

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REQUIRE LANDFILL PERMITS TO BE APPROVED BY THE
9 REGIONAL SOLID WASTE PLANNING BOARD PRIOR TO BEING
10 SUBMITTED TO THE DEPARTMENT OF POLLUTION CONTROL AND
11 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. Hereafter no solid waste landfill permit shall be issued by
16 the Arkansas Department of Pollution Control and Ecology unless the permit
17 application has been reviewed by the Regional Solid Waste Planning Board
18 having jurisdiction of the area in which the proposed landfill would be
19 located. All solid waste landfill permit applications pending before the
20 Department of Pollution Control and Ecology at the time this Act goes into
21 effect shall be forwarded to the appropriate Regional Solid Waste Planning
22 Boards for action and the Department of Pollution Control and Ecology shall
23 hereafter issue no solid waste landfill permits unless the same have been
24 reviewed by the appropriate Regional Solid Waste Planning Board.

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26 SECTION 2. All provisions of this Act of a general and permanent nature
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28 Revision Commission shall incorporate the same in the Code.

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

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1 SECTION 4. All laws and parts of laws in conflict with this Act are
2 hereby repealed.

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4 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
5 General Assembly that the Regional Solid Waste Planning Boards should have
6 authority to review all applications for the location of solid waste landfills
7 within their jurisdiction prior to those landfills being permitted by the
8 Department of Pollution Control and Ecology; that this Act so provides; and
9 that this Act should go into effect immediately in order to establish the
10 procedure as soon as possible for local review of landfill permit
11 applications. Therefore, an emergency is hereby declared to exist and this
12 Act being immediately necessary for the preservation of the public peace,
13 health and safety shall be in full force and effect from and after its passage
14 and approval.

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