Weaker Hazardous Waste Oversight, Reduces Transparency, Adds Red Tape Oppose SB 918 and HB 2426

Harms Hazardous Waste Oversight Program

By putting a "no stricter than" federal standard, SB 918 would nullify provisions of the state administration for hazardous waste requirements that have been refined with stakeholder input over several decades. Federal standards were written to be a floor for state environmental protections, not a ceiling. Setting up “no stricter than federal” clauses does nothing but tie the hands of Missouri state agencies to protect our citizens and the environment.

Of particular note is the state requirement to label hazardous waste as it is accumulated rather than when it is ready for transport. The reason for the stated requirement is to protect first responders. Should a facility experience a fire or release of materials, those responding should be aware of the potential danger that may be present, usually documented by labeling and tracking materials. Absent this knowledge, fire fighters or other responders may unknowingly be entering a potential inferno.

Another area in which Missouri is more protective than federal standards is our treatment of waste oil. Unregulated waste oil, mixed with pharmaceutical waste, gave Missouri hundreds of acres in over 30 dioxin sites with over one billion dollars of combined cleanup cost and perpetual deed restrictions limiting their use. These actions by the State of Missouri have protected thousands of people from bodily harm from dioxin, including cancer, reproductive and developmental problems, damage to the immune system, and hormone problems.

More Red Tape, Less Transparency

These sections on administrative penalties are in part unnecessary and in part counterproductive. The provision that provides violators a written calculation of the penalty is not necessary as the department provides this now. A violator can see the thought process of documenting the severity, duration and other factors the department used in calculating a proposed penalty. The provision that maintains this as confidential is not productive to either the violator, who may want to see how his/her particular penalty adds up compared to others, or to those who may want to see if the department is treating all violators fairly. While such documents may be held confidential in anticipation of litigation, once a matter is settled the documents should be readily available to anyone who wants to see them.

SB 918 is sponsored by Senator Burlison. HB 2426 is sponsored by Representative Houx.

Missouri Sierra Club, 2818 Sutton Ave., St. Louis, MO 63143  P: 314–644–1011  E: missouri.chapter@sierraclub.org