

10 CSR 10-1.020 Commission Voting and Meeting Procedures

(1) Prior to discussion and/or vote on any rule, variance, appeal or order, all members of the Missouri Air Conservation Commission shall disclose when they-

(A) May have a conflict of interest as defined under sections 105.450-105.482, RSMo;

(B) Hold an official or contractual relationship with the person seeking a variance or appeal or the person subject to an order at issue under the Missouri Air Conservation Law, Chapter 643, RSMo; or

(C) Under license or permit, render directly or through business or supervisory relationship, service similar to the person seeking a variance or appeal or the person who is subject to an order at issue under the Missouri Air Conservation Law.

(2) The member shall be excluded from voting on the matter at issue unless such member fully advises the commission of the interest and receives a determination from the commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the state expects from commission members. Fully advises means explains in detail in a signed, written statement available for public inspection.

Only sections (1) and (2) are Federally approved.

10 CSR 10-1.020

EPA Rulemakings

CFR: 40 C.F.R. 52.1320 (c)
FRM: 78 FR 37457 (7/21/2013)
PRM: 78 FR 21281 (4/10/2013)
State Submission: 8/8/2012
State Final: 10 CSR 10-1.020 (11/7/1997)
State Effective Date: 7/30/1998
Federal Effective Date: 7/22/2013
APDB File: MO-334, action taken with PM2.5 1997 and 2006 infrastructure SIP actions (see MO-314). EPA-R07-OAR-2013-0208.
Description: EPA approved in to the SIP, sections (1) and (2) of this rule as requested by Missouri on August 8, 2012 in the plan titled, *Section 128 Declaration: Missouri Air Conservation Commission Representation and Conflicts of Interest Provisions*. In order for Missouri to meet the requirements of the PM2.5 1997 and 2006 infrastructure SIP elements, Missouri first needed to demonstrate compliance with the Clean Air Act (CAA) section 110(a)(2)(E)(ii) which requires that each state SIP meet the requirements of the CAA section 128, relating to representation on state boards and conflicts of interest by members of such boards. Missouri submitted the plan, and this rule, among other provisions, to satisfy the requirements of section 128 of the CAA and to address the provisions of section 110(a)(2)(E)(ii).

Difference Between the State and EPA-Approved Regulation

Only sections (1) and (2) are EPA approved.