

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/15/99

A Bill

Act 1320 of 1999
SENATE BILL 794

5 By: Senator Everett
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND THE ARKANSAS QUARRY OPERATION,
10 RECLAMATION AND SAFE CLOSURE ACT; AND FOR OTHER
11 PURPOSES. "
12

Subtitle

14 "TO AMEND THE ARKANSAS QUARRY OPERATION,
15 RECLAMATION AND SAFE CLOSURE ACT. "
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code 15-57-403(j) is amended to read as follows:

21 "(j) Operator will give notice to the public in a local newspaper of
22 general circulation that he intends to open or reactivate a quarry.

23 Said notification will be part of an operator's 'intent' and will be
24 published in the newspaper at the same time the intent is filed with the
25 department. Said notification will indicate the approximate location of quarry
26 using section, township, and range plus a road address or identifiable local
27 landmarks when possible, the date of 'start up' and the date operator plans to
28 temporarily close, if applicable, as well as operator's name, address, phone
29 number and contact person and it shall state that interested parties may
30 contact the department for further information and that they have ten (10)
31 days after publication of the notice to notify the department of any request
32 for a public meeting. If the department receives at least five (5) requests
33 for a public meeting from owners of property within one half (1/2) mile of the
34 quarry, it may require that the operator hold a public meeting. This public
35 meeting shall be held within two (2) weeks after the expiration of the ten
36 (10) day public notice period. This meeting shall be held in a location near

1 the proposed quarry to allow the public to discuss their interests with the
2 operator prior to start up. Proof of publication shall be provided to the
3 department in the operator's notice of intent.

4 The operator will keep responses from the public on file for two (2)
5 years. The department will forward responses it receives to the operator.

6 The operator will keep a record of all action taken resulting from
7 public responses for two (2) years, notifying the department of each action."
8

9 SECTION 2. Arkansas Code 15-57-412(b) is amended to read as follows:

10 "(b) As of January 1, 1998, the reclamation bond required for
11 acceptance of an operator's notice of intent to open a quarry, or to
12 reactivate a quarry, will be ~~one thousand dollars (\$1,000)~~ one thousand one
13 hundred dollars (\$1,100) per acre of affected land. The face value of the bond
14 will be evaluated every five (5) years by the operator and a representative of
15 the department."
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17 SECTION 3. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.
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21 SECTION 4. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.
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27 SECTION 5. All laws and parts of laws in conflict with this act are
28 hereby repealed.

29 /s/ Everett
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32 APPROVED: 4/12/1999
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