

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than 30 days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The 90-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 1—OFFICE OF ADMINISTRATION
Division 10—Commissioner of Administration
Chapter 15—Cafeteria Plan**

ORDER OF RULEMAKING

By the authority vested in the commissioner of administration under section 33.103, RSMo 2000, the commissioner amends a rule as follows:

1 CSR 10-15.010 Cafeteria Plan is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2001 (26 MoReg 641-646). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 7—Reciprocity**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.210 and 329.230, RSMo 2000, the board rescinds a rule as follows:

4 CSR 90-7.010 Reciprocity is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 1, 2001 (26 MoReg 322). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 7—Reciprocity**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.130, 329.210, and 329.230, RSMo 2000, the board adopts a rule as follows:

4 CSR 90-7.010 Reciprocity is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2001 (26 MoReg 322-327). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 11—Sanitation**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.035, 329.140, 329.210 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-11.010 Sanitation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2001 (26 MoReg 328). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 4—Licensing of Speech-Language Pathologists
and Audiologists**

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under sections 345.015, 345.022, 345.030, 345.045,

345.051 and 345.055, RSMo 2000, the board amends a rule as follows:

4 CSR 150-4.060 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2001 (26 MoReg 330). The Authority section with changes is reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received, however, based on the board's review of the proposed amendment, changes have been made to the Authority section of the rule.

4 CSR 150-4.060 Fees

AUTHORITY: sections 345.015, 345.022, 345.030, 345.045, 345.051, and 345.055, RSMo 2000. Original rule filed July 1, 1988, effective Oct. 27, 1988. Amended: Filed April 2, 1992, effective Dec. 3, 1992. Amended: Filed July 12, 1996, effective Jan. 30, 1997. Amended: Filed Nov. 17, 1997, effective June 30, 1998. Amended: Filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed Dec. 22, 2000.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 10—Air Conservation Commission Chapter 2—Air Quality Standards and Air Pollution Control Rules Specific to the Kansas City Metropolitan Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-2.260 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 2, 2001 (26 MoReg 47-52). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Two sets of written comments (from the Mid-America Regional Council and the Missouri Department of Transportation) were received during the public comment period. All comments were supportive of the proposed amendment.

COMMENT: The Mid-America Regional Council (MARC) commented that improvements to Stage I vapor recovery requirements in the Kansas City area are a cost effective strategy for reducing volatile organic compounds emissions. Additionally, the proposed amendment will satisfy contingency provisions in the Kansas City Ozone Maintenance Plan. MARC commented the proposed rule language does not clearly satisfy the intent to make the Stage I vapor recovery requirements for the Kansas City area identical to the requirements for the St. Louis area.

MARC further commented it would like to ensure that the Stage I improvements in the Kansas City area will achieve the maximum emissions reductions possible. MARC acknowledged that facilities in the St. Louis area operate under permits that cover both Stage I and Stage II requirements, which include testing and monitoring requirements for both systems. MARC encouraged the department's Air Pollution Control Program to insure that the proposed amendment to this Kansas City rule include testing and monitor-

ing requirements identical to the St. Louis requirements, provided such requirements offer the best opportunity to insure Stage I systems operate to achieve maximum emission control.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program agrees the proposed amendment will satisfy some of the contingency provisions in the Kansas City Ozone Maintenance Plan. The department's Air Pollution Control Program also agrees the proposed amendment to this Kansas City area rule does not include the same pressure/vacuum valve requirements as those in the St. Louis area.

To remedy this situation, the rule language in subparagraph (5)(A)3.C. has been changed to require pressure/vacuum valves in the Kansas City area to be California Air Resources Board (CARB) certified and Missouri Performance Evaluation Test Procedures (MO/PETP) approved. In addition, this subparagraph has been changed to require all pressure/vacuum valves to be bench tested prior to installation and to require initial fueling facilities to have MO/PETP approved pressure/vacuum valves. Section (1) of the rule has been changed to add definitions for MO/PETP and initial fueling of motor vehicles. Section (8) of the rule has been changed to require a static leak decay test of the stage I vapor recovery system once every five years and a pressure/vacuum valve bench test once every two years to demonstrate system/component vapor tightness. All of these changes to the rule language have been made to make the pressure/vacuum valve requirements in the Kansas City area identical to those in St. Louis.

As a result of the addition of rule language requiring leak decay testing and pressure/vacuum valve bench testing, as well as the expectation that the pressure/vacuum valves will need to be replaced biennially, the private entity fiscal note has been revised accordingly.

COMMENT: The Missouri Department of Transportation (MoDOT) commented it supports the proposed amendment as it will assist Missouri in compliance with the Clean Air Act. MoDOT stated noncompliance with the Clean Air Act jeopardizes federal funds for the state. MoDOT further commented the cost for MoDOT to upgrade their existing petroleum storage tanks in compliance with the proposed Stage I vapor recovery requirements would be minimal compared to the potential loss of federal funds if the proposed amendment were not implemented.

RESPONSE: The department's Air Pollution Control Program appreciates MoDOT's support and agrees with these comments. The rule text is not being changed as a result of this comment.

10 CSR 10-2.260 Control of Petroleum Liquid Storage, Loading and Transfer

(1) Definitions.

(C) Initial fueling of motor vehicles—The operation of dispensing gasoline fuel into a newly assembled motor vehicle at an automobile assembly plant while the vehicle is still being assembled on the assembly line. The newly assembled motor vehicles being fueled on the assembly line must have fuel tanks that have never before contained gasoline fuel.

(D) MO/PETP—The Missouri Performance Evaluation Test Procedures, a set of test procedures for evaluating performance of Stage I/II vapor control equipment and systems to be installed or that have been installed in Missouri. Contact the department for a copy of the latest MO/PETP.

(E) Staff director—Director of the Air Pollution Control Program of the Department of Natural Resources, or a designated representative.

(F) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

(5) Gasoline Transfer.

(A) No owner or operator of a gasoline storage tank or delivery vessel shall cause or permit the transfer of gasoline from a delivery

vessel into a gasoline storage tank with a capacity greater than two thousand (2,000) gallons unless—

1. The storage tank is equipped with a submerged fill pipe extending unrestricted to within six inches (6") of the bottom of the tank, and not touching the bottom of the tank, or the storage tank is equipped with a system that allows a bottom fill condition;

2. All storage tank caps and fittings are vapor-tight when gasoline transfer is not taking place; and

3. Each storage tank is vented via a conduit that is:

A. At least two inches (2") inside diameter;

B. At least twelve feet (12') in height above grade; and

C. Equipped with a pressure/vacuum valve that is CARB certified and MO/PETP approved at three inches water column pressure/eight inches water column vacuum (3" wcp/8" wcv). When the owner or operator provides documentation that the system is CARB certified for a different valve and will not function properly with a 3" wcp/8" wcv valve, the valve shall be MO/PETP approved. All pressure/vacuum valves shall be bench tested prior to installation. Initial fueling facilities shall have MO/PETP approved pressure/vacuum valves.

(8) Testing and Monitoring Procedures and Reporting.

(D) A static leak decay test of the stage I vapor recovery system shall be required once every five (5) years to demonstrate system vapor tightness. In addition, a bench test of each pressure/vacuum valve shall be required once every two (2) years to demonstrate component vapor tightness.

(E) Additional testing may also be required by the staff director in order to determine proper functioning of vapor recovery equipment.

REVISED PRIVATE COST: This proposed amendment will cost \$999,543 in the aggregate.

**REVISED FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 2 – Air Quality Standards and Air Pollution Control Rules Specific to the Kansas City Metropolitan Area

Type of Rulemaking: Amendment

Rule Number and Name: 10 CSR 10-2.260 - Control of Petroleum Liquid Storage, Loading and Transfer

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
418	Gasoline Retail Stations	\$999,543
152	Petroleum Delivery Companies	No additional costs

III. WORKSHEET

Total # of Stations	418
Cost for approved Husky brand Pressure/Vacuum valves	\$ 87.21
Cost for approved OPW brand Pressure/Vacuum valves	\$ 74.29
Average	\$ 80.75
Cost @ 3per station ^{5,6}	\$ 242.25
Total cost if zero compliant with 3 @ each station	\$101,260.50
Percent of stations without P/V valves	50%
Estimated cost for remaining 50% of stations to initially install P/V valves	\$ 50,630.25*
Cost to conduct bench test prior to initial installation at 50% of stations (Estimated \$60 to bench test three valves per station)	\$ 12,540.00*
Total cost for all stations to replace 3 P/V valves once every two years for life of rule	\$455,672.25*
Increased Inspection and Maintenance costs ⁴	\$ 0.00
Estimated cost per station to bench test three valves per station	\$ 60.00
Total cost to only bench test P/V valves prior to replacement for all stations (once every two years)	\$ 62,700.00*

Estimated cost per station to conduct leak decay test of system and bench test for P/V valves	\$ 500.00
Total cost of combined leak decay tests and P/V valve bench tests for all stations (once every five years)	\$418,000.00*
*Total cost of initial valves, replacement valves, biennial bench testing and leak decay testing once every five years	\$999,542.50

IV. ASSUMPTIONS

1. The lifetime of the rule is assumed to be ten (10) years.
2. The number of retail gasoline stations in the affected area in 1996 was 488 and currently is at 418. The assumption follows that the number of stations would stay at the present level, as fewer, larger facilities are the current trend.
3. All of the stations in the affected area are required to have pressure/vacuum valves. It is assumed that 50% of the stations do not currently have pressure/vacuum valves installed. In addition, it is assumed that all stations will need to replace their pressure/vacuum valves once every two years based on effective lifetime of valves in the St. Louis area.
4. It is assumed that there are no increased inspection and maintenance costs due to this rulemaking.
5. Gasoline stations commonly share ventilation between tanks where only one pressure/vacuum valve is used. Some choose to have a pressure/vacuum valve on each tank. At the most, the majority of stations will have three tanks, and for this purpose, three pressure/vacuum valves per station was used for this estimate.
6. Costs for approved pressure/vacuum valves include installation.
7. Static leak decay testing of the Stage I system is required once every five years and P/V valve bench testing is required once every two years. The testing costs assume the leak decay test (twice during rule lifetime) will coincide with the requirement for a biennial P/V valve bench test of the P/V valves (five times during rule lifetime). In other words, it is assumed each station will conduct both leak decay tests and bench tests twice during the ten year life of the rule. In addition, each station will conduct bench tests three more times during the ten year life of the rule to complete the biennial bench testing requirement.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.040 Reference Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2000 (25 MoReg 2716–2717). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written or verbal comments were received concerning this proposed amendment during the public comment period.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.200 Hospital, Medical, Infectious Waste
Incinerators is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2000 (25 MoReg 2717). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one comment from the Missouri Hospital Association (MHA). The MHA supports the rulemaking action.

COMMENT: The MHA agrees with the recommendation of the department's Air Pollution Control Program to amend the definitions for co-fired combustor and for medical/infectious waste as published in the November 15, 2000, *Missouri Register*. As outlined on page 122 of the February 6, 2001, Missouri Air Conservation Commission Briefing Document, the proposed changes are intended to comply with the United States Environmental Protection Agency's requirements. MHA recommends that the commission adopt the proposed changes to the definitions as published. MHA also recommends that Section 643.055, RSMo be identified as the authority for this rulemaking action. As noted in the commission's briefing document, the changes are proposed to comply with federal requirements, and Section 643.055, RSMo provides this rulemaking authority to the commission. MHA recognizes the need for incinerator guidelines.

RESPONSE: The MHA comment supports the rulemaking action. We feel that the citation to statutory authority is accurate. The Missouri Court of Appeals Western District case number WD 47706 ruled that section 643.055 does not give the Missouri Air Conservation Commission's rulemaking authority, but instead places limitations on the commission's authority. 643.050 is the correct statutory authority for promulgating this rule. Therefore, no changes have been made to the rule as a result of this comment.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 6—Permits

ORDER OF RULEMAKING

By the authority vested in the Missouri Clean Water Commission under section 644.026, RSMo 2000, the commission amends a rule as follows:

10 CSR 20-6.011 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2878–2880). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Clean Water Commission received ten comments on this proposed amendment.

COMMENT: A comment requested clarification of the meaning of an "indirect connection" when determining which connections qualify for collection of the service connection fees under subsection (2)(B).

RESPONSE: The word "connections" is not defined by the statute. A reasonable interpretation of the word would be for it to refer to hard piping or other permanent, physical lines which direct sewage by gravity or pressure to a public operated treatment works (POTW). "Indirect" connections refer to any persons whose sewer flows to a collection system that ultimately discharges into a POTW. An example of an indirect connection is a sewer collection system that wholesales sewage to a central or regional treatment system. Septic tank waste haulers are not connected in the sense that no permanent piping is involved. No change to the proposed rule was made in response to this comment.

COMMENT: How are the fees on industrial/commercial customers determined when the number and size of water service connections are unknown?

RESPONSE: Operators of public sewers should make a reasonable effort to determine the number and size of the water service connections for the industrial/commercial customers that are served by their sewers. If exact numbers are not known, the operator should estimate as accurately as possible until a better assessment can be completed. No change was made as a result of this comment.

COMMENT: Are industrial/commercial customers exempt from the sewer service connection fee when their water service is provided by a private company?

RESPONSE: No. The fee is required for each connection to a public sewer system. If a customer is using a non-public water source, the fee is three dollars. No change was made as a result of this comment.

COMMENT: A comment requested that the rules be written to require water service providers to identify for the public sewer

operator the size of the water connections to industrial/commercial customers of a public sewer system.

RESPONSE: This information should be attainable with reasonable effort by directing requests to the appropriate operator of the water supply system. In the event the information is unavailable following these requests, the operator of the public sewer system should make a best estimate of the size of the connections until confirmation of the connection sizes is obtained. No change was made as a result of this comment.

COMMENT: A comment expressed concern regarding the difference between the fees on general permits for land disturbance and a chemical fertilizer/pesticide facility.

RESPONSE: These fees are provided by statute and cannot be changed by this rule. No change was made as a result of this comment.

COMMENT: A comment requests clarification on how this proposed rulemaking will require municipalities to pay a fee on sewer extension authorizations.

RESPONSE: This rulemaking does not change the current authority of certain municipalities with sewer extension authority. These municipalities will be allowed to grant sewer extensions under specific written authorization from the state without the need for obtaining a construction permit or the associated fee. No change was made as a result of this comment.

COMMENT: A comment stated that the fee rates for the privately owned domestic sewage treatment systems for flows between 5,000 gallons per day and 5,999 gallons per day, and between 6,000 gallons per day and 6,999 gallons per day are inconsistent with Senate Bill 741.

RESPONSE AND EXPLANATION OF CHANGE: The rulemaking was corrected to reflect the fees as specified by Senate Bill 741.

COMMENT: A commenter questioned whether or not this proposed rulemaking should further define the procedures for billing residential customers. The same commenter asked whether or not the provider could collect the fees in accordance with its own definitions of "residential" and "industrial/commercial."

RESPONSE: The statute allows the public sewer agencies to collect the sewer service connection fee through the same procedures used locally for collecting other sewer fees. At this time, the existing billing procedures for residential customers appear to be adequate to satisfy the requirements of Senate Bill 741. Therefore, developing a standard billing procedure is not necessary. If a standard procedure is needed in the future, subsequent rulemaking will be proposed. No change was made as a result of this comment.

COMMENT: A commenter requests clarification of the billing procedures for apartment housing, i.e. which fee applies; residential or industrial/commercial?

RESPONSE: The statute allows the provider to apply fees in accordance with the provider's existing billing procedure until the Clean Water Commission promulgates rules defining a new procedure. If the provider's existing procedures do not clearly support one type of fee over the other, then the provider can choose either fee, a residential fee per apartment or an industrial/commercial fee for the entire apartment building. No change was made as a result of this comment.

COMMENT: A comment states that the proposed rulemaking on sewer service connection fees does not include the exemption for suppression systems.

RESPONSE AND EXPLANATION OF CHANGE: The reference to the exemption for fire suppression systems has been added to the proposed rulemaking.

10 CSR 20-6.011 Fees

(4) Construction Fees.

APPENDIX A	
Operating permit—section 644.052, RSMo	
Human sewage discharges—annual fees	
\$100 for a design flow, or an adjusted design flow, under 5,000 gallons per day (gpd)	
\$150 for a design flow between 5,000 and 5,999 gpd	
\$175 for a design flow between 6,000 and 6,999 gpd	
\$200 for a design flow between 7,000 and 7,999 gpd	
\$225 for a design flow between 8,000 and 8,999 gpd	
\$250 for a design flow between 9,000 and 9,999 gpd	
\$375 for a design flow between 10,000 and 10,999 gpd	
\$400 for a design flow between 11,000 and 11,999 gpd	
\$450 for a design flow between 12,000 and 12,999 gpd	
\$500 for a design flow between 13,000 and 13,999 gpd	
\$550 for a design flow between 14,000 and 14,999 gpd	
\$600 for a design flow between 15,000 and 15,999 gpd	
\$650 for a design flow between 16,000 and 16,999 gpd	
\$800 for a design flow between 17,000 and 19,999 gpd	
\$1,000 for a design flow between 20,000 and 22,999 gpd	
\$2,000 for a design flow between 23,000 and 24,999 gpd	
\$2,500 for a design flow between 25,000 and 29,999 gpd	
\$3,000 for a design flow between 30,000 gpd and 1 million gallons per day (1 mgd)	
\$3,500 for a design flow 1 mgd and above	

Sewer connection fees	
Residential connections	
\$0.40 per connection for service areas having > 35,000 customers	
\$0.50 per connection for service areas having 35,000–20,001 customers	
\$0.60 per connection for service areas having 20,000–7,001 customers	
\$0.70 per connection for service areas having 7,000–1,001 customers	
\$0.80 per connection for service areas having < 1,000 customers	
Industrial/commercial connections	
\$3 per connection to public water service lines ≤ 1 inch in diameter or per connection to a private water supply system	
\$10 per connection to public water service lines > 1 inch and ≤ 4 inches in diameter	
\$25 per connection to public water service lines > 4 inches in diameter	
Maximum fee to each industrial/commercial facility is \$700	
Size of the connections shall be measured at the service meter	
Taps for fire suppression and irrigation systems are excluded	

Industrial discharges—annual fees for site-specific permits	
Discharges covered by section 644.052.4, RSMo	
\$3,500 for a design flow under 1 mgd	
\$5,000 for a design flow of 1 mgd or more	
Discharges covered by section 644.052.5, RSMo	
\$1,350 for a design flow under 1 mgd	
\$2,350 for a design flow of 1 mgd or more	
\$5,000 for discharges from concentrated animal feeding operations	

General permits—permit and annual fees
\$300 for the discharge of storm water from a land disturbance site
\$50 annually for the operation of a chemical fertilizer or pesticide facility
\$150 for the operation of an animal feeding operation or a concentrated animal feeding operation
\$150 annually for new permits for the discharge of process wastewater or storm water potentially contaminated by activities not included in the categories above. The fee shall be reduced to \$60 annually after the permit's first renewal

Construction permits—section 644.053, RSMo
\$750 for a wastewater treatment plant under 500,000 gpd design flow
\$2,200 for a wastewater treatment plant of 500,000 gpd or more
\$75 for sewer extension under 1,000 feet long
\$300 for a sewer extension over 1,000 feet long or the construction of a lift station
Permittees proposing to build under more than one (1) construction unit are only required to pay the highest fee

Permit Modifications—section 644.052.7 and 644.052.8
\$200 for modifications to permits on public entities collecting service connection fees under subsections (2)(B) and (2)(C)
All other permits—25% of annual permit fee

Variations—section 644.061.4
\$250 for each petition

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 6—Permits**

ORDER OF RULEMAKING

By the authority vested in the Missouri Clean Water Commission under section 644.026, RSMo 2000, the commission amends a rule as follows:

10 CSR 20-6.060 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2880-2881). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Clean Water Commission received 21 comments on this proposed amendment.

COMMENT: Certifications need to be issued in a timely manner.
RESPONSE: Agreed. This is one of the requirements of the statute. Staff recognizes that this has been a problem and has initiated systems to produce more timely certification actions. No change was made as a result of this comment.

COMMENT: Some water quality certification conditions have little to do with water quality standards.

RESPONSE AND EXPLANATION OF CHANGE: Staff disagrees that water quality conditions have little to do with the Water Quality Standards, although recognizing the ties to water quality could be explained better. The Antidegradation portion of the Water Quality Standards 10 CSR 20-7.031(2)(B) states "that existing quality shall be fully maintained and protected. Water quality may be lowered only if the state finds, after full satisfaction of the intergovernmental coordination and public participation requirements, that the lowered water quality is necessary. . . ." In addition the general criteria specify certain performance standards that must be satisfied to be consistent with the standards (see 10 CSR 20-7.031(3)). The commenter stated the "entire water quality certification program has become a means by which staff are attempting to reduce activities that take place in streams." The purpose of the water quality standards is to regulate what activities take place in waters of the state and for protection of the chemical, physical and biological integrity of the resource. Staff, however, will strive to better tie certifications to water quality standards.

Section 401 of the federal Clean Water Act states: "Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 1311, 1312, 1313, 1316, and 1317 of this title. In the case of any such activity for which there is not an applicable effluent limitation or other limitation under sections 1311(b) and 1312 of this title, and there is not an applicable standard under sections 1316 and 1317 of this title, the State shall so certify, except that any such certification shall not be deemed to satisfy section 1371(c) of this title. Such State or interstate agency shall establish procedures for public notice in the case of all applications for certification by it and, to the extent it deems appropriate, procedures for public hearings in connection with specific applications. In any case where a State or interstate agency has no authority to give such a certification, such certification shall be from the Administrator. If the State, interstate agency, or Administrator, as the case may be, fails or refuses to act on a request for certification, within a reasonable period of time (which shall not exceed one year) after receipt of such request, the certification requirements of this subsection shall be waived with respect to such Federal application. No license or permit shall be granted until the certification required by this section has been obtained or has been waived as provided in the preceding sentence. No license or permit shall be granted if certification has been denied by the State, interstate agency, or the Administrator, as the case may be."

The following language will be added to the purpose section of the rule: The certification will contain such conditions that ensure the proposed activity will comply with the state water quality standards and other applicable standards as required by federal law.

COMMENT: Water Quality Standards should be cited for 401 Certification Conditions.

RESPONSE: The Water Quality Standards are not written prescriptively for specifically planned activities. They draw on the technical knowledge of staff to apply them in a reasonable manner for the project under review. The department intends to include performance standards such as the Aquatic Resources Mitigation Guidelines or the Sand and Gravel Excavation Guidelines into reg-

ulation in a rule so that the expectations of projects are clearly communicated. No change was made as a result of this comment.

COMMENT: There should be shorter time limits for water quality certifications for projects requiring individually certified nationwide permits.

RESPONSE AND EXPLANATION OF CHANGE: The department issued a general 401 water quality certification for all but a few nationwide permits (not certifying mining or dredging, which is authorized in Missouri by a general permit already, and certain types of projects that are classified as categorical exclusions). The Corps rejected all of the certifications at first, and later accepted certifications for the nationwide permits that are used most frequently (for example, bank stabilization and bridges). A thirty-day time limit for water quality certification for projects requiring individually certified nationwide permits could be achievable for most nationwide permits. There would be a problem meeting that time frame, though, with extensive projects needing detailed review, for instance nationwide permit #23, which is for projects that are categorically excluded from environmental review. When more information needs to be gathered on a project to write certifications, the certification writer has to make phone calls, and may have to wait for Corps employees, city or county employees, landowners, engineers or various other people to call back according to their schedule. This could take many days, and being locked into a rigid, short time frame is impractical in some circumstances. Applicants are usually willing to allow more time for reaching decisions on certifications on complex projects, especially when the certification can include requirements that are mutually agreeable. For instance, the landowner and staff may come to an agreement to change a project to a more environmentally sound alternative. To come to these conclusions sometimes requires several discussions, consideration of several options and perhaps site visits.

The language in section (5) will be changed to read that there shall be a sixty-day time limit for water quality certification for projects requiring individually certified nationwide permits, although the department will strive to complete these certifications in thirty days.

COMMENT: A third group of permits is missing—nationwide permits that DNR has not certified, including mining, utilities, construction, agriculture and industries. Any application to the Corps relating to these should be waived or certified by DNR.

RESPONSE: As noted above, most nationwide permits were certified although the Corps did not accept all of the certification conditions. Nationwide permits with accepted certification conditions are available for the following: #3 (Maintenance), #7 (Outfall Structures), #12 (Utility Line Activities), #13 (Bank Stabilization), #14 (Linear Transportation Crossings), #30 (Wetland and Riparian Restoration and Creation Activities and Moist Soil Management for Wildlife), #39 (Residential, Commercial and Institutional Developments), #40 (Agricultural Activities), #41 (Reshaping Existing Drainage Ditches), #42 (Recreational Facilities), #43 (Stormwater Management Facilities) and #44 (Mining Activities). Other Nationwide Permits are handled on an individual basis depending on the scope of the project. Staff will continue working with the Corps in hopes that all water quality certifications will be accepted when the nationwide permits are renewed, which will occur toward the end of this calendar year. No change was made as a result of this comment.

COMMENT: The Corps of Engineers should be the party that determines when an application is complete.

RESPONSE AND EXPLANATION OF CHANGE: The Corps of Engineers is the lead agency for processing section 404 permits. The department is the agency that will decide if an application is

complete for water quality certification purposes hence section (5) will refer to the department's receipt of applications and decisions as to whether the application is complete. Language in section (5) has been modified. The department will work with the Corps to modify working procedures to facilitate the joint processing of applications.

COMMENT: The sentence, "Submission of an incomplete application, as determined by the Army Corps of Engineers, may result in the denial of water quality certification without prejudice" should be included in the rule.

RESPONSE: The department will decide when an application for water quality certification is complete. If the department decides that an application is incomplete for water quality certification purposes, the department will have to return the application to the Corps for more information. No change was made as a result of this comment.

COMMENT: The Department of Natural Resources should provide written notice to an applicant if an application is considered incomplete. In cases where the department has issued notice (or a letter) that the application is incomplete, it should later provide written notice when the application is complete, should that occur.

RESPONSE: If an application is deemed incomplete by the department, the application will be sent back to the Corps or applicant with a request to supply the needed information. No change was made as a result of this comment.

COMMENT: Water quality certification conditions should be based on science.

RESPONSE: Agreed. Staff relies on good science in formulating its policies and fashioning conditions to protect water quality. For instance, in view of the department's mission to protect the biological community in streams, the staff is encouraging cities to consider hydrogeomorphic options to help return streams to their pre concrete-armored conditions to recreate natural stream conditions and to provide fish and aquatic invertebrate habitat in urban areas. No changes were made as a result of this comment.

COMMENT: Many department comments seem to lack scientific objectivity and appear to have a predetermined bias against projects with dams.

RESPONSE: Scientists are concerned with the impacts watershed dams have on the resource. Staff and the Corps of Engineers have offered similar comments and conditions on other similar structures as they proceed through the section 404 permit process. These are extensive projects that profoundly affect the hydrology of watersheds and must be reviewed in that light. No change was made as a result of this comment.

COMMENT: Mitigation required by water quality certification is often not planned into projects at an early stage and is an extra requirement that is not based on water quality standards authority and is an extra penalty and cost.

RESPONSE: It is unfortunate that project sponsors do not take into account the possibility that a project may involve generating more detailed information for the permitting process or that mitigation for environmental impacts may be required. We regret their lack of involvement in projects during planning stages, but have suggested several ways to remedy this situation. For frequent issues, we will strive to better publicize or codify expectations for water quality protection. For example, the State Aquatic Resources Mitigation Guidelines were developed in conjunction with the Missouri Department of Conservation, United States Fish and Wildlife Service, United States Environmental Protection Agency, the United States Corps of Engineers, the Natural Resources

Conservation Service, and the Missouri Department of Transportation to provide guidance on when mitigation is needed and procedures to follow. These guidelines could be incorporated into rule. Mitigation allows many projects to proceed that would otherwise be denied. The requirement in the standards at 10 CSR 20-7.031(2)(G) "Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community" clearly prohibits filling wetlands or relocating stream channels. These activities are allowed through permitted activities provided that the resources that are damaged in the process are made whole, i.e., mitigated. Including mitigation features in projects during planning stages is the preferable method to address these damages. Potential delays in permitting and extra costs can be minimized by addressing these needs early in project development. No change was made as a result of this comment.

COMMENT: The State of Missouri Aquatic Resources Mitigation Guidelines are being used as regulations when the Clean Water Commission has not approved them.

RESPONSE: In 10 CSR 20-6.060(4), it states that consideration shall be given to both direct and indirect water quality effects before issuing or denying water quality certification. In a federal executive order, wetlands were given priority and a "no net loss" goal was established. As a part of the "no net loss" goal, the Corps and the U.S. Environmental Protection Agency set a minimum 1:1 mitigation ratio for wetlands, with higher ratios expected for wetlands of higher value or longer regeneration times. Through an interagency process, the Missouri Department of Natural Resources established the State of Missouri Aquatic Resources Mitigation Guidelines as a vehicle to achieve that goal with input from a variety of other agencies. The department is planning to incorporate the Guidelines as a rule, as well other facets of the water quality certification process and procedures. No change was made as a result of this comment.

COMMENT: The department should consider a general permit for certain types of similar projects.

RESPONSE: The Missouri Department of Natural Resources issues certifications for almost all Corps of Engineers general permits and nationwide permits. For instance, general permits are available for the following: #3 (Maintenance), #7 (Outfall Structures), #12 (Utility Line Activities), #13 (Bank Stabilization), #14 (Linear Transportation Crossings), #30 (Wetland and Riparian Restoration and Creation Activities and Moist Soil Management for Wildlife), #39 (Residential, Commercial and Institutional Developments), #40 (Agricultural Activities), #41 (Reshaping Existing Drainage Ditches), #42 (Recreational Facilities), #43 (Stormwater Management Facilities) and #44 (Mining Activities). Other Nationwide Permits are handled on an individual basis depending on the scope of the project. The last reauthorization of nationwide permits left some nationwide permits without corresponding water quality certifications, and the department will strive to achieve an accepted water quality certification for each nationwide permit in the upcoming renewal. No change was made as a result of this comment.

COMMENT: For projects that would be authorized by a general or nationwide permit, the applicant should not need to send an application to Missouri Department of Natural Resources. This change is necessary to insure applicants are not penalized for the department's failure to certify or deny the Army Corps of Engineers' general or nationwide permits.

RESPONSE: There are a variety of general permits available for applicants as addressed in the comment above. Also as noted above, the department issued water quality certifications for almost all of the nationwide permits. It was the Corps' decision not to

accept them. The proposed amendment would add the language "If the applicant believes a project will be authorized by a general or nationwide 404 permit for which the Corps of Engineers (COE) has accepted DNR's certification, the applicant need not send an application to DNR" and it thus appears that this question is addressed. No change was made as a result of this comment.

COMMENT: There should be a system where other agencies' engineers can certify its own projects.

RESPONSE: The federal Clean Water Act assigns to the state the responsibility of issuing certifications for projects likely to result in any discharge into navigable waters. The Missouri Department of Natural Resources is charged with this duty. Accepting certification of projects from other agencies would delegate this responsibility to parties that are not directed to implement the state Clean Water Law, and in addition, may subject those agencies to appeals of their decisions on certifications. Also, because each agency's mission is different, it tends to focus on how a project will further its goals. A system of checks and balances ensures all the issues are considered. No change was made as a result of this comment.

COMMENT: What is the disposition of water quality certification if it is not issued within the 60-day time frame?

RESPONSE AND EXPLANATION OF CHANGE: Ms. Deborah Neff, Missouri Attorney General's office, reported that the general rule from Missouri case law exists that where a state agency does not act within the time provided, it can be deemed denied. The rule could be made explicit that water quality certification is waived if a decision is not reached by the statutory deadline and an agreement on an extension has not been reached with the applicant. If the project subsequently changes in negotiation with the Corps, the waived water quality certification would no longer be in effect. Language has been added to the end of section (5).

COMMENT: The five Corps of Engineers districts with jurisdiction in Missouri have a long-standing Joint Public Notice agreement which was last renewed in 1991. The agreement states that Missouri agreed to provide its decision for most applications within ten days of the Corps request. The proposed amendment would make the existing agreement unworkable.

RESPONSE AND EXPLANATION OF CHANGE: Since the statutory time lines are maximums, water quality certifications can be issued more quickly when needed, and this would be consistent with the agreement. The opposite situation may also occur where the Corps continues in negotiation with an applicant as the statutory deadline approaches. In those cases, the wording change proposed above would allow the applicant and department to continue working past the deadline if both parties agree. Without such an agreement, the department would be bound to make a water quality certification decision, although that decision may need to be revisited later if the negotiation with the Corps results in a significant change in the project. A contingent certification decision could be issued that approves the project as it appeared in the Public Notice and this decision would apply to the project as long as nothing in the project changes from what was included in the public notice. Language has been added to the end of section (3).

COMMENT: The Corps of Engineers is the agency that determines whether the project satisfies the Endangered Species Act. In some instances the department's Water Pollution Control Program has insisted on conditions intended to protect species listed under the Endangered Species Act when both the U.S. Fish and Wildlife Service and the Missouri Department of Conservation have deemed the measures unnecessary.

RESPONSE: The protection of aquatic life is a beneficial use of Missouri waters as identified in the Missouri Water Quality Standards, 10 CSR 20-7.031(1)(C)5. Some endangered species are

included in the aquatic life that is protected. It is the duty of the Missouri Department of Natural Resources to protect aquatic life in waters of the state. No change was made as a result of this comment.

COMMENT: The latest Corps of Engineers application form should be used. The amendment stipulates the form ENG Form 4345, Aug. 89. That form has been revised a number of times over the years. The amendment should direct use of any subsequent Department of the Army application form modifications or reissuance.

RESPONSE AND EXPLANATION OF CHANGE: The form number and revision date must be stipulated in the rule, but it is unrealistic to think that another agency's forms never change. The department will use the latest ENG Form 4345, dated Feb. 94, or the latest revision. Language has been changed to read that the Army Corps of Engineers Form, ENG Form 4345, Feb. 94, or the latest revision, will be used in section (2).

COMMENT: The appeal process is not realistic or reasonable.

RESPONSE: The appeal process is not addressed in this amendment or in this rule. However, the department would welcome comments on how the appeal procedure appears to be unrealistic or unreasonable, and more importantly, how the process could be improved. No change was made as a result of this comment.

COMMENT: The Missouri Department of Natural Resources' Water Pollution Control Program should not be able to delay certifications because of insufficient documentation. A firm time frame should be set.

RESPONSE: This is a variation of the time frame and completeness questions. The department is not trying to delay certifications by asking for more information. Often projects come in for certification that do not contain the right information or sufficient information to formulate conditions for the project. When obtaining this information, other problems can come to light and must be dealt with. Water quality certifications cannot be issued without knowing what kind of impact the project will have on the water resource. 10 CSR 20-6.060(4)(B)2.A. instructs the department to "issue a certification that is conditioned upon the applicant meeting certain requirements or performing certain actions to prevent or minimize water quality problems." Conditions cannot be issued without understanding the scope of the project. No change was made as a result of this comment.

10 CSR 20-6.060 Water Quality Certification

PURPOSE: Section 401 of Public Law 92-500 requires that any applicant for a federal license or permit to conduct any activity which may result in any discharge into the navigable waters shall provide the federal licensing or permitting agency a water quality certification from the state. The certification will contain such conditions that ensure the proposed activity will comply with the state water quality standards and other applicable standards as required by federal law. This rule establishes the procedure and time limitations the Department of Natural Resources will follow in issuing certifications.

(2) Requests for water quality certifications should be sent by the applicant directly to the Department of Natural Resources (DNR), Water Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102. The request to the DNR should include a letter requesting the state's water quality certification for the proposed project and one (1) copy of the federal application (ENG Form 4345, FEB 94, or the latest revision) with drawings. (The federal agency requires one (1) copy of the federal application (ENG Form 4345, AUG 89) with appropriate drawings and one (1) copy of the letter to the DNR requesting certification.) If the applicant believes

a project will be authorized by a general or nationwide 404 permit for which the Corps of Engineers (COE) has accepted DNR's certification, the applicant need not send an application to DNR.

(3) In order to minimize delay in construction for individually permitted projects, the federal agency issues a DNR/federal public notice on the permit application. This notice provides the public an opportunity to provide their written comments regarding the proposed permit. A reasonable comment period, normally thirty (30) days, but not fewer than fifteen (15) days, is provided. The public notice will express DNR's intent to certify the proposed project after completion of the public notice period and resolution of any adverse water quality comments received. In the event the DNR receives a request for certification that should not be issued, the DNR will advise the federal agency within ten (10) working days that the joint public notice should not be issued. Individual public notices are not used for projects authorized by general or nationwide permits. When the Corps has not requested certification for a project that would be authorized by an individual permit, and the certification deadline approaches, a contingent certification action will be issued that approves the project as it appeared in the public notice. This certification is the final certification action on the project as long as nothing in the project changes from what was included in the public notice.

(5) Applications for water quality certifications have a sixty (60)-day period in which they must be issued or denied. This period starts when an application is received by the department. Applications for water quality certification for activities requiring individually certified nationwide permits have a thirty (30)-day but no more than sixty (60)-day period in which they must be issued or denied. Either of these periods may be extended by mutual agreement of the applicant and the department. Submission of an incomplete application may result in the denial of water quality certification without prejudice. A complete application consists of the sufficient application submitted to the COE, topographical maps, location maps, engineering plans, project diagrams, and where applicable, mitigation plans. If a water quality certification action has not been taken within sixty (60) days of the date that the application has been received by the department, and the department and applicant have not agreed to extend the certification period, water quality certification will be deemed to have been waived for the activity contained in the application.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 20—Clean Water Commission Chapter 14—Concentrated Animal Feeding Operation Waste Management System Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Clean Water Commission under section 644.026, RSMo 2000, the commission amends a rule as follows:

10 CSR 20-14.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2881-2883). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Clean Water Commission received 22 comments on this proposed amendment.

COMMENT: A commenter stated that the current rules should remain in place and be enforced.

RESPONSE: The department feels these changes are necessary to accomplish the goal of creating and maintaining an adequate pool of trained, skilled, certified CAFO waste management system operators. The commenter does not specifically address any of the proposed rule changes. The stakeholders recommended many of these proposed changes. No change was made as a result of this comment.

10 CSR 20-14.010(1)(B) Definition: CAFO Supervisor

COMMENT: Two commenters agree that supervisors must be available by phone or radio and able to respond to emergencies within 30 minutes.

COMMENT: Two commenters disagree with allowing supervisors 30 minutes to respond to an emergency. They feel that this would increase the likelihood and potential damage of a spill.

COMMENT: Another commenter disagreed with allowing "operators" up to 30 minutes to respond to an emergency.

RESPONSE: The proposed rule requires that certified operators are present at the land application sites and that supervisors are available for guidance to the certified operators by phone or radio. No change was made as a result of this comment.

10 CSR 20-14.010(1)(C) Definition: CAFO Assistant Supervisor

COMMENT: Two commenters agree with eliminating the "Assistant Supervisor" classification.

RESPONSE: No change was made as a result of this comment.

10 CSR 20-14.010(1)(D)(C) Definition: CAFO Operator

COMMENT: Three commenters agree that operators should be allowed to supervise up to five trainees.

RESPONSE: No change was made as a result of this comment.

10 CSR 20-14.010(1)(E)(D) Definition: CAFO Operator Trainee

COMMENT: Two commenters agree with this change to allow trainees to work "under the direct supervision" of a CAFO operator or supervisor, rather than "in the presence of" a CAFO operator or supervisor.

RESPONSE: No change was made as a result of this comment.

10 CSR 20-14.010(2)(A) CAFO Waste Management System Requirements: Operator Requirements

COMMENT: A commenter states that all CAFO wet-handling waste management systems should have a certified operator, regardless of their size classification.

RESPONSE: This comment is not within the scope of this proposed rulemaking. The commission will proceed with the proposed change to this rule that clarifies the requirement for certified personnel also applies to "Class 1A dry handling" CAFO waste management systems.

10 CSR 20-14.010(2)(C) CAFO Waste Management System Requirements: Time Frames

COMMENT: Two commenters agree with the change that will allow operator trainees 60 days, rather than 30 days, to submit their certification applications to the department.

COMMENT: One commenter disagreed with the change that will allow operator trainees 18 months, rather than 12 months from initial employment, to complete their training and pass the examination.

RESPONSE: These changes are necessary to allow sufficient time for seasonal/summer employees to submit applications and complete their training. The commission will proceed with the proposed changes to this rule.

10 CSR 20-14.010(2)(D) CAFO Waste Management System Requirements: System Classification

COMMENT: Two commenters agree with eliminating the current classification point system for operator certification levels.

RESPONSE: The commission will proceed with the proposed change to this rule.

10 CSR 20-14.010(2)(E) CAFO Waste Management System Requirements: Owners

COMMENT: A commenter disagrees with the requirement that employers furnish the department with the names, addresses and positions of their operators and trainees, stating this is "confidential information."

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that owners should not be required to furnish confidential information regarding their operators and trainees. The term "addresses" will be changed to "business addresses" and "operator trainees" added to the sentence. The proposed additional sentence referring to operator trainees will be removed.

10 CSR 20-14.010(5) Effective Date

COMMENT: Two commenters stated that this effective date section should be deleted.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that this section should be deleted. The effective date is already listed in the Authority Section. This section will be deleted from the rule.

10 CSR 20-14.010 Classification of Concentrated Animal Feeding Operation Waste Management Systems

(2) CAFO Waste Management Systems Requirements.

(E) The owners of CAFO waste management systems shall furnish the department, upon request, the names, business addresses and positions of all employees who are operator trainees, CAFO operators or CAFO supervisors within their CAFO waste management systems.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 14—Concentrated Animal Feeding Operation
Waste Management System Operations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Clean Water Commission under section 644.026, RSMo 2000, the commission amends a rule as follows:

10 CSR 20-14.020 Certification of Concentrated Animal Feeding Operation Waste Management System Operators is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2883–2885). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Clean Water Commission received 17 comments on this proposed amendment. No changes were made to the proposed rulemaking as a result of these comments.

COMMENT: A commenter stated that the current rules should remain in place and be enforced.

RESPONSE: The department feels these changes are necessary to accomplish the goal of creating and maintaining an adequate pool of trained, skilled, certified CAFO waste management system operators. The commenter does not specifically address any of the

proposed rule changes. The stakeholders recommended many of these proposed changes. No change was made as a result of this comment.

10 CSR 20-14.020(3)(G)1. Certification of Competency:
Pre-certification Course

COMMENT: Two commenters disagree with the requirement for a thirty-hour pre-certification training “course.” These commenters would prefer “cumulative” training hours, with a minimum course length of 1 hour, that may include “hands-on practical application.”

RESPONSE: The department already allows this thirty-hour course to be offered in a modular format that allows hands-on practical application. Currently, one such course is approved as five one-day modules. The modules are referred to as day one of five, day two of five, etc. They may be taken in any order. When all five modules are completed, the training requirement has been met. Allowing “cumulative” hours and one-hour courses could result in thirty different one-hour training courses. The commission will proceed with the proposed change to this rule which adds the terms “pre-certification” and “training” to this section.

10 CSR 20-14.020(3)(G)1.A. Certification of Competency: Wet
Handling Systems

COMMENT: Two commenters said that the pre-certification training requirement for CAFO wet handling system operators should be reduced from thirty hours to sixteen hours. However, these commenters specified “sixteen hours of in-class training,” saying that “hands-on training” would go beyond that.

COMMENT: A commenter stated that the pre-certification training requirement for CAFO wet handling system operators should be reduced from thirty hours to twelve hours.

RESPONSE: Two different thirty-hour entry-level training courses have already been developed and presented several times. These courses are based on the information and skills that CAFO operators need to know. The commenters offer no examples, ideas or plans of how this training could effectively be reduced to twelve or sixteen hours. The commission will retain the current pre-certification training requirement for CAFO wet handling system operators outlined in this rule.

10 CSR 20-14.020(3)(G)1.B. Certification of Competency: Dry
Handling Systems

COMMENT: A commenter stated that the pre-certification training requirement for CAFO dry handling system operators should be reduced from eighteen hours to twelve hours.

RESPONSE: Thus far, no dry handling pre-certification courses have been submitted to the department for approval. The commenter offers no examples, ideas or plans of how a dry handling course could effectively be reduced from eighteen hours to twelve hours. The commission will retain the current pre-certification training requirement for CAFO dry handling system operators outlined in this rule.

10 CSR 20-14.020(3)(G)2. Certification of Competency: Table of
Experience Requirements

COMMENT: Two commenters agree with the change that will allow supervisors 6 months additional equivalency experience for a graduate level degree in a related field.

COMMENT: Two commenters stated that the experience requirements for supervisors and operators should be further reduced or eliminated. The commenters suggested a reduction to one or two years experience for supervisors, rather than the proposed reduction from six years to four years. However, one of these commenters also stated that he could “live with” the proposed change to four years.

COMMENT: Another commenter is against any reductions in the experience requirements for supervisor or operator.

RESPONSE: Reductions in the experience requirements are needed to more accurately reflect the available work force in the CAFO

industry. With this proposed change, Missouri will continue to have the most stringent experience requirements of any state. The commission will proceed with the proposed change to this rule.

10 CSR 20-14.020(3)(H)1. Certification of Competency: Table of
Equivalent Experience

COMMENT: A commenter agrees with this change to allow an additional 6 months equivalency experience for a graduate level degree in a related field.

RESPONSE: The commission will proceed with the proposed change to this rule.

10 CSR 20-14.020(3)(I)1. Certification of Competency:
Experience Time Frames

COMMENT: Two commenters agree to allow eighteen cumulative months, rather than fifteen months, for trainees to gain their operational experience.

COMMENT: A commenter states that “temporary/summer employees” should have four years, rather than fifteen months, to gain their operational experience.

RESPONSE: This recommended change will allow summer employees more than one summer season to comply with the rule. The commission will proceed with a proposed change to this rule allowing eighteen months to gain experience.

10 CSR 20-14.020(4)(B)1. Certificate Renewal: Renewal
Training Hours

COMMENT: A commenter states that the renewal training requirement for wet handling systems should be reduced from twenty-four hours to twelve hours, per three-year renewal period. However, this commenter said that they could meet the current 24-hour requirement if the minimum course length were reduced to one hour and credit hours were allowed for “hands-on” training.

RESPONSE: According to the proposed change in 10 CSR 20-14.030(5), the minimum course length for renewal training will be reduced from three hours to one hour. The department approves organized and structured hands-on training. The commenter offers no examples, ideas or plans of how this renewal training could effectively be reduced from twenty-four hours to twelve hours. The commission will retain the current renewal training requirement for CAFO wet handling waste management systems outlined in this rule.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 14—Concentrated Animal Feeding Operation
Waste Management System Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Clean Water Commission under section 644.026, RSMo 2000, the commission amends a rule as follows:

10 CSR 20-14.030 Operator Training is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2885). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Clean Water Commission received 2 comments on this proposed amendment. No changes were made to the proposed rulemaking as a result of these comments.

COMMENT: A commenter stated that the current rules should remain in place and be enforced.

RESPONSE: The department feels these changes are necessary to accomplish the goal of creating and maintaining an adequate pool of trained, skilled, certified CAFO waste management system operators. The commenter does not specifically address any of the proposed rule changes. The stakeholders recommended many of these proposed changes. No change was made as a result of this comment.

10 CSR 20-14.030(5) Operator Training: Renewal Credit

COMMENT: A commenter agrees that the minimum course length allowed for credit hours should be changed from three hours to one hour.

RESPONSE: The commission will proceed with the proposed change to this rule.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805, 313.817 and 313.822, RSMo 2000, the commission adopts a rule as follows:

11 CSR 45-5.065 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2001 (26 MoReg 345). Changes have been made in the text of the proposed rule, so it is reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received.

COMMENT: Clarence Greeno, Gaming Enforcement Manager with the Missouri Gaming Commission stated the following: 11 CSR 45-5.065, as proposed does not preclude individuals who are otherwise illegally on the gaming floor from claiming jackpot. I believe wording should be included which would preclude all individuals illegally on the gaming floor from being eligible to claim jackpots.

RESPONSE AND EXPLANATION OF CHANGE: Therefore, based upon the above comment the language in the proposed rule has been changed to the following:

11 CSR 45-5.065 Patrons Unlawfully on Excursion Gambling Boat—Not Eligible for Gambling Game Winnings

(2) Patrons that are excluded from excursion gambling boats pursuant to 11 CSR 45-10.115, 11 CSR 45-15 et seq., 11 CSR 45-17 et seq., patrons who are under twenty-one (21) years of age and patrons who are otherwise illegally on the excursion gambling boat are not eligible to claim gambling game payouts.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director adopts a rule as follows:

12 CSR 10-103.370 Manufactured Homes is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2001 (26 MoReg 581-582). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 20—Pharmacy Program**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under section 208.201, RSMo 2000, the director hereby adopts a rule as follows:

13 CSR 70-20.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2001 (26 MoReg 246). Changes have been made in the text of the proposed rule, so they are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: Written comments regarding the return of drugs were received from: Denman Pharmacy Services; Managed Health Care Pharmacy; Missouri Association of Homes for the Aging; Omnicare Pharmacy of the Midwest, Inc.; Henderson's Drug Store; Interlock Pharmacy Systems, Inc.; Patton Boggs LLP, Attorneys At Law; Missouri Pharmacy Association; and American Society of Consultant Pharmacists.

COMMENT: Nine comments were received that raised concern that the proposed rule would require the return of all non-used medications without regard to the acceptability of those products for reuse under federal and state law and regulation. There were also concerns expressed that there was no compensation for the cost to pharmacies for processing reusable returned drugs.

RESPONSE AND EXPLANATION OF CHANGE: The state agency concurs that the original language could have been interpreted to give this impression. The intent of the regulation was to require the return of medications that could, in the pharmacist's professional judgement and under federal and state law and regulation, be reused and the crediting to the state agency the cost of those returned medications. Therefore, the language of the rule had been modified in this final order of rulemaking. Therefore, the language of the rule has also been changed to recognize administrative costs for processing reusable returned drugs, subject to appropriation.

COMMENT: Nine comments were received that stated that the state agency could not abrogate a pharmacist's responsibility by mandating the return of medication without allowing the pharmacist to use his or her professional judgement in determining which medications may reasonably and safely be returned to stock and ultimately reused.

RESPONSE AND EXPLANATION OF CHANGE: The intent of the regulation was to require the return of medications that could, in the pharmacist's professional judgement and under federal and state law and regulation, be reused and the crediting to the state agency the cost of those returned medications. Rather than not allowing pharmacists to use their professional judgement, the state agency is relying upon that very professional judgement to identify

those medications which can reasonably be returned for reuse under state and federal law and regulation. Credit is only required for those returned products which are deemed by the pharmacist in his or her professional judgement to be reusable. The language has been modified to reflect this.

COMMENT: Nine comments received referred to guidelines by a national pharmacy association, the federal Food and Drug Administration (FDA), a regulation promulgated by the Missouri State Board of Pharmacy, or "industry standards" regarding the appropriate return and reuse of medications and appropriate procedures to support this practice. Four of these comments suggest that this is a new function for Missouri Medicaid pharmacy providers.

RESPONSE: The development of guidelines and regulations by a national pharmacy association and the FDA would not have been necessary had the practice of return and reuse of medications not already been taking place in the industry, and the necessity identified for guidance regarding the appropriate way to conduct this practice. The state agency has received a number of contacts regarding the practice of receiving and reusing medications returned when no longer required by Medicaid patients residing in long-term care facilities. The state agency is promulgating this regulation to assure that appropriate credit is received by the state for products that are redispensed as well as to prevent the waste of medications that could be, but are not currently being returned for reuse.

COMMENT: Nine comments were received suggesting that the proposed rule was remiss in not addressing issues such as the appropriate storage, tracking, and security of returned medications received from long-term care facilities.

RESPONSE: The state agency is not establishing standards for internal pharmacy business practices. This is the purview of other regulatory agencies and professional groups that establish the industry standards.

COMMENT: Four comments were received that stated that Section (1)(A) would appear to address sealed ampoules, vials, transdermal patches, and other products that are outside a Controlled Delivery System. Clarification was requested.

RESPONSE AND EXPLANATION OF CHANGE: The intent of the regulation was to require the return of medications that could, in the pharmacist's professional judgement and under federal and state law and regulation, be reused and the crediting to the state agency the cost of those returned medications. Rather than not allowing pharmacists to use their professional judgement, the state agency is relying upon that very professional judgement to identify those medications which can reasonably be returned for reuse under state and federal law and regulation. Credit is only required for those returned products which are deemed by the pharmacist in his or her professional judgement to be reusable. The language has been clarified to include the requirement of the return and crediting to the state of medications in other packaging which under federal and state law and regulation and in the pharmacist's professional judgement may be reused.

COMMENT: Five comments were received which stated that no consideration is given in the proposed rule to the expiration date of the returned medication and the impact of that date on the feasibility of the medication being reused.

RESPONSE: The intent of the regulation was to require the return of medications that could, in the pharmacist's professional judgement and under federal and state law and regulation, be reused and the crediting to the state agency the cost of those returned medications. Rather than not allowing pharmacists to use their professional judgement, the state agency is relying upon that very professional judgement to identify those medications which can rea-

sonably be returned for reuse under state and federal law and regulation. Credit is only required for those returned products which are deemed by the pharmacist in his or her professional judgement to be reusable.

The expiration date of the medication would necessarily play a part in the determination that the product could reasonably be returned for reuse.

COMMENT: One comment suggested that the regulation should specifically address the possibility of the return of medications that had previously been re-dispensed.

RESPONSE: It is not necessary for the proposed regulation to address this issue. The state agency is relying upon the professional judgement of the pharmacist to determine whether or not a returned product may be reused.

COMMENT: Nine comments recommended that the proposed rule address situations where the costs to accept the returned medication for reuse are greater than the cost of the medication.

RESPONSE: The agency does not believe this proposed change is necessary due to the wide range of medication costs.

COMMENT: Two comments recommended that the state agency withdraw the proposed amendment because it does not conform with Missouri law.

RESPONSE: The state agency does not feel that, with the clarifications provided in this final order of rulemaking, there is any need for the withdrawal of the proposed rule.

COMMENT: Two comments listed the conditions under which the proposed rule would be supported. These conditions consisted of the industry standards referenced elsewhere in the comments.

RESPONSE: It is the state agency's contention that the current language of the proposed rule allows for the application of the standards referenced.

COMMENT: One comment that the proposed rule would not meet its intent to reduce medication costs.

RESPONSE: The state agency does not concur. The state agency has received a number of contacts regarding the practice of receiving and reusing medications returned when no longer required by Medicaid patients residing in long-term care facilities. The state agency is promulgating this regulation to assure that appropriate credit is received by the state for products that are redispensed as well as to prevent the waste of medications that could be, but are not currently being returned for reuse.

COMMENT: Four comments suggested that the reimbursement received by Missouri Medicaid pharmacies for dispensing medications on behalf of Medicaid eligible patients residing in long-term care facilities is not sufficient to cover the cost of dispensing, due to the complexities inherent in this type of practice.

RESPONSE: The issue of reimbursement for medications dispensed on behalf of Missouri Medicaid patients is not addressed in this regulation.

COMMENT: The comment suggested that implementing the policy described in the proposed rule would significantly increase the state's administrative costs.

RESPONSE: The state agency does not concur.

COMMENT: One comment suggested that the implementation of the policy described in the proposed rule would jeopardize the revenues received from the rebate program.

RESPONSE: The state agency does not concur. In the absence of the policy, should a product be returned and subsequently re-dispensed on behalf of a Medicaid patient, the rebating manufacturer could be invoiced a second time for the same medication. This policy would preclude that event. The implementation of this

policy would strengthen the integrity and accuracy of the rebate program.

COMMENT: Seven comments stated that the proposed rule fails to address the integrity of product and packaging for returned medications.

RESPONSE: The state agency is relying upon the pharmacist's professional judgement to identify those medications which can reasonably be returned for reuse under state and federal law and regulation. Credit is only required for those returned products which are deemed by the pharmacist in his or her professional judgement to be reusable. Product and package integrity would necessarily play a part in the determination that the product could reasonably be returned for reuse.

COMMENT: One comment indicated that the proposed rule should address the potential impact of the new policy on drug diversion and economic fraud.

RESPONSE: The state agency is relying upon the pharmacist's professional judgement to identify those medications which can reasonably be returned for reuse under state and federal law and regulation. The agency will monitor implementation of this policy to determine if this occurs and if any change is necessary to respond to it.

COMMENT: One comment was received which suggested that the term "labeling" had no bearing on the definitions in this rule and falls short of meaningful information.

RESPONSE: A change in the proposed rule was made to provide clarity.

COMMENT: One comment was received that expressed concern about the term "repay" in section four.

RESPONSE AND EXPLANATION OF CHANGE: The language has been modified to clarify the intent of the agency.

13 CSR 70-20.050 Return of Drugs

(1) Definitions.

(A) Controlled-dose delivery system. A controlled-dose delivery system is defined as a system of dispensing of medications on behalf of a resident in a long-term care facility in manufacturer's unit dose packaging or pharmacist packager's unit dose, unit-of-use, or strip packaging with each tablet or capsule individually wrapped, or in blister cards, all of which must be dispensed according to applicable state and federal laws or regulations.

(2) Drugs dispensed in controlled-dose delivery system packaging and other drug products which may be returned for reuse per federal and state laws or regulations shall be returned to the dispensing pharmacy in accordance with federal or state laws or regulations when the recipient no longer uses the drug and that product, in the pharmacist's professional judgement may be reused.

(3) The Division of Medical Services shall not pay for an unused pharmacy item returned to the dispensing pharmacy by or on behalf of a Medicaid recipient, due to a change in prescription, hospitalization, death of a recipient, or other reason when the item can be accepted for reuse by the pharmacy in accordance with applicable federal or state laws or regulations.

(4) When a pharmacy dispenses drugs in a controlled-dose delivery system the pharmacy must give the Division of Medical Services credit for all reusable items (any unused portion) not taken by the Medicaid recipient. The Division of Medical Services may provide additional compensation to the pharmacy to recognize administrative costs for processing reusable returned drugs, subject to appropriation. In instances in which charges have been submitted prior to the return of an item the pharmacy shall file an

adjustment to notify the Division of Medical Services of the need to process a credit. The dispensing pharmacy that receives the returned drugs must provide a credit to the Division of Medical Services for the amount reimbursed for drug costs from which the prescription was billed, prorated to the quantity of the drug returned. The credited amount should not include dispensing fees.

Title 19—DEPARTMENT OF HEALTH Division 20—Division of Environmental Health and Communicable Disease Prevention Chapter 28—Immunization

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Health under sections 192.006 and 210.003, RSMo 2000, the director amends a rule as follows:

19 CSR 20-28.040 Day Care Immunization Rule is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 413). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Comments were received from 16 individuals and were given due consideration.

COMMENT: The individuals felt that varicella (chickenpox) vaccination should not be mandated. The letters included phrases such as: violates parents' rights to freedom of choice; removes right to self-determination; infringes on the rights of citizens; excludes parents from deciding what vaccines are appropriate for their children; removes parents' right to choose whether or not to vaccinate children; and, removes parents' freedom to make their own informed, voluntary vaccination decisions.

RESPONSE: The Department has reviewed these comments and decided not to make any changes to the proposed amendment. Currently, the Day Care Rule allows two options for parents who do not wish to vaccinate their children against chickenpox: medical and parent/guardian exemptions. Both of the exemptions require a card to be completed and filed at the day care facility.

COMMENT: The individuals indicated that chickenpox is not a serious disease, and felt that the vaccine could be harmful. Statements about the disease included phrases such as: almost never results in serious complications for any child; is generally not fatal; does not result in significant morbidity and mortality; and, does not pose a major health problem to the individual or community. Statements about the vaccine included: children may have a deadly reaction; the vaccine may carry an unpredictable risk of injury; mercury in vaccines is a health threat; the vaccine is a dangerous assault on the immune system; the vaccine is a dangerous substance; and, the vaccine is not cost effective.

RESPONSE: The Department has reviewed these comments and decided not to make any changes to the proposed amendment. Chickenpox disease can result in serious complications, including bacterial infections of skin lesions, pneumonia, dehydration, encephalitis, and hepatitis. National data indicate approximately 10,000 chickenpox-related hospitalizations and 100 deaths due to complications of chickenpox disease are reported annually. Varicella vaccine has been well tolerated when administered to healthy children, adolescents, and adults during clinical trials. The most common adverse reactions following varicella vaccine are injection site complaints, such as soreness, redness, and swelling. These are reported in approximately 20% of recipients. Local

reactions are generally mild and self-limited. Very rarely are more severe problems, such as pneumonia and seizures, reported. The vaccine does not contain the preservative thimerosal (an organic form of mercury). A cost benefit analysis based on hospitalization costs in Missouri has shown that for every dollar spent on varicella vaccine, more than \$67 could be saved in direct health care costs incurred as a result of the disease.

COMMENT: Individuals questioned the Department of Health's ability to mandate vaccinations through a rule amendment. Statements included such phrases as: the Department is circumventing the legislative process; changes to immunization rules should be made in the legislature; and, a public hearing should be held.

RESPONSE: The Department has reviewed these comments and decided not to make any changes to the proposed amendment. The Department's authority to promulgate this amendment is set forth in sections 192.006 and 210.003, RSMo 2000 as referenced in the Authority Section of the proposed rule.

COMMENT: One comment was received from a sixteenth individual who was opposed to a rule which allowed parents to verify in writing that their children had chickenpox disease. This person indicated that verification of the disease should be conducted by nurses.

RESPONSE: The Department has reviewed this comment and decided not to make any changes to the proposed amendment. Many cases of chickenpox are never seen by physicians or nurses. Usually only the parents/guardians are aware of their children's chickenpox history. Since natural varicella disease infers life-long immunity, the Department does not want to waste precious vaccine resources immunizing children who are already immune to the disease.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**ACTIONS TAKEN ON
APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Glassworkers Credit Union 523 South Truman Festus, Mo 63028	Persons living or working in Jefferson County and Ste. Genevieve County and family members and organizations of such persons.
Alliance Credit Union 575 Rudder Road Fenton, MO 63026	Those who work or reside in zip codes 63304, 63366, and 63367

**Title 6—DEPARTMENT OF HIGHER EDUCATION
Division 10—Commissioner of Higher Education
Chapter 5—Regulation of Proprietary Schools**

IN ADDITION

An order of rulemaking for this rule was published in the March 15, 2001 *Missouri Register* (26 MoReg 657–658). Due to a printing error, section (5) was not reprinted in its entirety as it had been published in the notice of proposed rulemaking in the December 1, 2000 *Missouri Register* (25 MoReg 2796–2805). For clarification, section (5) is reprinted here.

6 CSR 10-5.010 Rules for Certification of Proprietary Schools

(5) Certification Standards. The following standards are established as minimum requirements that must be met in order for a school to be issued a certificate of approval to operate in Missouri. As determined by the Coordinating Board for Higher Education, compliance with these standards shall be demonstrated and verified in the application for certification to operate and are subject to review and further determination by the department at any time.

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B3Z01197 Case Management Services; Kansas City Area 6/19/01;
B3Z01201 Facilitation of Supervision Groups 6/19/01;
B3Z01243 Insurance Broker Services 6/19/01;
B2Z01064 TCP/IP Network Monitoring Software 6/21/01;
B2Z01065 IT Research & Advisory Services 6/25/01;
B3Z01199 Residential Services, Kansas City Area 6/26/01;
B1Z01396 Jersey Tubing and Rib Knits 6/27/01;
B2Z01053 Adaptive Telephone Equipment 6/27/01;
B3Z01184 Pharmacy Services 6/29/01.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

1.) Applied Biosystems Maintenance, supplied by Applied Biosystems of Foster City, CA. 2.) Proprietary Maintenance-Bell & Howell Inserter, supplied by Bell & Howell.

1.) Tobacco Use Prevention Advertising using the WB11 Network, Cable Programming, Database, and Web Page, supplied by KPLR-TV, St. Louis, MO. 2.) Radio Advertising on MissouriNet, supplied by Learfield Communications, Jefferson City, MO. 3.) Direct Digital Control (DDC) System, supplied by Invensys Building Systems.

Applied Biosystems Reagents & Supplies, supplied by Applied Biosystems of Foster City, CA.

James Miluski, CPPO,
Acting Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				24 MoReg 2535 25 MoReg 2478
1 CSR 10-15.010	Commissioner of Administration	26 MoReg 103	26 MoReg 641	This Issue	
1 CSR 15-2.200	Administrative Hearing Commission		26 MoReg 390	26 MoReg 1187	
1 CSR 15-2.290	Administrative Hearing Commission		26 MoReg 390	26 MoReg 1187	
1 CSR 15-2.450	Administrative Hearing Commission		26 MoReg 391	26 MoReg 1187	
1 CSR 15-2.560	Administrative Hearing Commission		26 MoReg 391	26 MoReg 1187	
1 CSR 15-3.200	Administrative Hearing Commission		26 MoReg 391	26 MoReg 1188	
1 CSR 15-3.210	Administrative Hearing Commission		26 MoReg 392	26 MoReg 1188	
1 CSR 15-3.290	Administrative Hearing Commission		26 MoReg 392	26 MoReg 1188	
1 CSR 15-3.320	Administrative Hearing Commission		26 MoReg 392	26 MoReg 1188	
1 CSR 15-3.350	Administrative Hearing Commission		26 MoReg 393	26 MoReg 1188	
1 CSR 15-3.380	Administrative Hearing Commission		26 MoReg 394	26 MoReg 1189	
1 CSR 15-3.450	Administrative Hearing Commission		26 MoReg 395	26 MoReg 1189	
1 CSR 15-3.490	Administrative Hearing Commission		26 MoReg 395	26 MoReg 1189	
1 CSR 15-3.560	Administrative Hearing Commission		26 MoReg 395	26 MoReg 1189	
1 CSR 15-5.210	Administrative Hearing Commission		26 MoReg 396R	26 MoReg 1189R	
1 CSR 15-5.230	Administrative Hearing Commission		26 MoReg 396R	26 MoReg 1189R	
1 CSR 15-5.250	Administrative Hearing Commission		26 MoReg 396R	26 MoReg 1190R	
1 CSR 15-5.270	Administrative Hearing Commission		26 MoReg 397R	26 MoReg 1190R	
1 CSR 15-5.290	Administrative Hearing Commission		26 MoReg 397R	26 MoReg 1190R	
1 CSR 15-5.320	Administrative Hearing Commission		26 MoReg 397R	26 MoReg 1190R	
1 CSR 15-5.350	Administrative Hearing Commission		26 MoReg 397R	26 MoReg 1190R	
1 CSR 15-5.380	Administrative Hearing Commission		26 MoReg 398R	26 MoReg 1190R	
1 CSR 15-5.390	Administrative Hearing Commission		26 MoReg 398R	26 MoReg 1191R	
1 CSR 15-5.410	Administrative Hearing Commission		26 MoReg 398R	26 MoReg 1191R	
1 CSR 15-5.420	Administrative Hearing Commission		26 MoReg 398R	26 MoReg 1191R	
1 CSR 15-5.430	Administrative Hearing Commission		26 MoReg 399R	26 MoReg 1191R	
1 CSR 15-5.450	Administrative Hearing Commission		26 MoReg 399R	26 MoReg 1191R	
1 CSR 15-5.470	Administrative Hearing Commission		26 MoReg 399R	26 MoReg 1191R	
1 CSR 15-5.480	Administrative Hearing Commission		26 MoReg 399R	26 MoReg 1192R	
1 CSR 15-5.490	Administrative Hearing Commission		26 MoReg 400R	26 MoReg 1192R	
1 CSR 15-5.510	Administrative Hearing Commission		26 MoReg 400R	26 MoReg 1192R	
1 CSR 15-5.530	Administrative Hearing Commission		26 MoReg 400R	26 MoReg 1192R	
1 CSR 15-5.560	Administrative Hearing Commission		26 MoReg 400R	26 MoReg 1192R	
1 CSR 15-5.580	Administrative Hearing Commission		26 MoReg 401R	26 MoReg 1192R	
1 CSR 15-6.210	Administrative Hearing Commission		26 MoReg 401R	26 MoReg 1193R	
1 CSR 15-6.230	Administrative Hearing Commission		26 MoReg 401R	26 MoReg 1193R	
1 CSR 15-6.250	Administrative Hearing Commission		26 MoReg 401R	26 MoReg 1193R	
1 CSR 15-6.270	Administrative Hearing Commission		26 MoReg 402R	26 MoReg 1193R	
1 CSR 15-6.290	Administrative Hearing Commission		26 MoReg 402R	26 MoReg 1193R	
1 CSR 15-6.320	Administrative Hearing Commission		26 MoReg 402R	26 MoReg 1193R	
1 CSR 15-6.350	Administrative Hearing Commission		26 MoReg 402R	26 MoReg 1194R	
1 CSR 15-6.380	Administrative Hearing Commission		26 MoReg 403R	26 MoReg 1194R	
1 CSR 15-6.390	Administrative Hearing Commission		26 MoReg 403R	26 MoReg 1194R	
1 CSR 15-6.410	Administrative Hearing Commission		26 MoReg 403R	26 MoReg 1194R	
1 CSR 15-6.420	Administrative Hearing Commission		26 MoReg 403R	26 MoReg 1194R	
1 CSR 15-6.430	Administrative Hearing Commission		26 MoReg 404R	26 MoReg 1194R	
1 CSR 15-6.450	Administrative Hearing Commission		26 MoReg 404R	26 MoReg 1195R	
1 CSR 15-6.470	Administrative Hearing Commission		26 MoReg 404R	26 MoReg 1195R	
1 CSR 15-6.480	Administrative Hearing Commission		26 MoReg 404R	26 MoReg 1195R	
1 CSR 15-6.490	Administrative Hearing Commission		26 MoReg 405R	26 MoReg 1195R	
1 CSR 15-6.510	Administrative Hearing Commission		26 MoReg 405R	26 MoReg 1195R	
1 CSR 15-6.530	Administrative Hearing Commission		26 MoReg 405R	26 MoReg 1195R	
1 CSR 15-6.560	Administrative Hearing Commission		26 MoReg 405R	26 MoReg 1196R	
1 CSR 15-6.580	Administrative Hearing Commission		26 MoReg 406R	26 MoReg 1196R	
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 70-13.030	Plant Industries		26 MoReg 905		
2 CSR 80-5.010	State Milk Board		26 MoReg 909		
2 CSR 90-21.060	Weights and Measures		25 MoReg 2788	26 MoReg 865	
2 CSR 90-40.010	Weights and Measures		26 MoReg 1129R		
2 CSR 90-50.010	Weights and Measures		26 MoReg 1129R		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.113	Conservation Commission		26 MoReg 1130		
3 CSR 10-4.115	Conservation Commission		26 MoReg 1130R		
3 CSR 10-4.116	Conservation Commission		26 MoReg 646	26 MoReg 1196	
			26 MoReg 1131R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-5.205	Conservation Commission		26 MoReg 1132		
3 CSR 10-5.215	Conservation Commission		26 MoReg 1132		
3 CSR 10-5.216	Conservation Commission		26 MoReg 1132		
3 CSR 10-5.310	Conservation Commission		26 MoReg 1133		
3 CSR 10-5.315	Conservation Commission		26 MoReg 1133		
3 CSR 10-5.320	Conservation Commission		26 MoReg 1133		
3 CSR 10-6.405	Conservation Commission		26 MoReg 1134		
3 CSR 10-6.410	Conservation Commission		26 MoReg 1134		
3 CSR 10-6.505	Conservation Commission		26 MoReg 1135		
3 CSR 10-6.525	Conservation Commission		26 MoReg 1135		
3 CSR 10-7.455	Conservation Commission		N.A.	26 MoReg 1196	
3 CSR 10-9.575	Conservation Commission		26 MoReg 1136		
3 CSR 10-9.625	Conservation Commission		26 MoReg 1136		
3 CSR 10-10.744	Conservation Commission		26 MoReg 1136		
3 CSR 10-11.105	Conservation Commission		26 MoReg 1137		
3 CSR 10-11.110	Conservation Commission		26 MoReg 1137		
3 CSR 10-11.115	Conservation Commission		26 MoReg 1137		
3 CSR 10-11.120	Conservation Commission		26 MoReg 1138		
3 CSR 10-11.130	Conservation Commission		26 MoReg 1138		
3 CSR 10-11.135	Conservation Commission		26 MoReg 1139		
3 CSR 10-11.140	Conservation Commission		26 MoReg 1139		
3 CSR 10-11.145	Conservation Commission		26 MoReg 1139		
3 CSR 10-11.150	Conservation Commission		26 MoReg 1140		
3 CSR 10-11.155	Conservation Commission		26 MoReg 1140		
3 CSR 10-11.160	Conservation Commission		26 MoReg 1140		
3 CSR 10-11.165	Conservation Commission		26 MoReg 1141		
3 CSR 10-11.180	Conservation Commission		26 MoReg 1141		
3 CSR 10-11.182	Conservation Commission		26 MoReg 1144		
3 CSR 10-11.183	Conservation Commission		26 MoReg 1146		
3 CSR 10-11.186	Conservation Commission		26 MoReg 1146		
3 CSR 10-11.187	Conservation Commission		26 MoReg 1147		
3 CSR 10-11.200	Conservation Commission		26 MoReg 1147		
3 CSR 10-11.205	Conservation Commission		26 MoReg 1148		
3 CSR 10-11.210	Conservation Commission		26 MoReg 1149		
3 CSR 10-11.215	Conservation Commission		26 MoReg 1150		
3 CSR 10-11.805	Conservation Commission		26 MoReg 649	26 MoReg 1196	
			26 MoReg 1150R		
3 CSR 10-12.101	Conservation Commission		26 MoReg 1151		
3 CSR 10-12.105	Conservation Commission		26 MoReg 1151		
3 CSR 10-12.110	Conservation Commission		26 MoReg 1151		
3 CSR 10-12.115	Conservation Commission		26 MoReg 1152		
3 CSR 10-12.125	Conservation Commission		26 MoReg 1153		
3 CSR 10-12.130	Conservation Commission		26 MoReg 1154		
3 CSR 10-12.135	Conservation Commission		26 MoReg 1154		
3 CSR 10-12.140	Conservation Commission		26 MoReg 1154		
3 CSR 10-12.145	Conservation Commission		26 MoReg 1156		
3 CSR 10-12.150	Conservation Commission		26 MoReg 1156		
3 CSR 10-20.805	Conservation Commission		26 MoReg 1157		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 90-7.010	State Board of Cosmetology		26 MoReg 322R	This IssueR	
			26 MoReg 322	This Issue	
4 CSR 90-8.010	State Board of Cosmetology		26 MoReg 697R		
			26 MoReg 697		
4 CSR 90-11.010	State Board of Cosmetology		26 MoReg 328	This Issue	
4 CSR 100	Division of Credit Unions				26 MoReg 1096
					26 MoReg 1096
					26 MoReg 1212
4 CSR 100 2.060	Division of Credit Unions		26 MoReg 1159		
4 CSR 100-2.185	Division of Credit Unions		26 MoReg 174	26 MoReg 949	
4 CSR 100-2.220	Division of Credit Unions		26 MoReg 174	26 MoReg 949	
4 CSR 120-2.100	State Board of Embalmers and Funeral Directors		26 MoReg 1007		
4 CSR 140-2.070	Division of Finance		26 MoReg 328		
4 CSR 140-2.138	Division of Finance		26 MoReg 328		
4 CSR 140-6.085	Division of Finance		26 MoReg 329		
4 CSR 145-1.040	Missouri Board of Geologist Registration		26 MoReg 1011		
4 CSR 150-2.050	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.125	State Board of Registration for the Healing Arts		26 MoReg 1020		
4 CSR 150-2.165	State Board of Registration for the Healing Arts		26 MoReg 1021		
4 CSR 150-4.060	State Board of Registration for the Healing Arts		26 MoReg 330	This Issue	
4 CSR 150-8.060	State Board of Registration for the Healing Arts		26 MoReg 1023		
4 CSR 200-4.010	State Board of Nursing	26 MoReg 112	26 MoReg 175	26 MoReg 949	
4 CSR 205-4.010	Missouri Board of Occupational Therapy		26 MoReg 859		
4 CSR 205-4.020	Missouri Board of Occupational Therapy		26 MoReg 859		
4 CSR 220-2.018	State Board of Pharmacy		25 MoReg 2789	26 MoReg 958	
4 CSR 220-2.030	State Board of Pharmacy		25 MoReg 2789	26 MoReg 958	
4 CSR 220-2.032	State Board of Pharmacy		26 MoReg 698		
4 CSR 220-2.080	State Board of Pharmacy		25 MoReg 2790	26 MoReg 958	

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4 CSR 220-2.085	State Board of Pharmacy		26 MoReg 1025		
4 CSR 220-2.090	State Board of Pharmacy		25 MoReg 2791	26 MoReg 958	
4 CSR 220-2.300	State Board of Pharmacy		25 MoReg 2791R	26 MoReg 959R	
			25 MoReg 2791	26 MoReg 959	
4 CSR 220-2.900	State Board of Pharmacy		25 MoReg 2792	26 MoReg 960	
4 CSR 220-4.010	State Board of Pharmacy		26 MoReg 698		
4 CSR 220-5.020	State Board of Pharmacy		25 MoReg 2795	26 MoReg 961	
			26 MoReg 1025		
4 CSR 220-5.030	State Board of Pharmacy		25 MoReg 2795	26 MoReg 961	
4 CSR 231-2.010	Division of Professional Registration		26 MoReg 699		
4 CSR 235-1.020	State Committee of Psychologists		26 MoReg 700		
4 CSR 235-2.060	State Committee of Psychologists		26 MoReg 700R		
			26 MoReg 700		
4 CSR 240-32.130	Public Service Commission		26 MoReg 330		
4 CSR 240-32.140	Public Service Commission		26 MoReg 331		
4 CSR 240-32.150	Public Service Commission		26 MoReg 331		
4 CSR 240-32.160	Public Service Commission		26 MoReg 331		
4 CSR 240-32.170	Public Service Commission		26 MoReg 332		
4 CSR 240-120.100	Public Service Commission		26 MoReg 1160		
4 CSR 240-121.010	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.020	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.040	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.050	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.060	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.090	Public Service Commission		26 MoReg 1162		
4 CSR 245-5.010	Real Estate Appraisers		26 MoReg 1026		
4 CSR 245-5.020	Real Estate Appraisers		26 MoReg 1026		
4 CSR 255-1.040	Missouri Board for Respiratory Care		26 MoReg 860		
4 CSR 255-2.020	Missouri Board for Respiratory Care		26 MoReg 493		
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 493		
4 CSR 255-2.050	Missouri Board for Respiratory Care		26 MoReg 494		
4 CSR 255-2.060	Missouri Board for Respiratory Care		26 MoReg 496R		
			26 MoReg 496		
4 CSR 255-4.010	Missouri Board for Respiratory Care		26 MoReg 501R		
			26 MoReg 501		
4 CSR 265-10.030	Division of Motor Carrier and Railroad Safety	26 MoReg 112	26 MoReg 203	26 MoReg 961	
4 CSR 270-1.011	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.021	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.050	Missouri Veterinary Medical Board		26 MoReg 1031R		
			26 MoReg 1031		
4 CSR 270-2.011	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.021	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.052	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.070	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.071	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.020	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.030	Missouri Veterinary Medical Board		26 MoReg 1040		
4 CSR 270-3.040	Missouri Veterinary Medical Board		26 MoReg 1040		
4 CSR 270-4.042	Missouri Veterinary Medical Board		26 MoReg 1041		
4 CSR 270-4.050	Missouri Veterinary Medical Board		26 MoReg 1047		
4 CSR 270-4.060	Missouri Veterinary Medical Board		26 MoReg 1051		
4 CSR 270-5.011	Missouri Veterinary Medical Board		26 MoReg 1051		
4 CSR 270-7.020	Missouri Veterinary Medical Board		26 MoReg 1054		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.025	Division of School Services		26 MoReg 912		
5 CSR 60-100.020	Vocational and Adult Education		26 MoReg 915		
5 CSR 60-120.010	Vocational and Adult Education		N.A.	26 MoReg 821	
5 CSR 60-120.080	Vocational and Adult Education		26 MoReg 209	26 MoReg 1197	
5 CSR 80-800.200	Teacher Quality and Urban Education		26 MoReg 918		
5 CSR 80-800.220	Teacher Quality and Urban Education		26 MoReg 918		
5 CSR 80-800.230	Teacher Quality and Urban Education		26 MoReg 919		
5 CSR 80-800.260	Teacher Quality and Urban Education		26 MoReg 919		
5 CSR 80-800.270	Teacher Quality and Urban Education		26 MoReg 922		
5 CSR 80-800.280	Teacher Quality and Urban Education		26 MoReg 922		
5 CSR 80-800.350	Teacher Quality and Urban Education		26 MoReg 923		
5 CSR 80-800.360	Teacher Quality and Urban Education		26 MoReg 925		
5 CSR 80-800.380	Teacher Quality and Urban Education		26 MoReg 926		
5 CSR 90-4.120	Vocational Rehabilitation		26 MoReg 212	26 MoReg 1197	
5 CSR 90-5.400	Vocational Rehabilitation		26 MoReg 212	26 MoReg 1197	
5 CSR 90-5.440	Vocational Rehabilitation		26 MoReg 214	26 MoReg 1197	
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-5.010	Commissioner of Higher Education				This Issue
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-4.080	Division of Employment Security		26 MoReg 333	26 MoReg 1197	
8 CSR 60-3.040	Missouri Commission on Human Rights		26 MoReg 333	26 MoReg 1093	
8 CSR 70-1.010	MO Assistive Technology Advisory Council	26 MoReg 317	26 MoReg 334	26 MoReg 1093	

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DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.210	Director, Department of Mental Health		26 MoReg 705		
9 CSR 10-7.010	Director, Department of Mental Health		26 MoReg 708		
9 CSR 10-7.020	Director, Department of Mental Health		26 MoReg 710		
9 CSR 10-7.030	Director, Department of Mental Health		26 MoReg 711		
9 CSR 10-7.040	Director, Department of Mental Health		26 MoReg 714		
9 CSR 10-7.050	Director, Department of Mental Health		26 MoReg 714		
9 CSR 10-7.060	Director, Department of Mental Health		26 MoReg 715		
9 CSR 10-7.070	Director, Department of Mental Health		26 MoReg 716		
9 CSR 10-7.080	Director, Department of Mental Health		26 MoReg 717		
9 CSR 10-7.090	Director, Department of Mental Health		26 MoReg 718		
9 CSR 10-7.100	Director, Department of Mental Health		26 MoReg 719		
9 CSR 10-7.110	Director, Department of Mental Health		26 MoReg 719		
9 CSR 10-7.120	Director, Department of Mental Health		26 MoReg 720		
9 CSR 10-7.130	Director, Department of Mental Health		26 MoReg 723		
9 CSR 10-7.140	Director, Department of Mental Health		26 MoReg 725		
9 CSR 30-3.010	Certification Standards		26 MoReg 728R		
9 CSR 30-3.020	Certification Standards		26 MoReg 728R		
9 CSR 30-3.022	Certification Standards		26 MoReg 728		
9 CSR 30-3.030	Certification Standards		26 MoReg 729R		
9 CSR 30-3.032	Certification Standards		26 MoReg 729		
9 CSR 30-3.040	Certification Standards		26 MoReg 730R		
9 CSR 30-3.050	Certification Standards		26 MoReg 730R		
9 CSR 30-3.060	Certification Standards		26 MoReg 731R		
9 CSR 30-3.070	Certification Standards		26 MoReg 731R		
9 CSR 30-3.080	Certification Standards		26 MoReg 731R		
9 CSR 30-3.100	Certification Standards		26 MoReg 731		
9 CSR 30-3.110	Certification Standards		26 MoReg 735		
9 CSR 30-3.120	Certification Standards		26 MoReg 737		
9 CSR 30-3.130	Certification Standards		26 MoReg 739		
9 CSR 30-3.132	Certification Standards		26 MoReg 750		
	<i>(Changed from 9 CSR 30-3.610)</i>				
9 CSR 30-3.134	Certification Standards		26 MoReg 753		
	<i>(Changed from 9 CSR 30-3.611)</i>				
9 CSR 30-3.140	Certification Standards		26 MoReg 741		
9 CSR 30-3.150	Certification Standards		26 MoReg 742		
9 CSR 30-3.160	Certification Standards		26 MoReg 742		
9 CSR 30-3.190	Certification Standards		26 MoReg 745		
9 CSR 30-3.192	Certification Standards		26 MoReg 746		
9 CSR 30-3.200	Certification Standards		26 MoReg 747R		
9 CSR 30-3.201	Certification Standards		26 MoReg 758		
	<i>(Changed from 9 CSR 30-3.700)</i>				
9 CSR 30-3.202	Certification Standards		26 MoReg 760		
	<i>(Changed from 9 CSR 30-3.730)</i>				
9 CSR 30-3.204	Certification Standards		26 MoReg 762		
	<i>(Changed from 9 CSR 30-3.750)</i>				
9 CSR 30-3.206	Certification Standards		26 MoReg 764		
	<i>(Changed from 9 CSR 30-3.760)</i>				
9 CSR 30-3.208	Certification Standards		26 MoReg 768		
	<i>(Changed from 9 CSR 30-3.790)</i>				
9 CSR 30-3.210	Certification Standards		26 MoReg 748R		
9 CSR 30-3.220	Certification Standards		26 MoReg 748R		
9 CSR 30-3.230	Certification Standards		26 MoReg 768		
	<i>(Changed from 9 CSR 30-3.800)</i>				
9 CSR 30-3.240	Certification Standards		26 MoReg 748R		
9 CSR 30-3.250	Certification Standards		26 MoReg 748R		
9 CSR 30-3.300	Certification Standards		26 MoReg 755		
	<i>(Changed from 9 CSR 30-3.630)</i>				
9 CSR 30-3.400	Certification Standards		26 MoReg 749R		
9 CSR 30-3.410	Certification Standards		26 MoReg 749R		
9 CSR 30-3.420	Certification Standards		26 MoReg 749R		
9 CSR 30-3.500	Certification Standards		26 MoReg 749R		
9 CSR 30-3.510	Certification Standards		26 MoReg 750R		
9 CSR 30-3.600	Certification Standards		26 MoReg 750R		
9 CSR 30-3.610	Certification Standards		26 MoReg 750		
	<i>(Changed to 9 CSR 30-3.132)</i>				
9 CSR 30-3.611	Certification Standards		26 MoReg 753		
	<i>(Changed to 9 CSR 30-3.134)</i>				
9 CSR 30-3.620	Certification Standards		26 MoReg 755R		
9 CSR 30-3.621	Certification Standards		26 MoReg 755R		
9 CSR 30-3.630	Certification Standards		26 MoReg 755		
	<i>(Changed to 9 CSR 30-3.300)</i>				
9 CSR 30-3.700	Certification Standards		26 MoReg 758		
	<i>(Changed to 9 CSR 30-3.201)</i>				
9 CSR 30-3.710	Certification Standards		26 MoReg 759R		
9 CSR 30-3.720	Certification Standards		26 MoReg 759R		
9 CSR 30-3.730	Certification Standards		26 MoReg 760		
	<i>(Changed to 9 CSR 30-3.202)</i>				
9 CSR 30-3.740	Certification Standards		26 MoReg 762R		
9 CSR 30-3.750	Certification Standards		26 MoReg 762		
	<i>(Changed to 9 CSR 30-3.204)</i>				
9 CSR 30-3.760	Certification Standards		26 MoReg 764		
	<i>(Changed to 9 CSR 30-3.206)</i>				

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9 CSR 30-3.770	Certification Standards		26 MoReg 767R		
9 CSR 30-3.780	Certification Standards		26 MoReg 767R		
9 CSR 30-3.790	Certification Standards (Changed to 9 CSR 30-3.208)		26 MoReg 768		
9 CSR 30-3.800	Certification Standards (Changed to 9 CSR 30-2.230)		26 MoReg 768		
9 CSR 30-3.810	Certification Standards		26 MoReg 772R		
9 CSR 30-3.820	Certification Standards		26 MoReg 772R		
9 CSR 30-3.830	Certification Standards		26 MoReg 772R		
9 CSR 30-3.840	Certification Standards		26 MoReg 773R		
9 CSR 30-3.850	Certification Standards		26 MoReg 773R		
9 CSR 30-3.851	Certification Standards		26 MoReg 773R		
9 CSR 30-3.852	Certification Standards		26 MoReg 774R		
9 CSR 30-3.853	Certification Standards		26 MoReg 774R		
9 CSR 30-3.860	Certification Standards		26 MoReg 774R		
9 CSR 30-3.870	Certification Standards		26 MoReg 774R		
9 CSR 30-3.880	Certification Standards		26 MoReg 775R		
9 CSR 30-3.890	Certification Standards		26 MoReg 775R		
9 CSR 30-3.900	Certification Standards		26 MoReg 775R		
9 CSR 30-3.910	Certification Standards		26 MoReg 775R		
9 CSR 30-3.920	Certification Standards		26 MoReg 776R		
9 CSR 30-3.930	Certification Standards		26 MoReg 776R		
9 CSR 30-3.940	Certification Standards		26 MoReg 776R		
9 CSR 30-3.950	Certification Standards		26 MoReg 776R		
9 CSR 30-3.960	Certification Standards		26 MoReg 777R		
9 CSR 30-3.970	Certification Standards		26 MoReg 777R		
9 CSR 30-4.010	Certification Standards		26 MoReg 777		
9 CSR 30-4.020	Certification Standards		26 MoReg 778		
9 CSR 30-4.030	Certification Standards		26 MoReg 780		
9 CSR 30-4.031	Certification Standards		26 MoReg 781		
9 CSR 30-4.032	Certification Standards		26 MoReg 783		
9 CSR 30-4.033	Certification Standards		26 MoReg 784		
9 CSR 30-4.034	Certification Standards		26 MoReg 785		
9 CSR 30-4.035	Certification Standards		26 MoReg 787		
9 CSR 30-4.036	Certification Standards		26 MoReg 789R		
9 CSR 30-4.037	Certification Standards		26 MoReg 790R		
9 CSR 30-4.038	Certification Standards		26 MoReg 790		
9 CSR 30-4.039	Certification Standards		26 MoReg 791		
9 CSR 30-4.040	Certification Standards		26 MoReg 791		
9 CSR 30-4.041	Certification Standards		26 MoReg 792		
9 CSR 30-4.043	Certification Standards		26 MoReg 793		
9 CSR 30-4.044	Certification Standards		26 MoReg 795R		
9 CSR 30-4.100	Certification Standards		26 MoReg 795R		
9 CSR 30-4.110	Certification Standards		26 MoReg 795R		
9 CSR 30-4.120	Certification Standards		26 MoReg 796R		
9 CSR 30-4.130	Certification Standards		26 MoReg 796R		
9 CSR 30-4.140	Certification Standards		26 MoReg 796R		
9 CSR 30-4.150	Certification Standards		26 MoReg 796R		
9 CSR 30-4.160	Certification Standards		26 MoReg 797		
9 CSR 30-4.170	Certification Standards		26 MoReg 798R		
9 CSR 30-4.180	Certification Standards		26 MoReg 798R		
9 CSR 30-4.190	Certification Standards		26 MoReg 798		
9 CSR 45-3.070	Division of Mental Retardation and Developmental Disabilities		26 MoReg 335		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.210	Air Conservation Commission		26 MoReg 507		
10 CSR 10-2.260	Air Conservation Commission		26 MoReg 47	.....	This Issue
10 CSR 10-6.040	Air Conservation Commission		25 MoReg 2716	.....	This Issue
10 CSR 10-6.200	Air Conservation Commission		25 MoReg 2717	.....	This Issue
10 CSR 10-6.400	Air Conservation Commission		26 MoReg 344		
10 CSR 20-4.023	Clean Water Commission		26 MoReg 860		
10 CSR 20-4.043	Clean Water Commission		26 MoReg 861		
10 CSR 20-6.011	Clean Water Commission		25 MoReg 2878	.....	This Issue
10 CSR 20-6.060	Clean Water Commission		25 MoReg 2880	.....	This Issue
10 CSR 20-14.010	Clean Water Commission		25 MoReg 2881	.....	This Issue
10 CSR 20-14.020	Clean Water Commission		25 MoReg 2883	.....	This Issue
10 CSR 20-14.030	Clean Water Commission		25 MoReg 2885	.....	This Issue
10 CSR 23-3.100	Division of Geology and Land Survey		26 MoReg 1163		
10 CSR 25	Hazardous Waste Management Commission				25 MoReg 2597RUC
10 CSR 25-1.010	Hazardous Waste Management Commission		26 MoReg 518		
10 CSR 25-3.260	Hazardous Waste Management Commission		26 MoReg 518		
10 CSR 25-4.261	Hazardous Waste Management Commission		26 MoReg 521		
10 CSR 25-5.262	Hazardous Waste Management Commission		26 MoReg 523		
10 CSR 25-7.264	Hazardous Waste Management Commission		26 MoReg 530		
10 CSR 25-7.265	Hazardous Waste Management Commission		26 MoReg 531		
10 CSR 25-7.266	Hazardous Waste Management Commission		26 MoReg 532		
10 CSR 25-7.268	Hazardous Waste Management Commission		26 MoReg 533		
10 CSR 25-7.270	Hazardous Waste Management Commission		26 MoReg 535		
10 CSR 25-8.124	Hazardous Waste Management Commission		26 MoReg 538		
10 CSR 25-9.020	Hazardous Waste Management Commission		26 MoReg 541		
10 CSR 25-10.010	Hazardous Waste Management Commission		26 MoReg 545		

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10 CSR 25-11.279	Hazardous Waste Management Commission		26 MoReg 547		
10 CSR 25-12.010	Hazardous Waste Management Commission		26 MoReg 548		25 MoReg 2253
10 CSR 25-13.010	Hazardous Waste Management Commission		26 MoReg 554		
10 CSR 25-15.010	Hazardous Waste Management Commission		26 MoReg 559		
10 CSR 25-16.273	Hazardous Waste Management Commission		26 MoReg 560		
10 CSR 60-13.010	Public Drinking Water Program	This Issue	26 MoReg 563		
10 CSR 60-13.020	Public Drinking Water Program		26 MoReg 569		
10 CSR 60-13.025	Public Drinking Water Program		26 MoReg 571		
10 CSR 60-14.010	Public Drinking Water Program	26 MoReg 387	25 MoReg 2886	26 MoReg 1197	
10 CSR 60-14.020	Public Drinking Water Program	26 MoReg 388	25 MoReg 2889	26 MoReg 1203	
10 CSR 60-14.030	Public Drinking Water Program		25 MoReg 2899	26 MoReg 1206	
10 CSR 90-2.010	Parks, Recreation and Historic Preservation		25 MoReg 2806R	26 MoReg 961R	
	State Parks		25 MoReg 2806	26 MoReg 961	
10 CSR 90-2.020	Parks, Recreation and Historic Preservation		25 MoReg 2810R	26 MoReg 962R	
	State Parks		25 MoReg 2810	26 MoReg 962	
10 CSR 90-2.030	Parks, Recreation and Historic Preservation		25 MoReg 2815R	26 MoReg 962R	
	State Parks		25 MoReg 2815	26 MoReg 962	
10 CSR 90-2.040	Parks, Recreation and Historic Preservation		25 MoReg 2820	26 MoReg 963	
10 CSR 90-2.050	Parks, Recreation and Historic Preservation		25 MoReg 2821R	26 MoReg 963R	
	State Parks		25 MoReg 2821	26 MoReg 963	
10 CSR 90-2.060	Parks, Recreation and Historic Preservation		25 MoReg 2822R	26 MoReg 963R	
	State Parks		25 MoReg 2822	26 MoReg 963	
10 CSR 90-2.070	State Parks		25 MoReg 2824	26 MoReg 964	

DEPARTMENT OF PUBLIC SAFETY

11 CSR 30-2.010	Office of the Director		26 MoReg 861		
11 CSR 40-5.065	Division of Fire Safety	26 MoReg 1125	26 MoReg 1173		
11 CSR 40-6.060	Division of Fire Safety	26 MoReg 857			
11 CSR 45-3.010	Missouri Gaming Commission		This Issue		
11 CSR 45-4.380	Missouri Gaming Commission		This Issue		
11 CSR 45-5.030	Missouri Gaming Commission		26 MoReg 799		
11 CSR 45-5.065	Missouri Gaming Commission		26 MoReg 345	This Issue	
11 CSR 45-5.100	Missouri Gaming Commission		26 MoReg 1054		
11 CSR 45-5.237	Missouri Gaming Commission		26 MoReg 1054		
11 CSR 45-7.030	Missouri Gaming Commission		26 MoReg 799		
11 CSR 45-7.040	Missouri Gaming Commission		26 MoReg 802		
11 CSR 45-7.050	Missouri Gaming Commission		26 MoReg 804		
11 CSR 45-7.080	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-7.130	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-7.150	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-12.090	Missouri Gaming Commission		26 MoReg 1055		
11 CSR 45-12.091	Missouri Gaming Commission		26 MoReg 1057		
11 CSR 45-30.600	Missouri Gaming Commission		25 MoReg 2719	26 MoReg 968	

DEPARTMENT OF REVENUE

12 CSR	Construction Transient Employers				26 MoReg 600
					26 MoReg 1214
12 CSR 10-3.020	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.022	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.023	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.024	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.060	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.066	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.076	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.086	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.092	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.094	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.096	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.100	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.122	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.128	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.136	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.138	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.160	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.164	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.174	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.200	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.202	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.206	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.208	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.244	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.280	Director of Revenue		26 MoReg 1060R		
12 CSR 10-3.452	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.454	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.456	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.460	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.462	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.464	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.494	Director of Revenue		26 MoReg 935R		
12 CSR 10-3.882	Director of Revenue		26 MoReg 1060R		
12 CSR 10-3.890	Director of Revenue		26 MoReg 935R		

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12 CSR 10-4.270	Director of Revenue		26 MoReg 935R		
12 CSR 10-5.005	Director of Revenue		26 MoReg 935R		
12 CSR 10-5.025	Director of Revenue		26 MoReg 936R		
12 CSR 10-5.505	Director of Revenue		26 MoReg 936R		
12 CSR 10-5.515	Director of Revenue		26 MoReg 936R		
12 CSR 10-25.030	Director of Revenue		26 MoReg 345	26 MoReg 1208	
12 CSR 10-103.370	Director of Revenue		26 MoReg 581	This Issue	
12 CSR 10-110.300	Director of Revenue		26 MoReg 582		
12 CSR 30-3.075	State Tax Commission		25 MoReg 2827	26 MoReg 970	
DEPARTMENT OF SOCIAL SERVICES					
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13 CSR 15-4.050	Division of Aging		26 MoReg 406	26 MoReg 1208	
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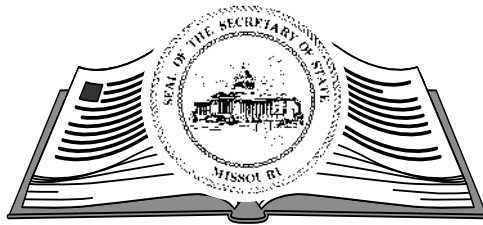
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