

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Givens**

A Bill

HOUSE BILL 1572

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §20-27-1003 ET
9 SEQ., TO CLARIFY THE EXEMPTION OF CERTAIN FACILITIES FROM
10 REGULATION BY THE ARKANSAS DEPARTMENT OF POLLUTION CONTROL
11 AND ECOLOGY; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code Annotated §20-27-1003(2) is amended to read as
16 follows:

17 "(2) 'Facility' means any institutional, commercial or industrial
18 structure, installation, or building, excluding apartment buildings having no
19 more than four (4) dwelling units and excluding single-family residences;"
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21 SECTION 2. Arkansas Code Annotated §20-27-1007 is amended to add
22 subsection (5) as follows:

23 "(5) Any structure, installation or building not included within the
24 definition of 'Facility' as set forth in this subchapter is specifically
25 exempt from the prohibitions and requirements provided in this subchapter and
26 from regulation by the Department of Pollution Control and Ecology, to the
27 extent that demolition, rehabilitation, transportation, and disposal of or
28 concerning asbestos or asbestos-containing material at or from such structure,
29 building or installation is not regulated or controlled by a federal statute
30 or regulation and regulation by the Department of Pollution Control and
31 Ecology shall not exceed or be more restrictive than the federal regulations
32 and statutes concerning such structures, buildings or installations."
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34 SECTION 3. All provisions of this Act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 4. If any provision of this Act or the application thereof to
4 any person or circumstance is held invalid, such invalidity shall not affect
5 other provisions or applications of the Act which can be given effect without
6 the invalid provision or application, and to this end the provisions of this
7 Act are declared to be severable.

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9 SECTION 5. All laws and parts of laws in conflict with this Act are
10 hereby repealed.

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/s/ Art Givens

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