

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 672 of 2003
SENATE BILL 859

5 By: Senator Altes
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-6-706 TO ALLOW
10 REGIONAL SOLID WASTE MANAGEMENT DISTRICTS TO
11 ISSUE CERTIFICATES OF NEED WITH PERMITTED
12 PROJECTED CAPACITY IN EXCESS OF THIRTY (30)
13 YEARS; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO ALLOW ISSUANCE OF REGIONAL
16 SOLID WASTE MANAGEMENT DISTRICT
17 CERTIFICATES OF NEED WITH CAPACITY IN
18 EXCESS OF THIRTY (30) YEARS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 8-6-706(d), concerning solid waste landfill
25 and transfer station permits, is amended to read as follows:

26 (d) After notice and a public hearing to be held by the regional board
27 in the county where the proposed landfill or transfer station is to be
28 located, a certificate of need shall be issued or denied by the regional
29 board based upon an evaluation of:

30 (1) The information provided by the applicant in the petition
31 for a certificate of need;

32 (2) The requirements and considerations of any needs assessments
33 prepared pursuant to this section;

34 (3) The location of the applicant's proposed landfill or
35 transfer station based on the district's needs and its highway and road
36 system;



1 (4) For landfill permits, the regional board shall consider the
 2 need for the landfill based upon the district's excess projected capacity
 3 which is currently permitted for operation, but in no event shall the
 4 district's excess permitted projected capacity exceed thirty (30) years,
 5 unless the city or county government within whose jurisdiction the proposed
 6 landfill is located authorizes, through adoption of a resolution, approval of
 7 the excess capacity;

8 (5) Any solid waste management system plans promulgated and
 9 approved pursuant to §§ 8-6-211 and 8-6-212 to the extent these plans conform
 10 to an overall regional planning strategy;

11 (6) A detailed history of the applicant's record and that of the
 12 stockholders and officers with respect to violations of environmental laws
 13 and regulations of the United States or any state or any political
 14 subdivision of any state; and

15 (7) Any procedures adopted by the regional board for issuance of
 16 a certificate of need.

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 19 **APPROVED: 3/26/2003**
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