



Rules of
Department of Natural Resources
Division 25—Hazardous Waste
Management Commission
Chapter 1—Organization

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES
Division 25—Hazardous Waste
Management Commission
Chapter 1—Organization**

10 CSR 25-1.010 Organization

PURPOSE: This rule complies with section 536.023.3., RSMo which requires each agency to adopt as a rule a description of its organization and general courses and methods of its operation and the methods and procedures where the public may obtain information or make submissions or requests.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) Section 260.365 of the Revised Statutes of Missouri (RSMo) establishes the Hazardous Waste Management Commission of Missouri. The commission consists of seven (7) members appointed by the governor. The commission shall hold at least four (4) regular meetings each year and additional meetings as the chairperson deems necessary or desirable at a place and time fixed by the chairperson. Special meetings may be called by three (3) members of the commission upon delivery of written notice to each member of the commission. The public may request that an item be brought before the commission by submitting a written request to the attention of the staff director of the Hazardous Waste Program at the following address: Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102-0176. Such requests should be received no less than fourteen (14) days before the commission meeting and may be considered as "other business," or placed on the agenda as a separate item. At the discretion of the commission chairperson items may be added to the agenda less than fourteen (14) days prior to the commission meeting but in no case less than twenty-four (24) hours prior to the commission meeting.

(2) The Missouri Hazardous Waste Management Law and standards and rules promulgated under the law govern the management of hazardous waste in a manner which will provide adequate protection of the health of

humans or other living organisms and which will provide adequate protection of the environment. The commission's rulemaking powers are enabled by statutory provisions in sections 260.365, 260.370, 260.400 and 260.437, RSMo. Sections 260.350–260.480, RSMo describe additional duties of the commission, the department and regulated persons. The commission and department operate in accordance with other statutes including those regarding government bodies and records (Chapter 610, RSMo) and Administrative Procedures and Review (Chapter 536, RSMo).

(3) The Department of Natural Resources is authorized under section 260.375, RSMo to exercise general supervision of the administration and enforcement of sections 260.350–260.434, RSMo and to provide the commission all necessary support the commission may require to carry out its powers and duties. Additional departmental duties are described in sections 260.377–260.480, RSMo. The department has designated the Hazardous Waste Program, Division of Environmental Quality, as the agency within the department responsible for administering the state's Hazardous Waste Program. The director of the Department of Natural Resources appoints a Hazardous Waste Program director and staff as provided in section 260.375(3), RSMo. The Hazardous Waste Program director and staff provide day-to-day operations of the state Hazardous Waste Management Program in cooperation with other departmental programs, the Office of the Attorney General, the Office of the Secretary of State and the Department of Health. The department enters into agreements and administers grants from the United States Environmental Protection Agency (EPA).

(4) The Hazardous Waste Program staff perform administrative and technical functions including: reviewing, modifying, approving, denying, suspending, revoking or issuing permits and licenses; registering generators; enforcing the hazardous waste management law and rules; conducting inspections, developing facts, issuing orders and settling suits; developing facts as may be required by the commission; developing standards and regulations; applying for and administering grants; participating in variance and enforcement hearings; billing for fees and taxes; developing and managing the Registry of Confirmed Abandoned or Uncontrolled Sites; negotiating cleanups; developing plans, and performing other functions as described in sections 260.375–260.480, RSMo.

(5) Requests for applications, information, copies of these rules and the Missouri Haz-

ardous Waste Management Law, site investigations, technical information and assistance, and public hearing and any submissions are to be made to the Department of Natural Resources, Division of Environmental Quality, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102.

(6) Additional information regarding the program is contained in the department's application to the EPA for authorization to administer the federal hazardous waste management program. Copies of the application are available for review at the department and program offices. The applications contain copies of applicable statutes, rules, forms, policies and procedures, the attorney general's legal opinion and a program description which were in effect at the time of the application. Missouri is authorized under Section 3006 of the federal Resource Conservation and Recovery Act. EPA approved the base program on November 20, 1985 (50 FR 4770). Program revisions were authorized on February 27, 1989 (54 FR 8190), effective April 28, 1989 and January 11, 1993 (58 FR 3497), effective March 12, 1993. The department continues to seek this authority to fulfill its duty under section 260.375(26), RSMo. (Note: Rules promulgated under 10 CSR 25 do not constitute the full scope of regulations governing persons who generate, transport or manage hazardous waste. Additional federal and state regulations may apply.)

(7) For those subsections in 10 CSR 25-3 through 10 CSR 25-16 marked *Reserved*, the requirements of the corresponding federal subpart that is incorporated by reference in section (1) of the rule apply.

AUTHORITY: sections 260.370, RSMo Supp. 1997 and 260.365 and 260.400, RSMo 1994. Original rule filed Sept. 7, 1978, effective Feb. 16, 1979. Amended: Filed Dec. 16, 1985, effective Oct. 1, 1986. Amended: Filed Dec. 1, 1987, effective Aug. 12, 1988. Amended: Filed Feb. 16, 1990, effective Dec. 31, 1990. Amended: Filed Jan. 5, 1993, effective Aug. 9, 1993. Amended: Filed Jan. 5, 1994, effective Aug. 28, 1994. Amended: Filed June 1, 1998, effective Jan. 30, 1999.*

**Original authority: 260.365 and 260.400, RSMo 1977, amended 1980; and 260.370, RSMo 1977, amended 1980, 1988, 1993, 1995.*