

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1127S.01I
 Bill No.: SB 266
 Subject: Waste - Hazardous; Department of Natural Resources; State Departments;
 Environmental Protection
 Type: Original
 Date: January 5, 2023

Bill Summary: This proposal creates provisions related to the disposal of contaminants into state waters.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Natural Resources Protection Fund (0568)	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)
Total Estimated Net Effect on <u>Other</u> State Funds	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Natural Resources (DNR)** assume the following regarding this proposal:

§644.051.5

Exemption of construction permitting by the Missouri Clean Water Commission will reduce revenues in the form of construction permit fees used to review construction permit applications, designs, and specifications to ensure the proposed wastewater treatment facility is in compliance with state design and construction regulations. Construction Permit application fees depend on the design flow of the facility and ranges from \$1,000 (< 500,000 gallons per day) to \$3,000 (\geq 500,000 gallons per day) per application. The Department receives, on average, approximately 11 earthen basin construction permit applications per year for a range of reduced revenue of \$11,000 - \$33,000 per year. Below are the fee categories and data from the last five years of applications.

Year	Number of Permits	Amount Collected (\$1,000 fee)	Amount Collected (\$3,000 fee)
2018	11	\$11,000	\$33,000
2019	9	\$9,000	\$27,000
2020	14	\$14,000	\$42,000
2021	16	\$16,000	\$48,000
2022	7	\$7,000	\$21,000

§644.051.5(1) & (2)

Industrial wastewater treatment systems must be designed and constructed under the supervision of a professional engineer to ensure public health, safety, and the environment are not impacted or compromised.

Should a wastewater treatment system fail and require Department inspection and intervention, the following cost to the Department may incur per facility:

Approximately 12 hours to conduct an environmental investigation, report drafting, and preparation for referral to enforcement; approximately 8 hours for enforcement team review of referral documents and drafting case summary and Administrative Order on Consent; obtain Department approval.

The Department anticipates being able to absorb these costs (estimated less than \$10,000). However, until the fiscal year 2024 budget is final the Department cannot identify specific funding sources. Potential fiscal impact reduction of \$11,000 - \$33,000 of annual construction permit revenue.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DNR.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
NATURAL RESOURCES PROTECTION FUND (0568)			
<u>Loss – DNR – reduced construction permit revenue</u>	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)
ESTIMATED NET EFFECT ON THE NATURAL RESOURCES PROTECTION FUND	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)	From (\$11,000 to \$33,000)

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	\$0	\$0	\$0

FISCAL IMPACT – Small Business

Small construction companies could be impacted as a result of this proposal.

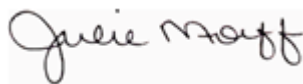
FISCAL DESCRIPTION

This proposal modifies provisions relating to water pollution.


This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources



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 Director
 January 5, 2023



Ross Strope
 Assistant Director
 January 5, 2023