

As defined in section 536.026, RSMo Supp. 1999 "an agency may solicit comments from the public on the subject matter of a rule that the agency is considering proposing. The agency may file a notice of the rule under consideration as a proposed rulemaking with the secretary of state for publication in the *Missouri Register* as soon as practicable after the filing thereof in the secretary's office. The notice may contain the number and the subject matter of the rule as well as a statement indicating where, when, and how persons may comment."

This section complies with this statutory requirement to publish rules being considered for proposal by an agency. These rules carry none of the weight of a proposed rule or amendment. Publishing a rule under consideration places no obligation on the agency to promulgate an actual rule in the future. Rules under consideration are reproduced in the format provided by the agency and are not subject to the secretary of state's formatting requirements.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 25—Hazardous Waste Management Commission

MISSOURI DRY-CLEANING ENVIRONMENTAL RESPONSE TRUST FUND SECTIONS 260.900 TO 260.960 RSMo 2000

The 2000 Missouri General Assembly passed a law establishing a Dry-cleaning Environmental Response Trust Fund in Missouri. The law potentially affects all dry-cleaning facilities in Missouri, including both "active" and "abandoned" dry-cleaning facilities. The law defines "Dry-cleaning facility" as a commercial establishment that cleans garments or other fabrics on-site utilizing a process that involves any use of dry-cleaning solvents. "Active" facilities include any property on which a dry-cleaning facility currently operates, while "Abandoned" facilities include any property on which a dry-cleaning facility formerly operated. Active facilities must register with the Department of Natural Resources and pay an annual registration surcharge. Beginning July 1, 2002, eligible owners or operators of active or abandoned dry-cleaning facilities may apply to the Fund for payment of costs related to remediation of contamination due to the operation of a dry-cleaning facility. The law excludes prisons, governmental entities, hotels, motels, or industrial laundries from participation in the Fund. Revenues to the Fund will be provided by active Missouri dry cleaners, as well as those who supply dry-cleaning solvent to active Missouri dry cleaners, through payment of the applicable environmental surcharges, which became effective on August 28, 2000. Revenues from the surcharges will be deposited in the Dry-cleaning Environmental Response Trust Fund and expended for costs related to remediation of contaminated dry-cleaner sites beginning on July 1, 2002.

The applicable environmental surcharges consist of an annual registration surcharge for active dry-cleaning facilities and a solvent surcharge assessed on suppliers of dry-cleaning solvent to Missouri dry cleaners. Active dry-cleaning facilities pay an annual registration surcharge of \$500, \$1,000, or \$1,500, based on the amount of chlorinated or non-chlorinated dry-cleaning solvents used per year. Active Missouri dry cleaners that use no more than 140 gallons of chlorinated solvents or no more than 1,400 gallons of petroleum, non-chlorinated solvents per year pay \$500 annually. Active Missouri dry cleaners that use more than 140 gallons of chlorinated solvents per year, but less than 360 gallons, and those dry cleaners who use more than 1,400 gallons of petroleum solvents, but less than 3,600 gallons per year, pay \$1,000 annually. Active Missouri dry cleaners that use at least 360 gallons of chlorinated solvents or 3,600 gallons of non-chlorinated solvents per year pay \$1,500 annually. Also effective August 28, 2000, a surcharge is assessed on suppliers who provide dry-cleaning solvents to dry-cleaning facilities in Missouri. This surcharge will be reported and paid by the dry-cleaning solvent suppliers on a quarterly basis in an amount equal to \$8 a gallon for Perchloroethylene, Trichloroethylene, and other chlorinated dry-cleaning solvents, and \$0.40 a gallon for any non-chlorinated dry-cleaning solvent. The first quarter for which the solvent surcharge will be assessed is October–December 2000. Suppliers of dry cleaning solvents to Missouri dry cleaners will be contacted by the department in order to collect the surcharge due for this quarter. It is expected that the surcharge will be due to the department by January or February 2001.

Missouri dry cleaners will register with the department and pay the applicable registration surcharge at the same time they submit their Emissions Inventory Questionnaire (EIQ) forms to the department's Air Pollution Control Program. Dry cleaners will be asked to keep the material for the two programs separate, including payments (the surcharge check will be made out to Missouri Department of Natural Resources—Hazardous Waste Program and the air emission fees check will be made out to Missouri Air Pollution Control Program). These forms will be mailed to all dry cleaners that have previously submitted EIQ forms, or that are otherwise known to the department, beginning about January 1, 2001 and are due to the department by April 1, 2001. Dry-cleaning facilities that are not required to submit an EIQ, or that have not previously submitted an EIQ, must still register with the department and pay the applicable registration surcharge, in addition to submitting the EIQ forms, if required. Although the amount of the registration surcharge will be based on solvent usage for the calendar year 2000 as reported on the EIQ forms, the registration surcharge will apply to the calendar year 2001. Additional instructions on the registration surcharge will be provided with the EIQ mailing to dry cleaners in January 2001.

The Department of Natural Resources is currently beginning the process of developing the necessary rules to implement the law. The rules will describe in detail the registration process, application procedures, and eligibility requirements for participation in the fund. Department staff will work with representatives of the Missouri dry-cleaning industry in drafting those rules.

NOTICE TO SUBMIT COMMENTS: Anyone may submit written comments concerning the implementation of the program described above. The comments shall be submitted to the Director of the Missouri Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102. In order to be considered, written comments must be submitted within thirty days after the date of publication of this notice in the *Missouri Register*. Faxed or E-mail correspondence will not be considered. Comments must be postmarked by midnight of the last day of the comment period. Comments may be hand delivered to the receptionist desk at the Missouri Department of Natural Resources Conference Center, 1738 E. Elm Street, Jefferson City, Missouri until 5:00 p.m. on the last day of the comment period.

In preparing comments, please reference this Rule Under Consideration notice. You may share your questions or concerns for consideration by the Missouri Department of Natural Resources and the Missouri Hazardous Waste Management Commission in the establishment and implementation of the Missouri Dry-cleaning Environmental Response Trust Fund.

If you have specific questions concerning the implementation of the Fund, please contact the Missouri Hazardous Waste Program at (573) 751-3176.

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
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

APPLICATION REVIEW SCHEDULE

DATE FILED:

APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the November 20, 2000 Certificate of Need meeting. These applications are available for public inspection at the address shown below.

09/06/00

#2982 HS: St. Louis University Hospital
\$2,173,277, Establish magnetoencephalography
service
St. Louis (St. Louis City)

#3012 FS: Dialysis Clinic, Inc.
\$3,996,702, Replace and expand
outpatient dialysis facility
Kansas City (Jackson County)

09/08/00

#3020 HS: Cox Medical Center South
\$2,944,854, Reconfigure medical
surgical unit
Springfield (Greene County)

#3035 HS: St. John's Regional Medical Center
\$4,000,000, Relocate and expand
obstetrical services
Joplin (Jasper County)

#3037 HS: Phelps Co. Regional Medical Center
\$15,870,943, Expand and renovate facility
Rolla (Phelps County)

#3021 HS: Moberly Regional Medical Center
\$1,874,389, Renovate and expand ICU/CCU
Moberly (Randolph County)

09/11/00

#3036 HS: St. Luke's Hospital
\$16,854,672, Establish outpatient
services building
Chesterfield (St. Louis County)

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received at the address listed below by October 10, 2000. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact Donna Schuessler, 573-751-6403.

OFFICE OF ADMINISTRATION
Division of Purchasing

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B1E01099 Buses: School 10/16/00;
B1E01119 Dairy Products: Cheese 10/16/00;
B3E01070 Trash Collection Services 10/16/00;
B1E01108 Dental Instruments 10/17/00;
B1E01114 Tractors 10/18/00;
B2Z01011 Information Technology Consulting Services 10/18/00;
B3E01049 Elevator Maintenance Services 10/18/00;
B3Z00195 Pharmacy Services 10/18/00;
B3Z00246 ABA Intensive Discrete Trial Training 10/18/00;
B2E01012 IBM Hardware/Software Maintenance 10/19/00;
B3E01063 Brass Refinishing Services 10/19/00;
B1Z01106 Web-Based Energy Use and Demand Information Service 10/20/00;
B3E01068 Anesthesiology Services 10/20/00;
B3Z01078 Nursing Services 10/20/00;
B3Z00239 Dental Well Being Committee 10/23/00;
B3E01027 Laundry Services 10/24/00;
B3E01082 Janitorial Services 10/24/00;
B3Z01042 Marketing Services-Economic Development 10/26/00;
B1E01132 Windshield: Auto Replacement and Repair 10/30/00;
B3Z00217 Medical Laboratory Services 10/31/00;
B2Z01008 Data Capture and Document Management System 11/2/00;
B3Z01051 Medicaid Managed Care-Central Region 11/2/00;
B3Z01075 Charter School Performance Study 11/16/00.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

- 1.) Overnight Leisure Visitor and Competitor Profile Report, supplied by D. K. Shifflet & Associates, Ltd.
- 2.) Advertising on bus boards and ceiling cards-St. Louis & KC, supplied by OBIE MEDIA.

Legal Consulting/Expert Testimony, supplied by Missouri On-Call Damage Prevention (MOCS).

Joyce Murphy, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

October 16, 2000
Vol. 25, No. 20

MISSOURI
REGISTER

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—23 (1998), 24 (1999) and 25 (2000). 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 and RUC indicates a rule under consideration.

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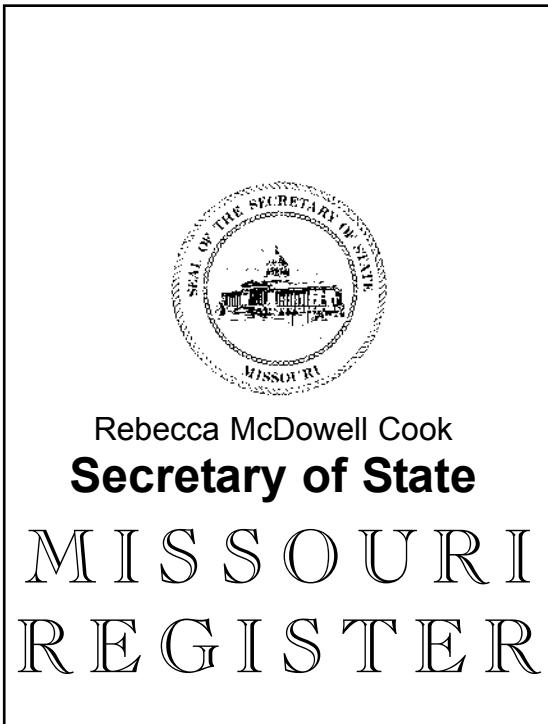
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