

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 445
98TH GENERAL ASSEMBLY

Reported from the Committee on Commerce, Consumer Protection, Energy and the Environment, March 19, 2015, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 445, adopted April 8, 2015.

Taken up for Perfection April 8, 2015. Bill declared Perfected and Ordered Printed, as amended.

ADRIANE D. CROUSE, Secretary.

1944S.03P

AN ACT

To amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 643, RSMo, is amended by adding thereto one new
2 section, to be known as section 643.650, to read as follows:

**643.650. 1. Any owner of an electric generating source in a one-
2 hour sulfur dioxide National Ambient Air Quality Standards
3 nonattainment area shall develop an ambient air quality monitoring or
4 modeling network to characterize the sulfur dioxide air quality
5 surrounding the electric generating source. The network shall
6 adequately monitor the ambient air quality for sulfur dioxide
7 surrounding the entire electric generating source and shall operate for
8 not less than twelve consecutive quarters. The owner of such electric
9 generating source shall notify the department of the manner in which
10 it intends to characterize by either modeling or monitoring the air
11 quality around such source. The location of any monitoring network
12 installed by the owner of such electric generating source within a one-
13 hour sulfur dioxide National Ambient Air Quality Standards
14 nonattainment area shall be approved by the department.**

15 **2. Affected sources located in undesignated areas that elect to
16 use monitoring to evaluate ambient air quality shall be consulted by
17 the department on the use of existing monitors as well as the location
18 of any new monitors intended to comprise the sulfur dioxide
19 monitoring network. The department shall not submit its**

20 recommendation to the Environmental Protection Agency on the
21 manner in which data will be gathered for the designation process that
22 is inconsistent with the elections made by affected sources under this
23 section. Where affected sources have elected to monitor under this
24 section, the department shall submit recommendations for the second
25 phase designation process by the date set by a final, effective, and
26 applicable Environmental Protection Agency requirement relating to
27 state attainment designations and not prior.

28 3. The department shall consider all ambient air quality
29 monitoring network data collected under subsection 1 of this section
30 and under any agreement authorized under this subsection prior to
31 proposing to the commission any sulfur dioxide limitation, emission
32 reduction requirement, or other requirement for purposes of the one-
33 hour sulfur dioxide National Ambient Air Quality Standard for any
34 electric generating source that has elected to install a monitoring
35 network under this section, except:

36 (1) The department may propose to the commission any sulfur
37 dioxide limitations or emission reduction requirements specifically
38 agreed to in any voluntary agreement entered into between the
39 department and any owner of an electric generating source that has
40 elected to install a monitoring network under this section; and

41 (2) The department may propose to the commission any
42 adjustments to the sulfur dioxide limitations or emission reduction
43 requirements applicable to any electric generating source located in a
44 sulfur dioxide nonattainment area and subject to an agreement under
45 subdivision (1) of this subsection, as justified by an ambient air quality
46 analysis relying on no fewer than two quarters of monitored data
47 collected through the monitoring network allowable under subsection
48 1 of this section and consistent with such agreement.

49 4. Nothing in this section shall prohibit the department from
50 entering into an agreement with an owner of an electric generating
51 source to limit or reduce sulfur dioxide emissions at such affected
52 source that is below the source's permitted sulfur dioxide emission
53 rate.

✓