| 1 | State of Arkansas | As Engrossed: \$3/20/17 | |
|----|---|--|-------------------|
| 2 | 91st General Assembly | A Bill | |
| 3 | Regular Session, 2017 | | SENATE BILL 654 |
| 4 | | | |
| 5 | By: Senator D. Sanders | | |
| 6 | | | |
| 7 | | For An Act To Be Entitled | |
| 8 | AN ACT TO | CREATE THE VOLUNTARY ENVIRONMENTAL | |
| 9 | STEWARDSE | HIP PROGRAM TO REWARD ORGANIZATIONS THAT | USE |
| 10 | ENVIRONME | ENTAL MANAGEMENT PLANS AND DEMONSTRATE | |
| 11 | EXCEPTION | NAL, SUSTAINED ENVIRONMENTAL PERFORMANCE | ; AND |
| 12 | FOR OTHER | R PURPOSES. | |
| 13 | | | |
| 14 | | | |
| 15 | | Subtitle | |
| 16 | ТО | CREATE THE VOLUNTARY ENVIRONMENTAL | |
| 17 | STEV | WARDSHIP PROGRAM TO REWARD | |
| 18 | ORGA | ANIZATIONS THAT USE ENVIRONMENTAL | |
| 19 | MANA | AGEMENT PLANS AND DEMONSTRATE | |
| 20 | EXC | EPTIONAL, SUSTAINED ENVIRONMENTAL | |
| 21 | PER | FORMANCE. | |
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| 24 | BE IT ENACTED BY THE | GENERAL ASSEMBLY OF THE STATE OF ARKANS | AS: |
| 25 | | | |
| 26 | SECTION 1. Ark | kansas Code Title 8, Chapter 1, Subchapt | er 2, is amended |
| 27 | to add an additional | section to read as follows: | |
| 28 | <u>8-1-206. Volur</u> | ntary environmental stewardship program | - Definitions. |
| 29 | <u>(a) As used in</u> | n this section: | |
| 30 | <u>(1) "Env</u> | vironmental laws" means this title and a | ny regulations, |
| 31 | permits, and orders a | adopted or issued under this title; | |
| 32 | (2) "Environmental management system" means a set of documented | | |
| 33 | processes and practices that enable an organization to reduce its | | |
| 34 | environmental impact | and increase operating efficiency by co | <u>ntinuously</u> |
| 35 | improving its environ | nmental performance; | |
| 36 | <u>(3) "Ent</u> | vironmental performance" means the effec | t of a facility |

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| 1 | or activity on air, water, land, natural resources, or human health and the |
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| 2 | generation of waste by a facility or activity; and |
| 3 | (4)(A)(i) "Organization" means a company, corporation, political |
| 4 | subdivision, firm, enterprise, or institution, or any part or combination, |
| 5 | whether incorporated or not, public or private, that has its own functions |
| 6 | and administration. |
| 7 | (ii) For an organization with more than one (1) |
| 8 | operating unit, a single operating unit may be treated as an organization. |
| 9 | (B) "Organization" includes persons or entities regulated |
| 10 | by the Arkansas Department of Environmental Quality and those not regulated |
| 11 | by the department. |
| 12 | (b)(1) The Director of the Arkansas Department of Environmental |
| 13 | Quality may develop, implement, and administer a voluntary environmental |
| 14 | stewardship program. |
| 15 | (2) The voluntary environmental stewardship program shall |
| 16 | provide recognition for those organizations that have a history of sustained |
| 17 | compliance with environmental law requirements or organizations that go above |
| 18 | and beyond environmental law requirements. |
| 19 | (3) At the discretion of the director, the voluntary |
| 20 | environmental stewardship program shall provide incentives for organizations |
| 21 | that demonstrate sustained compliance with environmental laws or go above and |
| 22 | beyond environmental law requirements to include without limitation: |
| 23 | (A) Reduced inspection frequency; |
| 24 | (B) Reduced reporting requirements; or |
| 25 | (C) Advanced notification of inspections and enforcement |
| 26 | <u>rulings.</u> |
| 27 | (4) The voluntary environmental stewardship program shall |
| 28 | include tiers commensurate with and appropriate to the environmental impacts |
| 29 | of an organization's facilities, activities, products, or services, and be |
| 30 | based on an organization's level of commitment to the voluntary environmental |
| 31 | stewardship program. |
| 32 | (c)(l) Participation in the voluntary environmental stewardship |
| 33 | program by any organization is voluntary. |
| 34 | (2) The department shall approve an organization's membership in |
| 35 | the voluntary environmental stewardship program and shall review the |
| 36 | organization's membership at least one (1) time every three (3) years. |

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| 1 | (3) Membership and tier level assignment shall be based on the |
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| 2 | organization's commitment to: |
| 3 | (A) Sustained compliance with environmental laws and |
| 4 | history of compliance with environmental laws; |
| 5 | (B) Develop, implement, and maintain an environmental |
| 6 | management system; |
| 7 | (C) Going above and beyond the requirements of |
| 8 | environmental laws; |
| 9 | (D) Pollution prevention and improving its environmental |
| 10 | performance; and |
| 11 | (E) Reporting to the department on its environmental |
| 12 | performance annually. |
| 13 | (d)(l) Membership in the voluntary environmental stewardship program |
| 14 | is not a license or permit under this title. |
| 15 | (2) The denial or approval of membership is not an appealable |
| 16 | action or an action against the organization under this title. |
| 17 | (e) This section does not permit the violation of state or federal |
| 18 | <u>laws.</u> |
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| 20 | /s/D. Sanders |
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