

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 823

"AN ACT TO AMEND THE APPROVAL AND APPEAL PROCESS FOR PERMITS FOR
LANDFILLS OR SOLID WASTE TRANSFER STATIONS; TO PRESCRIBE STANDARDS
WHERE CERTAIN CLASS I LANDFILLS OR LANDFILL EXPANSIONS ARE NOT
ALLOWED."

Amendment No. 2 to Senate Bill No. 823.

Amend Senate Bill No. 823 as engrossed, S3/19/03:

Page 2, delete lines 8 through 14, and substitute the following:

“(c)(1) Any interested party to a certificate of need determination by a regional board may appeal the decision directly to circuit court or to the Director of the Arkansas Department of Environmental Quality pursuant to procedures adopted by the Arkansas Pollution Control and Ecology Commission.

 (2)(A) The director may issue a permit despite the denial of a certificate of need if the director finds upon appeal that the decision of the regional board was not supported by substantial evidence.

 (B) If the director overturns the regional board’s decision, any interested party may appeal the director’s decision in circuit court.”



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Madison
EAN/VJF - 033120031316
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Secretary