
**Rules of
Department of Natural Resources
Division 80—Solid Waste Management
Chapter 6—Local Solid Waste Management**

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Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 80—Solid Waste Management Chapter 6—Local Solid Waste Management

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PURPOSE: This rule delineates city and county responsibilities for solid waste management plan development and implementation; details the contents of a solid waste management plan and sets forth standards for departmental review and approval or disapproval of plans. The successful development of a solid waste management plan by a city or county will enable the execution of the city or county's authority and responsibility for solid waste management in accordance with sections 260.200 to 260.245, RSMo.

(1) City and County Responsibility for Solid Waste Management Planning and Implementation.

(A) In accordance with the Missouri Solid Waste Management Law, each city and county has the authority to develop and implement solid waste management plans. The following cities and counties shall develop, adopt and implement a solid waste management plan meeting departmental standards for approval:

1. A city with a population of five hundred (500) or more;
2. A city, regardless of population size, located in a first class county with a population of one hundred thousand (100,000) or more; and
3. A first class county with a population of one hundred thousand (100,000) or more.

(B) Cities or counties are encouraged to work together and the solid waste management plans may reflect the combined effort of more than one (1) city or county. However, each city or county required to implement a plan shall submit to the department for approval a separate plan specific to its jurisdiction.

(2) Plan Submittal.

(A) The governing body of each city and county identified in paragraphs (1)(A)1.—3. of this rule shall complete, adopt and submit to the department a solid waste management plan for a solid waste management system serving the area of its jurisdiction. A plan revision must be submitted to the department five years following the date of departmental approval of the most recent plan submitted after November 1, 1985 and every five (5) years thereafter.

(B) Two (2) copies of the completed and officially adopted plan, or plan revision, shall be submitted to the department.

(3) A solid waste management plan shall contain all information necessary to comply with the requirements of sections 260.200—260.245, RSMo and this rule, including:

(A) A plan narrative which—

1. Delineates the geographic areas within the jurisdiction of the city or county where a solid waste management system is in existence and the geographic areas where the solid waste management systems are planned to be available within a ten (10)-year period. This delineation should take into consideration existing comprehensive plans, population trend projections and existing acts and regulations affecting the development, use and protection of air, water or land resources;

2. Describes all intragovernmental and intergovernmental entities involved in and responsible for solid waste management and planning;

3. Explains how the existing solid waste management systems work to assure the minimization of nuisances or health hazards and otherwise provides for the safe and sanitary management of solid waste. The following items shall be addressed:

A. Proper storage, collection and transportation of solid waste, including provisions for—

(I) Local regulation of persons and names of persons engaged in the business of collecting and transporting solid waste for the jurisdiction of the the solid waste management system;

(II) The use of durable, leak-resistant storage containers which protect waste from weather, scattering by animals and inhibit the attraction of insects; and

(III) The type of collection system, for example, public collection, public contract with private haulers, individual responsibility or a combination of these systems and the percentage of residences, institutions and commercial establishments using each type of collection system;

B. Proper processing and disposal, including provisions for—

(I) Local regulation of persons engaged in the business of processing and disposal of solid waste;

(II) The names of all processing facilities and disposal areas used for the disposal of solid waste generated within the areas of jurisdiction of the solid waste management system. If solid waste is transported to another state for disposal, approval of the processing facility or disposal area by that state's solid waste regulatory agency shall be documented;

(III) The names and locations of local recycling or resource recovery programs, the types of materials accepted, and the operating hours and contact person for each facility;

(IV) The procedures for collection, processing and disposal of bulky wastes; and

(V) Local policies regarding burning of solid waste. Local burning policies must not conflict with prohibitions on burning in chapter 643, RSMo and rules promulgated;

C. Financing of the solid waste management system, including provisions for—

(I) A method of financing the true operations and capital costs of the solid waste management system; and

(II) The billing procedures for residential and commercial solid waste management; and

D. An explanation of how public comment is solicited and considered with respect to the solid waste management planning process and implementation; and

4. Identifies and proposes solutions for current and anticipated solid waste management problems;

(B) An implementation timetable which ensures that adequate solid waste management systems are being planned for the next ten (10) years containing the following:

1. A schedule for planning and implementing solid waste reduction, recycling, resource recovery, storage, collection, transportation, processing, disposal and solutions to problems, of the solid waste management system(s);

2. Actions to ensure that department-permitted solid waste processing facilities and disposal areas will be available for all solid waste generated within the area served by the solid waste management system. These actions shall be based upon the estimated life of facilities currently used by the city or county;

3. Compliance with any current departmental administrative orders;

4. Any legal actions to be taken for example, the adoption of ordinances, finalization of contracts;

5. The estimated dates of closure for any privately or publicly-owned solid waste disposal area;

6. The estimated costs and financing of any future changes to the solid waste management system;

(C) Signed and dated copies of officially adopted ordinance(s) that provide for the proper management of solid waste. The ordinance(s) shall require, at a minimum:

1. That all putrescible solid wastes be stored in closed containers or bags that restrict contact by animals, insects and weather;

2. Reusable containers shall be maintained in a clean and sanitary condition;



3. That putrescible solid waste is properly managed or disposed of at a minimum of once per week;

4. That the health and safety of the collectors of solid waste is provided for;

5. That the storage, collection, processing and disposal of solid waste be managed in accordance with local and state laws and rules. All processing facilities and disposal areas utilized shall have appropriate local and state permits;

6. That vehicles used to collect and transport solid waste be kept in a clean and sanitary condition and covered to prevent littering;

7. That bulky waste be collected and properly disposed of at least once every year;

8. That burning of solid waste be in accordance with chapter 643, RSMo and rules promulgated; and

9. That penalty assessment for violation of the local solid waste management ordinance be provided;

(D) If used, signed copies of any solid waste management contracts currently in effect between the governing body and any other agency or private firm involved in the storage, collection, transportation, processing, disposal, planning or management of solid waste within the jurisdiction of the solid waste management plan;

(E) A solid waste management plan review by the regional planning commission or by the county commission in the absence of a regional planning commission, to ensure consistency with any existing programs of comprehensive planning for the area; and

(F) A Resolution of Adoption.

1. The solid waste management plan shall be adopted by vote of the governing body of the city or county.

2. The adopted resolution shall demonstrate that the intent of the city or county is to implement the solid waste management plan.

(4) Plan Review, Approval and Disapproval.

(A) The department will perform a preliminary review of the plan for the presence of the following plan components: a plan narrative; an implementation timetable; an adopted solid waste management ordinance; signed contracts, if used; and a resolution adopting the plan.

1. If all applicable plan components as listed in subsection (4)(A) are present, the department will notify the city or county that the plan will be receiving a full plan review.

2. If any applicable plan components as listed in subsection (4)(A) are missing, the department will notify the city or county of the missing plan components and require submission to the department within sixty (60)

days. Upon receipt by the department of the missing plan components, the plan will receive a full plan review.

(B) After the department has performed the preliminary review in accordance with subsection (4)(A) of this rule, the department will conduct a full review of the plan for the purpose of determining compliance with the requirements of sections 260.200—260.245, RSMo and rules promulgated.

1. Upon finding that the plan is in compliance, the department will notify the city or county of plan approval.

2. Upon finding that the plan is not in compliance, the department will issue a disapproval letter by certified mail, stating the reasons for such disapproval. The plan shall be revised and resubmitted to the department within sixty (60) days unless a hearing is requested in accordance with section 260.235, RSMo.

3. All plan approvals are conditional upon the continued operation of an environmentally sound solid waste management system by the city or county. The department reserves the right to withdraw approval or require plan revisions more frequently than required in section (2) of this rule any time that the city or county fails to provide for environmentally sound waste disposal and management, or fails to uphold its approved plan in any way that the department determines is detrimental to the operation of a sound solid waste management system, thereby creating health hazards, public nuisances or pollution of the land, air or waters, or if the plan itself fails to provide for a sound solid waste management system.

Auth: sections 260.215, 260.220 and 260.225, RSMo (Supp. 1987). Original rule filed Jan. 29, 1988, effective Aug. 1, 1988.