule or regulation to serve the interests of public health and safety in the aftermath of severe weather that began on March 14, 2025	May 20, 2025	50 MoReg 887
25-23	Extends Executive Orders 25-20 and 25-22 until June 30, 2025	May 13, 2025	50 MoReg 769
25-22	Extends Executive Orders 25-19, 25-20, and 25-21 until May 14, 2025	April 14, 2025	50 MoReg 690
25-21	Directs the Adjutant General to call into active service any state militia deemed necessary to support civilian authorities due to the severe weather beginning April 1, 2025	April 2, 2025	50 MoReg 689
25-20	Orders that the Director of the Missouri Department of Natural Resources is vested with authority to temporarily waive or suspend statutory or administrative rule or regulation to serve the interests of public health and safety in the aftermath of severe weather that began on March 14, 2025	March 20, 2025	50 MoReg 567

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
25-19	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems beginning on March 14	March 14, 2025	50 MoReg 531
25-18	Orders all executive agencies to comply with the principle of equal protection and ensure all rules, policies, employment practices, and actions treat all persons equally. Executive agencies are prohibited from considering diversity, equity, and inclusion in their hiring decisions, and no state funds shall be utilized for activities that solely or primarily support diversity, equity, and inclusion initiatives	February 18, 2025	50 MoReg 413
25-17	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until March 10, 2025	February 10, 2025	50 MoReg 411
25-16	Establishes the Governor's Workforce of the Future Challenge for the Missouri Department of Elementary and Secondary Education, with the Missouri Department of Education and Workforce Development, to improve existing career and technical education delivery systems	January 28, 2025	50 MoReg 361
25-15	Orders the Office of Childhood within the Missouri Department of Elementary and Secondary Education to improve the state regulatory environment for child care facilities and homes	January 28, 2025	50 MoReg 360
25-14	Establishes the Missouri School Funding Modernization Task Force to develop recommendations for potential state funding models for K-12 education	January 28, 2025	50 MoReg 358
25-13	Orders Executive Department directors and commissioners to solicit input from their respective agency stakeholders and establishes rulemaking requirements for state agencies	January 23, 2025	50 MoReg 356
25-12	Establishes a Code of Conduct for all employees of the Office of the Governor	January 23, 2025	50 MoReg 354
25-11	Designates members of his staff to have supervisory authority over departments, divisions, and agencies of state government	January 23, 2025	50 MoReg 352
25-10	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting products utilized by poultry and livestock producers in their farming and ranching operations until January 24, 2025	January 17, 2025	50 MoReg 350
25-09	Directs the Commissioner of Administration to ensure all flags of the United States and the State of Missouri are flown at full staff at all state buildings and grounds on January 20, 2025 for a period of 24 hours	January 15, 2025	50 MoReg 290
25-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan and exempts hours of service requirements for vehicles transporting residential heating fuel until February 2, 2025	January 13, 2025	50 MoReg 288
25-07	Orders the Department of Corrections and the Missouri Parole Board to assemble a working group to develop recommendations to rulemaking for the parole process	January 13, 2025	50 MoReg 287
25-06	Orders the Director of the Department of Public Safety and the Superintendent of the Missouri State Highway Patrol to modify the Patrol's salary schedule by reducing the time of service required to reach the top salary tier from 15 years of service to 12 years of service	January 13, 2025	50 MoReg 286
25-05	Directs the Department of Public Safety in collaboration with the Missouri State Highway Patrol to include immigration status in the state's uniform crime reporting system and to facilitate the collection of such information across the state	January 13, 2025	50 MoReg 285

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
25-04	Directs the Director of the Department of Public Safety in collaboration with the Superintendent of the Missouri State Highway Patrol to establish and maintain a memorandum of understanding with the U.S. Department of Homeland Security and actively collaborate with federal agencies. The Superintendent of the Missouri State Highway Patrol shall designate members for training in federal immigration enforcement	January 13, 2025	50 MoReg 284
25-03	Establishes the "Blue Shield Program" within the Department of Public Safety to recognize local governments committed to public safety within their community	January 13, 2025	50 MoReg 282
25-02	Establishes "Operation Relentless Pursuit," a coordinated law enforcement initiative	January 13, 2025	50 MoReg 281
25-01	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until January 13, 2025	January 3, 2025	50 MoReg 279

The rule number and the MoReg publication date follow each entry to this index.

Administrative Rules Contact Information

General Inquiries
(573) 751-4015
rules@sos.mo.gov

Curtis W. Treat, Director
(573) 751-2022
curtis.treat@sos.mo.gov

Stephanie Martin, Managing Editor
(573) 522-2196
stephanie.martin@sos.mo.gov

Vonne Kilbourn, Editor
(573) 751-1818
vonne.kilbourn@sos.mo.gov

Jennifer Alex Moore, Editor
(573) 522-2593
jennifer.moore@sos.mo.gov

Jacqueline D. White, Senior Publications Specialist
(573) 526-1259
jacqueline.white@sos.mo.gov